TO: Council  
FROM: Michael Benner  
DATE: January 27, 2020  
REPORT: PL.20.07  
SUBJECT: Z03.2020 Mahlmann - Public Planning Meeting  

RECOMMENDATION:  
That Council receive Planning Report PL.20.07 for information related to the Public Planning Meeting associated with the application.

BACKGROUND AND ANALYSIS:  
THE PURPOSE OF THE APPLICATION:  
To amend the Municipality's Zoning By-law 2004-50 to implement consent applications B15.2019.

THE EFFECT OF THE ZONING BY-LAW AMENDMENT:  
The effect of this By-law is to amend schedule ‘A-3’ from Agriculture (A1) and Hazard (H) to Agriculture (A1-376), Hazard (H) and Rural Residential (RUR). Exception 376 will permit agricultural uses only on the subject lands.

OPERATIONAL CONSIDERATIONS:  
1.0 Background  
The subject lands are known as 075251 Grey Road 12. The lands have a total lot area of 67 hectares and a lot frontage of 410 metres. The lands are in agricultural production with a house and accessory structures located adjacent to Grey Road 12. The proposal is to sever the house and accessory structures as they are surplus to the needs of the farmer (i.e. a surplus farm dwelling severance). This application was originally submitted earlier in 2019 but deferred by the applicant prior to going to the Committee of Adjustment to address concerns regarding Aggregate Resource Areas. An amendment to the zoning bylaw is required to implement this severances.
2.0 Planning Analysis

The following issues were reviewed as part of this application:
- The Provincial Policy Statement 2014;
- General Development Policies of the County’s Official Plan;
- General Development Policies of the Municipality’s Official Plan;
- Existing/Proposed Lot Configuration; and
- Permitted uses for the subject lands.

2.1 Provincial Policy Statement

The Provincial Policy Statement (PPS) states that in respect of the exercise of any authority that affects a planning matter, Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act. Section 2.3. of the PPS provides policies related to Agricultural areas in municipalities. The PPS states that Prime agricultural areas shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

Lot creation in Prime agricultural areas is restricted and only allowed for:

- agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- a residence surplus to a farming operation as a result of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.
- infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

As the proposal requests to sever a residence surplus to the farming operation, as noted above, Staff are satisfied that the proposal meets the intent of the Provincial Policy Statement for agricultural consents.

Section 2.5.2.4 of the PPS also states that:

Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
Section 2.5.2.5 of the PPS also states that:

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- Resource use would not be feasible; or
- The proposed land use or development serves a greater long-term public interest; and
- Issues of public health, public safety and environmental impact are addressed.

2.2 County of Grey Official Plan

Schedule A of the County OP designates the subject property as ‘Agricultural’. Section 2.1.4 (1) of the OP states that:

Where a residence is deemed surplus to a farm operation as a result of farm consolidation, provided that:

1. The owner of the lands to be severed is a ‘bona fide farmer’. For the purposes of this policy, the ‘bona fide farmer’ must have a Farm Business Registration number. A ‘bona fide farmer’ shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms;

2. The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands;

3. The remnant parcel shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance;

4. The severance of a residence surplus to a farming operation must comply with Provincial MDS Formulae. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining Provincial MDS Formulae compliance;

The County OP also notes that Hazard lands, Significant Woodlands and Other identified Wetlands are also located on the subject lands. The proposed severance is located outside of these areas.
Further, the subject lands are located within an area identified as an Aggregate Resource Area on Schedule B. Section 5.6.2.7 of the OP states that:

New non-agricultural uses that require a zoning by-law amendment on existing lots of record, or new non-farm sized lot creation, which would prevent or hinder new extraction operations, and may only be permitted if:

a) The extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns. The quality and quantity of the material will be determined by having a qualified individual dig test pits within the area proposed for the non-agricultural development as well as the adjacent lands within 300 metres of the aggregate resource area; or that

b) The proposed land use or development serves a greater long term interest of the general public than the aggregate extraction; and

c) Issues of public health, public safety, and environmental impact are addressed.

2.3 Municipality of Grey Highlands Official Plan

The subject lands are designated as Agriculture in the municipality's Official Plan. The purpose of the Agricultural designation is to ensure the long-term viability of the agricultural sector, the protection of prime agricultural areas, and that agricultural practices are integral and compatible with the natural and built environment.

