



Minutes
Public Meeting
Municipality of West Grey

Monday, October 3, 2022, 9 a.m.
Virtual meeting

Council members present: Mayor C. Robinson, Deputy Mayor T. Hutchinson, Councillor R. Hergert, Councillor D. Hutchinson, Councillor S. Townsend

Council members absent: Councillor B. Hamilton, Councillor G. Shea

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

1. Call to order

Mayor Robinson called the meeting to order at 9:01 a.m.

Councillor Hamilton sends regrets.

Councillor Shea not in attendance currently.

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

Administrative Assistant Lisa Mulligan advised that the purpose of the public meeting is to review applications for proposed amendments to West Grey Zoning Bylaw No. 37-2006, and to allow interested members of the public the opportunity to ask questions or offer comments with regard to the applications. Council will not make a decision on the applications at this meeting, based on the recommendations and

information received at this public meeting amending bylaws may be presented for approval at a regular council meeting.

A public registry is available by email at sferguson@westgrey.com and if any members of the public would like to be notified in writing of the decision on an application, they are to provide their name and mailing address for the registry. This will also allow for notice of an Ontario Land Tribunal if the decision of an application is appealed.

3. Declaration of pecuniary interest and general nature thereof

None.

4. ZA17.2022 - 270 Queen Street South

4.1 Application for zoning amendment

4.2 Planner L. Spencer - report

Planner Spencer recommended approval of the application. The applicant has applied for consent through the Committee of Adjustment (B12.2022). One (1) of the recommended condition of consent for the file is the passage of a Zoning By-law Amendment to re-zone the lands to R2 (residential). The amendment will rezone the lands to permit the construction of a variety of residential housing types.

A triplex dwelling unit currently exists on the subject lands, which is the subject of consent to sever application B12.2022. To address the additional land uses contemplated by the applicant the R2 (residential) zone is required. In addition, through the creation of the new lot fabric under file B12.2022, a deficient lot frontage and area require recognition for retained parcel is required.

Councillor Hutchinson inquires about the entrance for the property that will be severed, is that entrance going to come off of Queen Street, or are they looking at an extension of Countess Street North, where will the access be for the property? Planner Spencer advises that the existing entrance related to the existing triplex is on Queen Street South. We have not received any detailed development drawings related to the balance of the retained lands, that will be reflected upon what type of flood proofing analysis needs to be completed on the site in accordance with the conservation authority. Councillor Hutchinson has concern that if Countess Street North is developed to access the property there would be a loss of the trail.

Councillor Hergert requests clarification on that the severance B12 was going to be zoned R2 and now requesting R3, to keep the triplex there, is that a change in plan how the owner wants to deal with the property? Planner Spencer advises it is being rezoned to the R3 zone to permit a variety of residential dwelling units, and not the R2 zone, that was indicated in error. Councillor Hergert inquires about municipal capacity and that there is sufficient. Planner Spencer advises that the Public Works has an ongoing study to identify what capacity exists within the Town of Durham. The director of Public Works would be better to speak to that, but that will be something that will be evaluated once an actual development proposal comes through for the file. Councillor Hergert asks what the set back is on the floodway that is there. Planner Spencer advises that there are certain restrictions and mapping that needs to be completed so that the set back isn't interfering. As noted previously, no development is permitted under the county plan within 30 metres of banks of a stream, river or lake unless there is an EIS prepared in accordance with Section 7.1.1. Conservation authority comments are recommended also by county staff. Until those details are ironed out with the future development proposal for the property, it will stay as status quo at this time until we address that the access component through the conservation authority and reviewed by ourselves. Councillor Hergert inquires if the holding provision would hold until we have all of those detailed drawings. Planner Spencer advises the holding provision would not be removed until favourable comments are provided with respect to any studies demonstrating safe access on that property.

Councillor Townsend refers to the application that refers to bungalows, townhouses, condo units and semi-detached, inquires if the site is large enough to accommodate those, is there any indication of what the purpose is for the land and type of building is to occur? Planner Spencer advises at this point in time there are no preliminary design details that have been provided, there has been no formal proposal. Councillor Townsend inquires about the flood fringe overlay, Hurricane Hazel flood overlay, what impact does that have on any building that is coming forward? Planner Spencer advises those are the concerns expressed by the conservation authority, that type of mapping needs to be refined and identified to ensure that there is no development that would be in those areas of concern with the 100-year flood plain and flood way. Until we have that detail information, the holding provision will remain in place, which will ultimately dictate what they can and cannot do with that property and the density associated with it as well.

Resolution: P32-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor S. Townsend

That council receives Planner Spencer's report and considers an amending bylaw at a future meeting.

