



Minutes
Committee of Adjustment
Municipality of West Grey

August 8, 2022, 1 p.m.
West Grey municipal office, council chambers and virtual

Committee members present: Chair T. Hutchinson, Member R. Hergert, Vice-Chair D. Hutchinson, Member C. Robinson, Member S. Townsend

Staff members present: Chief Administrative Officer L. Johnston, Manager of Planning and Development L. Spencer, Communications Coordinator S. Ferguson, Secretary-Treasurer L. Mulligan

1. Call to order

Chair Tom Hutchinson called the meeting to order at 1:05 p.m.

Staff reviewed instructions for member of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected. It was noted that this meeting will be livestreamed to the West Grey YouTube channel.

2. Appoint Secretary-Treasurer

Resolution: COA49-2022

Moved by: Member C. Robinson

Seconded by: Member R. Hergert

That committee of adjustment hereby appoints Lisa Mulligan to the position of Secretary-Treasurer to the committee of adjustment.

Disposition: Carried

3. Purpose of meeting

Secretary-Treasurer Mulligan advised that the purpose of this meeting is to allow the presentation of minor variance applications and a consent to sever application; and to allow interested members of the public the opportunity to ask questions or offer comments with regard to the applications.

A public registry for the applications are available by email at sferguson@westgrey.com and if any member of the public would like to be notified in writing of the decision on one of the applications they are to provide their name and mailing address by email or via the meeting chat function for the corresponding registry. This will also entitle one to be advised of a possible Ontario Land Tribunal hearing in the event the decision on the application is appealed.

4. Disclosure of pecuniary interest and general nature thereof

None.

5. Approval of minutes

5.1 July 11, 2022 Committee of Adjustment

Resolution: COA50-2022

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member S. Townsend

Committee of Adjustment hereby approves the minutes of July 11, 2022 as presented.

6. Minor variance application No. A11.2022 - 133 Marshall Heights, Township of Glenelg

6.1 Application No. A11.2022 - Wultz, Chad and Wultz, Becky

6.2 Planner L. Spencer - minor variance application report A11.2022

Planner Spencer noted that the purpose of the application is to vary the provisions of sections 6.1.4(ii) to permit the construction of an accessory structure. The effect of which will permit a total floor area of 126m² whereas 92.9m² is permitted. The effect of which will permit the construction of an accessory structure. A single detached dwelling unit is also proposed for the subject lands, and permit applications have been provided for both structures. Application A08.2022 was previously presented to the committee on June 6, 2022 which granted relief of the same provision of 6.1.4(ii) to permit a total floor area of 118m². Drawings provided by the applicant on June 28, 2022 noted a different floor area which has resulted in the application before the committee.

6.3 Written comments received

6.3.1 Grey County

Written comments were received, and have no concerns.

6.3.2 Saugeen Valley Conservation

Written comments were received, and have no concerns.

6.3.3 Enbridge Gas Inc.

Written comments were received, and have no concerns.

6.4 Verbal comments

6.4.1 Committee members

Member Hutchinson notes there are a number of these applications where residents want to build accessories larger than the 1,000 sq ft that is permitted. Is this something that should be changed in the official plan, that the maximum allowed could be 1,500 sq ft. so there. Planner Spencer notes this is something that would be reviewed as part of the zoning bylaw amendment review, not as part of the official plan and is a consideration because the number of applications has been identified by staff as being cumbersome.

Member Hutchinson notes aerial map shows the building is on the wrong side of the road, page 22 and 20. Building is on the south side of Marshall Heights, not on the north side. Planner Spencer advises that is correct, the aerials were carried over from the previous application.

6.4.2 Members of the public

Staff reviewed instructions for members of the public to participate via Zoom. No comments were made.

6.5 Decision

Resolution: COA51-2022

Moved by: Member R. Hergert

Seconded by: Vice-Chair D. Hutchinson

That committee of adjustment receives the report from Planner Spencer, A11.2022, Weltz, Chad and Weltz, Becky; and

That committee of adjustment hereby approves minor variance application A11.2022 for the reasons set out in the planner's report.