Section 4.1.3. of the OP states that:

(b) where a residence is deemed surplus to a farm operation as a result of farm consolidation, provided that:

1. The owner of the lands to be severed is a ‘bona fide farmer’, for the purposes of this policy a bona fide farm shall have a Farm Business Registration number. For the purposes of this policy, the ‘bona fide farmer’ shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms;

2. the lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands;

3. The remnant parcel shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance;
4. The severance of a Residence Surplus to a Farming Operation must comply with MDS I. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining MDS I compliance;

5. The existing residence is habitable at the time of application.

Section 4.10.2 j) and k) of the OP also state that:

Non-farm lot creation shall not be permitted within lands identified as Aggregate Resource Area as identified on Schedule B to this Plan.

Non-farm development proposed within 300 metres of lands designated Mineral Resource Extraction will only be permitted if it has been demonstrated to the appropriate approval authority that the proposed land use or development would not significantly preclude or hinder future aggregate extraction.

Schedule B of the OP notes that the severed lands are located within an Aggregate Resource Area.

2.4 Municipality of Grey Highlands Comprehensive Zoning By-law No. 2004-50

The lands are zoned Agricultural (A1). As noted under the OP requirements for surplus farm dwelling severances. A zoning by-law amendment would be required for the remnant parcel to prohibit the future erection of a residential dwelling of any type on the agricultural lands.

3.0 Comments Received (Summary)

Comments were provided from the following departments and agencies:


County planning staff recommend refusal of the subject application as the application forms part of the conditions of approval for related consent application B15.2019. The proposed surplus farm dwelling severance does not conform, nor is it consistent with County Official Plan policy 6.5.2(8) and Provincial Policy Statement Policy 2.5.2.5.


The proposed zoning by-law amendment is considered acceptable by SVCA staff. It is the opinion of the SVCA staff that:

1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

In accordance with the approved fee schedule: SVCA 2020 Plan Review Fee Schedule – Municipality of Grey Highlands the applicant will be invoiced $240 for the SVCA’s review of this application.


No concerns.


No concerns.

Appendices

Appendix 1 – MGH Location Map
Appendix 2 – Aerial Map
Appendix 3 – Zoning Map
Appendix 4 – Agency/Department comments
Appendix 5 – Notice of Meeting and graphics

GREY HIGHLANDS STRATEGIC PLAN:
Respected Environment - Prioritize the stewardship of our lakes, rivers, and natural environment when making planning decisions pertaining to Municipal growth and development.

Approved By: Michael Benner, Director of Planning
Status: Approved - 21 Jan 2020
January 13th, 2020

Raylene Martell, Clerk
Municipality of Grey Highlands
206 Toronto Street South, Unit One
P.O. Box 409 Markdale, Ontario N0C 1H0
*Sent Via E-mail

RE: Zoning By-law Amendment Z03.2020
Part Lot 4-5 Conc 10 (075251 Grey Road 12)
Municipality of Grey Highlands (geographic township of Euphrasia)
Owner/Applicant: Peter Horst Mahlmann and Anna Mahlmann
Agent: Robert Porteous and Carrie Russell

Dear Ms. Martell,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the zoning by-law amendment is to amend the municipality’s zoning by-law 2004-50 to implement consent application B15.2019. The effect of this by-law is to amend schedule ‘A-3’ from Agriculture (A1) and Hazard (H) to Agriculture (A1-376), Hazard (H) and Rural Residential (RUR). Exception 376 will permit agricultural uses only on the subject lands.

County planning staff provided comments April 23rd, 2019 for the related consent application B15.2019. Staff recommended refusal of the subject application as it did not conform with policy 2.7.3 of the 2012 County OP. This policy speaks to the matter that non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas.

Schedule B of the County OP identifies the area to be zoned and that forms part of the surplus farm dwelling severance as an ‘Aggregate Resource Area’.

Under the newly approved County Official Plan, section 5.6.2(8) states,

Non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas. Lot creation for infrastructure or public
use purposes may be exempted from this requirement provided all reasonable measures are taken to mitigate any impacts on the aggregate resource.

Under section 2.5.2.5 of the Provincial Policy Statement, the following policy speaks to the protection of long-term resource supply (aggregate):

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- Resource use would not be feasible; or
- The proposed land use or development serves a greater long-term public interest; and
- Issues of public health, public safety and environmental impact are addressed.

The subject proposal does not conform nor is it consistent with the County Official Plan (2019) and the Provincial Policy Statement (2014).

Schedule A of the County OP designates the subject lands as ‘Agricultural’ and ‘Hazard Lands’. Section 5.2.3(1)(a) outlines the criteria for a surplus farm dwelling severance. Section 7.2 states new development shall generally be directed away from Hazard Lands.