Disposition: Carried

4.3 Written comments received

Comments were received from the County of Grey, Planning and Development department, who have no objections to the application. Comments were received after the agenda was published.

Comments were also received from the Saugeen Valley Conservation Authority. Point of clarification, the conservation authority has asked that a holding provision be placed on the subject lands to ensure that safe access can be demonstrated for entrance and egress to the property. This needs to be done prior to the removal of the holding provision. Staff will amend the bylaw accordingly in accordance with the recommendations provided by the SVCA.

No further written comments have been provided to staff at this time.

4.4 Verbal comments

4.4.1 Council members

None.

4.4.2 Public members

Corporate Communications Officer Ferguson explains features of how to participate in this portion of the agenda.

Adrian Robberstad - Resident - co-owner at 273 Countess Street South - concerns with already limited services, and access to the subject property through walk path along the river and from Queen Street.

Planner Spencer advises there are limitations to the property and as previously stated through the comments from the Saugeen Valley Conservation Authority, those items would have to be evaluated with a favourable report for access purposes. In addition, depending on the density that may be permitted through that report, and the information

provided, it will be determined whether or not sufficient servicing is available, or upgrades are required to accommodate the development at the developers cost.

4.5 Next steps

That committee forward the appropriate by-law to council for 1st, 2nd and 3rd reading. Once 1st, 2nd, and 3rd reading is provided, staff will notify of the passing to commence the appeal period (20 days). Provided no appeals are received, the applicant will be advised that two (2) conditions of consent for file B12.2022 have been satisfied. In addition, a holding provision, until such time as a schedule has been amended, in addition to the bylaw, a future bylaw will not be brought forward for consideration until that has been completed.

5. ZA18.2022 - 174393 Mulock Road

5.1 Application for zoning amendment

5.2 Planner L. Spencer - report

Planner Spencer recommended approval of the application. The zoning by-law amendment application is related to a consent to sever application B11.2022. Provisional approval was granted by the Committee of Adjustment on August 8th, 2022. During the review of the application, it was determined that a zoning amendment would be required to address the deficient lot frontage and area of the newly created parcel and implement the holding provision on the retained parcel until an environmental impact study (EIS) is completed to the satisfaction of the County, Municipality and Conservation Authority.

The purpose of the previous application for consent was to sever one (1) 0.8-hectare residential parcel and retain one (1) 36.4 hectare rural parcel. The effect of which created a newly created residential parcel containing the original single detached dwelling unit.

In addition to the report notes above presented to the Committee of Adjustments further comments were presented at the meeting in August from the Conservation Authority. The request was to implement the use of the holding provision on the subject lands until an environmental impact study (EIS) is provided to the satisfaction of the County, Municipality and the SVCA to support future proposed development on the retained parcel. This application will implement this component, if approved.

Comments have been received by the County of Grey who are in support of the application. In addition comments have been provided by the Saugeen Valley Conservation Authority also in support of the application and the use of the holding provision to ensure that those studies related to the environmental impact can be evaluated successfully.

Written public comments were received after the agenda was published. Written comments were received by:

Harold McKnight - Trustee of Crawford United Church, retired farmer, agriculturist

Lynne Royal - Chair of the governing body of the Crawford United Church

Brian Hasty - Vice Chair of the governing body of the Crawford United Church

Comments received by email in opposition, with concerns about the loss of agricultural lands - Grant and Patricia Wootton, also on behalf of Brent and Margaret Wootton, Doug and Sandi Hamill, Nancy McGarvey, Dave Lang and Glenda Thompson, Simon Johnston, Reid Johnston, Hilde Johnston, Ellery Hawkes, Mary Kaufman, Edwin Kaufman, Glenn Wilson, Norm Boyce, Betty Hiltz, Ralph and Susan Hogg, Tom Renner, Bob and Helen Weirmier, Fiona and Brian Deans, Lou and Ron Talbot, Jo Ann Croll

Derek and Katherine Beehler

David Lang & Glenda Thompson

Margaret Talbot

Stuart and Pat Baetz

Susan Hogg

All comments in generality were not in support in the removal of the land from agricultural production, presentations made regarding the historical use for farming operations, and questioned whether or not the review and removal of the barn should have been conducted through a historical review to determine if the building had some historical significance.