6.6 Next steps

Planning staff will provide notice of the decision. There is a twenty-day appeal period, after which, if there are no appeals, the applicant may pursue their building permit.

7. Minor variance application No. A12.2022 - 410 Garafraxa Street North, Town of Durham

7.1 Application No. A12. 2022 - 579575 Ontario Limited (Candue)

7.2 Planner L. Spencer - minor variance application report A12.2022

Planner Spencer noted that the purpose of the application is to vary the provisions of section 13.2.1.5 of the municipalities comprehensive bylaw to permit the construction of a single detached dwelling unit with an accessory apartment. The effect of which will permit a reduced exterior side yard setback of 4.6m whereas 7.6m is required. For clarification purposes the exterior side yard is considered the lot line adjacent to Durham Road West.

7.3 Written comments received

7.3.1 Grey County

Written comments were received, and have no concerns.

7.3.2 Saugeen Valley Conservation Authority

Written comments were received, and have no concerns.

7.3.3 Hydro One

Written comments were received, and have no concerns.

7.4 Verbal comments

7.4.1 Committee members

Member Hutchinson states looking forward to the improvements of this corner, and hopefully the new building that will go in there will improve the sight lines.

7.4.2 Members of the public

Staff reviewed instructions for members of the public to participate via Zoom.

Siegfried Blosa - resident, owner of 396 Garafraxa Street North - states his survey and the survey stakes the town has in do not agree. The building was torn down beside him and took 18" and moved survey stakes. Did not know the bank building was for sale and torn down and

he was not made aware. The building was torn down, and there is now a large hole there, where is the proposed house to go? Would like to set up a meeting to discuss what is going on. Concerned with site obstruction, does not want a building there if it will cause obstructions.

Planner Spencer states the application at hand is regarding the exterior set backs, there has not been an official date received from the applicant of when construction is to commence for the new single detached dwelling with accessory apartment. States the applicant is on the phone to speak and perhaps a meeting could be set up for discussions. Advised to contact the director of infrastructure and roads supervisor to discuss the concerns regarding servicing. It's the municipalities position that the survey is a matter between property owners.

Chair Hutchinson notes it was Planner Spencer's recommendation to speak with the director of infrastructure to discuss service concerns.

Don Tremble - States Siegfried's property is across the road from subject property. Previous building was 3 feet off the road and proposed is 25 feet off Highway 6. Was 5 feet from line and proposed will be 15 feet. No view obstructions from Highway 6. Provided phone number to set up a meeting with Siegfried. States constructing a one storey with 2 units. Will fill in the hole when advised he can.

No further members of public to speak.

7.5 Decision

Resolution: COA52-2022

Moved by: Member C. Robinson

Seconded by: Member R. Hergert

That committee of adjustment receives the report from Planner Spencer, A12.2022, 579575 Ontario Limited (Candue); and

That committee of adjustment hereby approves minor variance application A12.2022 for the reasons set out in the planner's report.

7.6 Next steps

Planning staff will provide notice of the decision. There is a twenty-day appeal period, after which, if there are no appeals, the applicant may pursue their building permit.

8. Minor variance application No. A13.2022 - 271041 Grey Road 6, Township of Normanby

8.1 Application No. A13.2022 - Niekoley, Jacob and Niekoley, Margaret

8.2 Planner L. Spencer - minor variance application report A13.2022

Planner Spencer noted that the purpose of the application is to vary the provisions of section 6.1.4(ii) to permit a maximum floor area of 186m² whereas only 92.9m² is permitted. The effect of which will permit the construction of an accessory structure. A single detached dwelling currently exists on the subject land.

8.3 Written comments

Written comments were received from County of Grey Planning and Development department and Saugeen Valley Conservation Authority, both of which are in support of the application and have no concerns. No comments from the public were received.

8.4 Verbal comments

8.4.1 Committee members

None.

8.4.2 Members of the public

Staff reviewed instructions for members of the public to participate via Zoom.