Appendix B of the County OP also identifies ‘significant woodlands’, ‘significant valleyland’, ‘other identified wetlands’, and ‘a stream’ on the subject property. Section 7.4(1) states,

no development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions.

Section 7.7(1) states,

No development or site alteration may occur within significant valleylands or their adjacent lands unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions.

Section 7.3.2(1) states,
Page 3
January 13th, 2020

No development or site alterations are permitted within other wetlands or their adjacent lands unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

And section 7.9(2) states,

No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with section 7.11 of this plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced.

Natural heritage features exceed the adjacent land width identified under the County Plan from the area of land proposed to be severed.

County Transportation Services has reviewed the subject file and has no comments or concerns.

County planning staff recommend refusal of the subject application as the application forms part of the conditions of approval for related consent application B15.2019. The proposed surplus farm dwelling severance does not conform, nor is it consistent with County Official Plan policy 6.5.2(8) and Provincial Policy Statement Policy 2.5.2.5.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours truly,

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca

Grey County: Colour It Your Way
January 17, 2020

Municipality of Grey Highlands
206 Toronto Street South, Suite 1
Markdale Ontario, N0C 1H0

ATTENTION: Michael Benner, Director of Planning

Dear Mr. Benner,

RE: Application for Zoning By-Law Amendment Z03.2020
075251 Grey Road 12
420839000702300
PT LT 4-5 CON 10 EUPHRASIA AS IN R295034; GREY HIGHLANDS
Geographic Township of Euphrasia
Municipality of Grey Highlands (Mahlmann)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted application as 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, 2014) 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 of Grey Highlands representing natural hazards, natural heritage and water resources; and the application has been reviewed through SVCA’s 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.

The purpose of the application is to implement consent application B15.2019. The effect of this By-law is to amend schedule ‘A-3’ from Agriculture (A1) and Hazard (H) to Agriculture (A1-376), Hazard (H) and Rural Residential (RUR). Exception 376 will permit agricultural uses only on the subject lands.

Staff have received and reviewed the following documents submitted with this application:
1) Request for Agency Comments and attached Site Plan

Recommendation

SVCA staff find the application acceptable and elaborate in the following paragraphs.
Site Characteristics

The site consists of mainly agriculture fields, with some low lying wetland areas to the east and floodplain associated with the Rocky Saugeen River. There is a dwelling and shed that appear to be present on the proposed severed parcel.

Delegated Responsibility and Advisory Comments

SVCA staff has reviewed the application 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, 2014). We have also reviewed the application through our responsibilities as a service provider to the Municipality of Grey Highlands 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 2014, County Official Plan and/or local official plans. Comments below only include features/technical requirements affecting the property.

Natural Hazards:

SVCA hazard mapping indicates areas of the property are affected by the flood and erosion hazard of the Rocky Saugeen River; additionally, mapping indicates wetlands may be present on the property surrounding the watercourse. It is SVCA staff’s opinion that portions of the severed property, mainly surrounding the Rocky Saugeen River are zoned Hazard (H) in the Municipality of Grey Highlands Zoning By-Law 2004-50, and designated Hazard lands in the Grey Highlands Local Official Plan and Grey County Official Plan. In general, it is SVCA’s interpretation that that no new buildings or structures are permitted within the Hazard Designations as per the Grey highlands OP Section 4.4.2 or the H zone as per the Grey Highlands Zoning By-Law 2004-50 Section 12. It appears all existing buildings and structures are outside the Hazard designation and H zone. It is the understanding of SVCA staff that there will be no changes to the Hazard designations or the Hazard zone as part of this application. SVCA staff are of the opinion that while the Grey County OP Hazard designation closely reflects SVCA Hazard mapping, the Hazard zone as indicated on the Grey Highlands Zoning By-Law 2004-50 and the Hazard designation as indicated on the Grey Highlands OP do not match as closely. SVCA staff recommend that the Hazard Zone be amended to reflect that in the Grey County OP and as originally mapped by SVCA staff.

Provincial Policy Statement – Section 3.1

Section 3.1 of the Provincial Policy Statement dictates that development shall be directed away from hazardous lands adjacent to rivers which may exhibit flood and erosion hazards; and that development and site alteration shall not be permitted within areas that would be inaccessible during times of flooding or erosion hazards. The application generally appears to be consistent with Section 3.1 of the PPS.