Councillor Hergert inquires about the soil conditions on the property; there is identified aggregate on the west side of Mulock Road, but there is no aggregate resource indicated on the east side of Mulock Road, it is A3, not Ag1. Planner Spencer advises the subject lands are within a defined secondary settlement area, which are slated for growth through the County Official Plan, that has been in place for quite some time. In addition, the soil

mapping we have been utilizing is from the province. This particular parcel, because it is within the secondary settlement area, is defined as rural soil so that is Class 3, 4, 5, 6 and 7 soils through the mapping that we have. There have been some aggregate deposits that have been identified, however not on the subject lands. Councillor Hergert would like a description of what type of development that would happen in and around the natural environment area and where the majority of the lots may lie. Planner Spencer advised there is no application at this time for further severances or plan of subdivision. The Environmental Impact Study will place some restrictions and identify building envelopes as a result of the natural heritage features on the subject lands, the holding provision will not be removed until the Environmental Impact Study has been completed to the satisfaction of the county, ourselves and SVCA.

Councillor Hutchinson inquiries if, on the east side of the road, a hydrological study be included with the EIS or is that a separate study, and about water availability. Planner Spencer advised once an application form has been determined by the applicant, specific studies will be required through any plan of subdivision process, should they choose to proceed with that process and development on the property. At which point they would be required to provide any documentation that's stated by the county or ourselves with respect to determining the feasibility of that site to be serviced through the use of private wells and septic systems.

Resolution: P33-2022

Moved: Councillor D. Hutchinson

Seconded: Councillor R. Hergert

That council receives Planner Spencer's report and considers an amending bylaw at a future meeting.

Disposition: Carried

5.3 Written comments received

Correspondence has been provided by the Saugeen Valley Conservation Authority as well, in written form, after the agenda was published, in addition to the individuals who provided comments through email over the course of the last few days that were stated earlier.

CAO Johnston advised she has not received any comments.

5.3.1 Grey County

In support of application.

5.4 Verbal comments

5.4.1 Council members

Councillor Hergert makes comment that she does hear the public has concerns about this, but also hears from the planner that the holding symbol will be there until the final EIS is done, as well as comments back from Saugeen Valley Conservation, and that this matter will come up at a future council meeting for a full discussion, not just at this meeting, for a decision.

Councillor Townsend inquires if the issue of the way the drainage has changed to Director of Infrastructure. Planner Spencer advises a formal complaint regarding this entrance should be provided by members of the public, in which case we can act upon it on a complaint basis and forward that to the Director of Infrastructure and Public Works to be addressed accordingly.

5.4.2 Public members

Corporate Communications Officer Ferguson explains features of how to participate in this portion of the agenda.

Chris Palmer - resident - believes to allow this project to move forward would be contrary to West Grey's and Grey County's stated mission, specifically to restrict all multi-home developments to settlement areas with municipal water and sewer; to create affordable housing rather than estate home projects, and to protect against further loss of farm land.

Planner Spencer clarifies that this planning application is coming forward as a result of the previous consent application. The zoning on the property will remain as an A3 zone with a holding provision. There is no plan of subdivision or plan of condominium or application of that nature beyond the previous consent application and zoning application in front of us.

Reverend David Shearman - Minister of Crawford United Church and Chair of the Board of Trustees of the congregation - Notes the committee should have received the comments from Harold McKnight, the trustees support his comments. Notes concerns due to soil types,

loss of agriculture land, unknown number of lots and servicing of wells and septic's, concern already about water levels and affordable housing over estate homes and large lots. Concern with current land and entrance modifications.

Planner Spencer provides point of clarity, with this particular parcel, under the County of Grey official plan, it is defined as a secondary settlement area. As a result, the policies related to secondary settlement areas apply which are different than those that apply if it was designated as prime agricultural land under the county plan. Planner Spencer reminds that only the application with respect to fulfilling a provision of consent which was previously approved by Committee on August 8th, for the severance of the existing single-detached dwelling unit on the subject lands. Further tests and studies will be required as a result of any application that will be brought forward through the Planning Act and under a public process and public meeting. Without those details in place at this point in time, and without the completion of the Environmental Impact Study, those lands will continue to have a holding provision maintained on the property, until such time as a development application is brought forward other through a plan of subdivision or plan of condominium. At which point in time there will be a higher test for review of the application at hand, when and if it is presented by the landowner.

5.5 Next steps

That the appropriate by-law be brought forward for 1st, 2nd, and 3rd reading at a future meeting. Once three (3) readings of the by-law have been granted, staff will notify of the passing to commence the appeal period (20 days). Provided no appeals are received, the applicants will be advised that a condition of consent for file B11.2022 has been fulfilled.

6. Close public meeting

Resolution: P34-2022

Moved: Deputy Mayor T. Hutchinson

Seconded: Councillor D. Hutchinson

That council hereby closes the public meeting at 9:44 a.m.

Disposition: Carried

Mayor Christine Robinson

Deputy Clerk Laura Johnston