No comments.

8.5 Decision

Resolution: COA53-2022

Moved by: Member R. Hergert

Seconded by: Member S. Townsend

That committee of adjustment receives the report from Planner Spencer, A13.2022, Niekoley, Jacob and Niekoley, Margaret; and

That committee of adjustment hereby approves minor variance application A13.2022 for the reasons set out in the planner's report.

8.6 Next steps

Planning staff will provide notice of the decision. There is a twenty-day appeal period, after which, if there are no appeals, the applicant may pursue their building permit.

9. Consent to sever No. B11.2022 - 174393 Mulock Road, Township of Bentinck

9.1 Application No. B11.2022 - 1000131831 Ontario Inc.

9.2 Planner L. Spencer - consent to sever application report B11.2022

Planner Spencer noted that the purpose of the application is to sever approximately 0.29 hectares of land with the existing single detached dwelling unit dwelling. The effect of which will leave a vacant retained parcel of approximately 15.48 hectares.

9.3 Written comments received

9.3.1 Grey County

Comments were received and support this application on the basis that this is a defined secondary settlement area in Crawford. No further concerns were provided.

9.3.2 Saugeen Valley Conservation Authority

Comments were received and has no objection to the application but does note that as a requirement as condition of consent a holding provision should be placed on the property until such time as future development and an appropriate Environment Impact Study or other study is completed for the property to their satisfaction.

9.3.3 Enbridge Gas Inc.

Written comments were received, and have no concerns.

9.3.4 Hydro One

Written comments were received, and have no concerns.

9.3.5 Wootton, Grant and Wootton, Patricia

Comments provided by the public. Various concerns to the loss of agricultural land and the development of the property in the future. Planner Spencer notes the holding provision will be placed on the property so any future development and all appropriate studies will be provided at that time.

9.4 Verbal comments

9.4.1 Committee members

Member Townsend states the public has raised the concern about a subdivision and would like Planner Spencer's comment on the applicability on that activity to this particular application. Planner Spencer states there have been high level preliminary discussions that have occurred with the county and municipality related to future developments of the subject lands, there is no application at hand at this point in time and there are studies and items that they will need to complete to see what the subdivision is capable to have on the basis of private services etc. This is just the severance of the house from the balance of the property. When the application comes forward for a plan of subdivision in future, if it does, that holding provision will not be removed from the property until such time as those acceptable reports are provided.

Member Hutchinson enquires if the Ministry has come out with a subdivision in the country was not permitted because they are not on separate sewers and water. If that is the case, why are we looking at this and what is the stipulation in order to complete that? Planner Spencer advises member Hutchinson is correct under the provincial policy statement rural plans of subdivision are no longer permitted, however this particular circumstance is within a defined settlement boundary of Crawford so it will be on private services because they are not available, but it is within what is considered to be a secondary settlement within the County of Grey Official Plan

9.4.2 Members of the public

Staff reviewed instructions for members of the public to participate via Zoom.

No comments.

9.5 Decision

Resolution: COA54-2022

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member S. Townsend

That committee of adjustment receives Planner Spencer's report; and

That committee of adjustment does hereby approve consent to sever application No. B11.2022, 1000131831 Ontario Inc., for the reasons and with the following conditions as set out in the planner's report:

- Payment of any outstanding municipal taxes;
- Payment of an entrance permit application;
- Receipt of an entrance permit for the newly created parcel;
- Payment of the zoning by-law amendment application fee; and
- Approval of a zoning by-law amendment to recognize the deficient lot area of the newly created parcel.

9.6 Next steps

Staff advised that the applicant will be notified of the conditional approval and they will have twelve months to complete the conditions set out in the decision.

10. Next meeting

11. Adjournment

Resolution: COA55-2022

Moved by: Member C. Robinson

Seconded by: Member R. Hergert

That Committee of Adjustment hereby adjourns at 2:04 p.m.

Chair Tom Hutchinson

Secretary-Treasurer Lisa Mulligan