Grey Highlands and Grey County Official Plan Policies

Floodplains and steep or erosion prone slopes are considered Hazard Lands and detailed in both Section 4.4.2 of the Grey Highlands Official Plan and Section 7.2 of the Grey County Official Plan. Further, these policies state that no buildings or structures will be permitted within the Hazard lands. The application generally appears to be consistent with Section 4.4.2 of the Grey Highlands OP and Section 7.2 of the Grey County OP.
Natural Heritage:

In the opinion of SVCA staff, the subject property features Significant Woodlands, Significant Valleylands, Fish Habitat, Other Identified Wetlands, and potentially the Habitat of Threatened or Endangered Species. The Hazard Zoning and Hazard designation does recognize the encompasses the Significant Valleylands, Significant Woodlands and Other Identified Wetlands for this property.

Significant Woodlands

Significant Woodlands are identified as those which are greater than or equal to 40 hectares in size outside of settlement areas and can also be significant if there is overlap with Significant Valleylands, as per section 7.4 of the Grey County OP.

Provincial Policy Statement – Section 2.1

Section 2.1.5 (b) of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within significant woodlands nor shall it be permitted on adjacent lands (Section 2.1.8) to significant woodlands unless it has been evaluated and demonstrated that there will be no negative impacts. While the severance proposed is within the adjacent lands of significant woodlands, no new development is proposed, and SVCA staff are of the opinion that the impact to the woodlands will be negligible. The application is generally consistent with Section 2.1 on the PPS.

Grey Highlands and Grey County Official Plan Policies

Section 2.3.1 (a) of the Grey Highlands (OP) and Section 7.4(1) of the Grey County OP states that development and site alteration may be permitted on and within lands adjacent to significant woodlands if it has been demonstrated through an environmental impact study that there will be no negative impact on the feature. While the severance proposed is within the adjacent lands of significant woodlands, no new development is proposed, and SVCA staff are of the opinion that the impact to the woodlands will be negligible. The application is generally consistent with the Grey Highlands and Grey County OP.

Significant Valleylands

Significant Valleylands are identified as the 200-metre-wide corridor relevant watercourses as per Section 7.7 of the Grey County OP.

Provincial Policy Statement – Section 2.1

Section 2.1.5 (c) of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within significant valleylands nor shall it be permitted on adjacent lands (Section 2.1.8) to significant valleylands unless it has been evaluated and demonstrated that there will be no negative impacts. While the severance proposed is within the adjacent lands of significant valleylands, no new development is proposed, and SVCA staff are of the opinion that the impact to the valleylands will be negligible. The application is generally consistent with Section 2.1 on the PPS.
Grey Highlands and Grey County Official Plan Policies

Section 2.3.1 (a) of the Grey Highlands (OP) and Section 7.7 (1) of the Grey County OP states that development and site alteration may be permitted on and within lands adjacent to significant valleylands if it has been demonstrated through an environmental impact study that there will be no negative impact on the feature. While the severance proposed is within the adjacent lands of significant valleylands, no new development is proposed, and SVCA staff are of the opinion that the impact to the valleylands will be negligible. The application is generally consistent with the Grey Highlands and Grey County OP.

Other Identified Wetlands

Mapping provided to SVCA staff by the Ministry of Natural Resources and Forestry, and mapping done by Grey County indicates wetland features on the property that are not considered Provincially or Locally Significant but are still regarded as a Natural Heritage feature. Both the Provincial Policy Statement and Grey Highlands OP do not make reference to Other Identified Wetlands.

Grey County Official Plan Policies

Section 7.3.2 (1) of the Grey County OP states that no development or site alteration may be permitted on and within lands adjacent to natural heritage features unless it has been demonstrated that there will be no negative impact on the feature. While the severance proposed is within the adjacent lands of other identified wetlands, no new development is proposed, and SVCA staff are of the opinion that the impact to the wetlands will be negligible. The application is generally consistent with the Grey County OP.

Fish Habitat

The Rocky Saugeen River flows through this property. This river is considered fish habitat by SVCA staff. Our review of Fish Habitat is provided in consideration of the PPS and local policies but does not provide clearance on the required statutes or legislation from either the MNRF or the DFO.

Provincial Policy Statement – Section 2.1

Section 2.1.6 of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within fish habitat nor shall it be permitted on adjacent lands (Section 2.1.8) to fish habitat unless it has been evaluated and demonstrated that there will be no negative impacts. While the severance proposed is within the adjacent lands of fish habitat, no new development is proposed, and SVCA staff are of the opinion that the impact to the habitat will be negligible. The application is generally consistent with Section 2.1 on the PPS.

Grey Highlands and Grey County Official Plan Policies

Section 2.3.1 (a) of the Grey Highlands (OP) and Section 7.9 of the Grey County OP states that development and site alteration may be permitted on and within lands adjacent to natural heritage features if it has been demonstrated through an environmental impact study that there will be no negative impact on the feature. While the severance proposed is within the adjacent lands of fish habitat, no new development is proposed, and SVCA staff are of the opinion that the impact to the habitat will be negligible. The application is generally consistent with the Grey Highlands and Grey County OP.
Threatened and Endangered Species

It has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on and adjacent to the property. Our role is to ID habitat through a screening process in consideration of PPS and local policies, however it is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

Provincial Policy Statement – Section 2.1

Section 2.1.7 of the Provincial Policy Statement dictates that development and site alteration shall not be permitted within habitat of threatened or endangered species unless it has been evaluated and demonstrated that there will be no negative impacts.

Grey Highlands and Grey County Official Plan Policies

Section 2.3.1 (a) of the Grey Highlands (OP) and Section 7.10 of the Grey County OP states that development and site alteration may be permitted on and within lands adjacent to natural heritage features if it has been demonstrated through an environmental impact study that there will be no negative impact on the feature.

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.

Portions of the severed parcel are within the SVCA ‘Approximate Screening Area’ associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area requires the permission from SVCA, prior to carrying out the work.

“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 http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area on the proposed retained parcel, the SVCA should be contacted, as permission may be required.

Summary

SVCA staff has reviewed this application in accordance with our MOA with the Municipality of Grey Highlands and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act.

The proposed zoning by-law amendment is considered acceptable by SVCA staff.

Given the above comments, it is the opinion of the SVCA staff that:
1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
2) Consistency with Section 2.1, Natural Heritage policies of the PPS has been demonstrated.
3) Consistency with local planning policies for natural hazards and natural heritage has been demonstrated.

In accordance with the approved fee schedule: SVCA 2020 Plan Review Fee Schedule – Municipality of Grey Highlands the applicant will be invoiced $240 for the SVCA’s review of this application.

Please inform this office of any decision made by the Municipality of Grey Highlands with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

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

Sincerely,

Megan Stansfield
Environmental Planning Technician
Saugeen Conservation

cc: Robert Porteous, Applicant (via email)  
Carrie Russell, Applicant (via email)  
Paul Allen, Authority Member, SVCA (via email)
Planning Application Comments

Department: Building
Date: January 08, 2020
File No: Z03.2020
Applicant: Peter Horst Mahlmann and Anna Mahlmann
Roll Number: 390.007.02300

Comments:

- Building Department has no concerns with the proposed zoning application to amend the Municipality of Grey Highlands Zoning By-law 2004-50 to implement consent application B15.2020. The effect of this By-law is to amend schedule ‘A-3’ from Agriculture (A1) and Hazard (H) to Agriculture (A1-376), Hazard (H) and Rural Residential (RUR). Exception 376 will permit agricultural uses only on the subject lands.

- The owner should be aware that any development in the future on the subject lands will require approved permits from all legislated authorities and meet the required regulations in place at time of application.

Name: Debbie Anderson, CBCO, BCIN 11900
Title: Chief Building Official
Hi Cassondra

PU has no comments on this application at this time.

Thanks

Shawn Moyer,
Director of Public Utilities
The Municipality of Grey Highlands
(519-986-4784 moyers@greyhighlands.ca)

In accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Corporation of the Municipality of Grey Highlands wishes to inform the public that all information, including opinions, presentations, reports and documentation received by this office MAY be posted on the Municipality's website, included on a public agenda and/or made available to the public upon request.

This electronic transmission, including any accompanying attachments, may contain information that is confidential, privileged and/or exempt from disclosure under applicable law, and is intended only for the recipient(s) named above. Any distribution, review, dissemination or copying of the contents of this communication by anyone other than the intended recipient(s) is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail and permanently delete the copy you have received so we may ensure the integrity of the principles of MFIPPA are maintained.

Hi Cassondra

PU has no comments on this application at this time.

Thanks

Shawn Moyer,
Director of Public Utilities
The Municipality of Grey Highlands
(519-986-4784 moyers@greyhighlands.ca)

Good afternoon,

The above noted file is scheduled for the Jan 27 2020 public planning meeting. If you can kindly review and provide comment by Jan 17.

The application can be found here: https://greyhighlands.civicweb.net/filepro/documents/215120

Kind regards,

Cassondra Dillman, BES
Planning Coordinator / Secretary-Treasurer, Committee of Adjustment
The Municipality of Grey Highlands

206 Toronto Street South, Unit 1, P.O.Box 409 Markdale, Ontario N0C 1H0
519-986-1216 x 111 Toll-Free 1-888-342-4059 Fax 519-986-3643
In accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Corporation of the Municipality of Grey Highlands wishes to inform the public that all information, including opinions, presentations, reports and documentation received by this office MAY be posted on the Municipality’s website, included on a public agenda and/or made available to the public upon request.

If you have received this communication in error, please notify the sender immediately by return e-mail and permanently delete the copy you have received so we may ensure the integrity of the principles of MFIPPA are maintained.
NOTICE OF PUBLIC MEETING

Application For Zoning By-law Amendment: Z03.2020

Monday, January 27, 2020 at 5:00p.m.
Municipality of Grey Highlands
206 Toronto St. S, Unit 1, Markdale, ON

Registered Owner: Peter Horst Mahlmann and Anna Mahlmann
Agent: Robert Porteous and Carrie Russell
Legal description: PT LT 4-5 CON 10 EUPHRASIA AS IN R295034; GREY HIGHLANDS
Civic Address: 075251 Grey Road 12
Frontage: 346m Depth: 1222m Area: 67ha
Having access on: Grey Road 12
Assessment roll number: 42 08 390 007 02300

What is being proposed? The Municipality is seeking input on development application within 120 metres of your property that would require a zoning by-law amendment.

The purpose and effect of Zoning By-law Amendment Z03.2020: To amend the Municipality’s Zoning By-law 2004-50 to implement consent application B15.2020. The effect of this By-law is to amend schedule ‘A-3’ from Agriculture (A1) and Hazard (H) to Agriculture (A1-376), Hazard (H) and Rural Residential (RUR). Exception 376 will permit agricultural uses only on the subject lands.

Why? This meeting is an opportunity to learn about the proposed Zoning By-law amendments and provide feedback.

A Key Map is attached.

Where do I submit my comments?
Please submit written comments to the Clerk, Raylene Martell.

By mail or in person:
206 Toronto St. South, Unit 1
PO Box 409
Markdale, ON NOC 1HO
Fax: 519-986-3643
Email: clerk@greyhighlands.ca

Written comments are requested by January 24, 2020 so that they may be read at the public meeting for the benefit of everyone in attendance.

What can I expect at the Public Meeting?
The public meeting is an opportunity for members of the public to learn more about the proposal. Attendees can hear a brief presentation about the proposal, ask questions, and/or make verbal or written statements either in favour of, or in opposition to the proposed Zoning By-law Amendment. At the meeting members of the public will also hear a summary of any comments received about the proposed development prior to the public meeting.

When will a decision be made?
A decision on this proposal has NOT been made at this point and will NOT be made at the Public Meeting. After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

Want to be notified of a decision?
You must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Your rights to appeal a decision:
If a person or public body does not make oral submissions at the Public Meeting or make written submissions to the Municipality of Grey Highlands before the proposed Zoning By-law is adopted, the Local Planning Appeal Tribunal may dismiss the appeal.

If a person or public body does not make oral submissions at a Public Meeting, or make written submissions to the Municipality of Grey Highlands before the proposed Zoning By-law is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

A Note about information you may submit to the Municipality:
Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available through the Council agenda process.

This document can be made available in other accessible formats as soon as practicable upon request.

Questions? Want more information? Ask the Planning Department.
Visit: 50 Lorne Street, Markdale, ON during regular office hours 8:30am to 4:30pm
Phone: 519-986-1216 x193 Email: planning@greyhighlands.ca Website: www.greyhighlands.ca
SCHEDULE "A"

BY-LAW No. ________________

AMENDING BY-LAW No. 2004-50

MUNICIPALITY OF GREY HIGHLANDS
(GEOGRAPHIC TOWNSHIP OF EUPHRASIA)

DATE PASSED: ________________

SIGNED: ______________________       ______________________

PAUL McQUEEN, MAYOR               RAYLENE MARTELL, CLERK

KEY MAP
1:50,000

LEGEND
Lands subject to amendment
A1 Agriculture
RU Rural
MEX Extractive Industrial
H Hazard
RUR Rural Residential

GREY COUNTY PLANNING  Z03-2020_Mahlmann