



Minutes
Public meeting
Municipality of West Grey

Tuesday, May 2, 2023, 9 a.m.
West Grey municipal office, council chambers and virtual

Members present: Mayor Kevin Eccles
Deputy Mayor Tom Hutchinson
Councillor Scott Foerster
Councillor Doug Hutchinson
Councillor Joyce Nuhn
Councillor Geoffrey Shea

Members absent: Councillor Doug Townsend

Staff present: Laura Johnston, Chief Administrative Officer
Jamie Eckenswiller, Director of Legislative Services/Clerk
Lorelie Spencer, Manager of Planning and Development
Sile Ferguson, Communications Coordinator
Sarah Bothman, Legislative Services Coordinator

1. Call to order

Mayor Eccles called the meeting to order at 9:46 a.m.

2. Declarations of pecuniary interest and general nature thereof

There were no declarations of interest.

3. Zoning Amendment No. ZA10.2023 - 241315 Concession 16 (Normanby) - Dunstan

Mayor Eccles declared the Public Meeting open at 9:47 a.m. and read the following announcement:

- The purpose of this public meeting is to receive input from the public.
- Every person who attends a statutory public meeting required under the *Planning Act* shall be given an opportunity to make representations in respect of the proposed bylaw.
- All submission materials for this application are available at the Municipality of West Grey municipal office during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The Director of Legislative Services/Clerk advised that notice of the Public Meeting was circulated to the prescribed persons and bodies, posted on the subject property, and mailed to all properties within 120 meters of the subject property on April 12, 2023. The comments received before the publishing of the agenda have been attached to the agenda. Anyone wishing to provide verbal comments at this public meeting is asked to sign the sign in sheet located on the speaker's table.

The Director of Legislative Services/Clerk advised that personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, and that the information collected will be used to complete the Zoning Bylaw Amendment process and will form part of the public record. Questions about this collection should be addressed to the Director of Legislative Services/Clerk.

The Director of Legislative Services/Clerk advised that any person wishing to receive notice of this decision of the Corporation of the Municipality of West Grey on the proposed Zoning Bylaw Amendment application must make a written request to the Municipality of West Grey, care of the Director of Legislative Services/Clerk.

The Manager of Planning and Development provided an overview of Zoning Amendment No. ZA10.2023, noting that it is being brought forward to change the zone symbol on the subject lands from A1 (agricultural) and A2 (rural) to A1 (agricultural) and A2-479 (rural with exception).

Ms. Spencer advised that the effect of which will permit the placement of a secondary single detached dwelling unit, subject to specific conditions. Exception 479 will implement the following:

- A second detached dwelling unit is a permitted use;
- A second unit shall be defined as a self-contained residential unit with a private kitchen, bath, and sleeping facilities within a separate single detached dwelling unit;
- The second dwelling unit must be serviced with adequate private services;
- An accessory apartment within the principal single detached dwelling unit is not permitted; and
- The principal detached dwelling unit and second dwelling unit must utilize the existing road entrance.

Comments in favor or in opposition of the application have not been received at this time. Planning staff have no concerns with the application and recommend that a bylaw be brought forward to authorize the passage of the zoning amendment.

There were no Comments provided from members of the public.

Kaitlyn Dunstan, applicant, advised that she is seeking to build a second residence on her farm and inquired about the next steps regarding her application.

Ms. Spencer noted that if council approves the passing of this bylaw later in the meeting, there will be a twenty-day appeal period. Provided no appeals are received, the zoning amendment would be in full force and effect, at which point the applicant would be permitted to obtain a building permit.

In response to a question of council, Ms. Spencer clarified that this application is to permit a new structure on the property. Ms. Spencer noted that it is adjacent to an existing accessory structure, not a conversion.

In response to a question of council, Ms. Spencer advised that on this particular property, current policies would not permit a severance. Ms. Spencer advised that this zoning bylaw amendment will allow the Dunstan's to build a second dwelling unit and the cautionary measure that council was trying to convey is that all individuals residing there would need to be registered on title if there is a mortgage.

In response to a question of council, Ms. Spencer clarified that this application is not in relation to Bill 23 as Bill 23 only applies to fully serviced settlement areas which allows for three units. Ms. Spencer advised that the reason that this zoning amendment is being brought forward is because the county plan allows for flexibility in terms of the ability to have a second dwelling unit on the property, but West Grey does not allow that, and each application is evaluated for a variety of conditions.

There being no other comments, Mayor Eccles declared the public meeting closed at 10:01 a.m.

4. Zoning Amendment No. ZA12.2023 - 281320 Normanby - Bentinck Townline - Grein and Kaufman

Mayor Eccles declared the Public Meeting open at 10:03 a.m. and read the following announcement:

- The purpose of this public meeting is to receive input from the public.
- Every person who attends a statutory public meeting required under the *Planning Act* shall be given an opportunity to make representations in respect of the proposed bylaw.
- All submission materials for this application are available at the Municipality of West Grey municipal office during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Staff reviewed instructions for members of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected.

The Director of Legislative Services/Clerk advised that notice of the Public Meeting was circulated to the prescribed persons and bodies, posted on the subject property, and mailed to all properties within 120 meters of the subject property on April 12, 2023. The comments received before the publishing of the agenda have been attached to the agenda. Anyone wishing to provide verbal comments at this public meeting is asked to sign the sign in sheet located on the speaker's table.

The Director of Legislative Services/Clerk advised that personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, and that the information collected will be used to complete the Zoning Bylaw Amendment process and will form part of the public record. Questions about this collection should be addressed to the Director of Legislative Services/Clerk.

The Director of Legislative Services/Clerk advised that any person wishing to receive notice of this decision of the Corporation of the Municipality of West Grey on the proposed Zoning Bylaw Amendment application must make a written request to the Municipality of West Grey, care of the Director of Legislative Services/Clerk.

The Manager of Planning and Development provided an overview of Zoning Amendment No. ZA12.2023 that is being brought forward to change the zone symbol on the subject lands from A2 (rural) and NE (natural environment) to A2-481

(rural with exception), A2 (rural), and NE (natural environment). This is intended to recognize the deficient lot area of a proposed lot (file B09.2023).

Ms. Spencer advised that file B09.2023 is scheduled to be heard at the Committee of Adjustment meeting this afternoon. Ms. Spencer noted that there is history behind this file which was outlined in the staff report with a link to the Committee of Adjustment hearing report presented today. Ms. Spencer advised that this file has been before the Committee of Adjustment, was subsequently denied, and appeared before the Ontario Land Tribunal. Staff recommended deferring a decision regarding this zoning application until the Committee of Adjustment has made a decision on the application in terms of a severance, and that this decision be made prior to the passage of the zoning bylaw.

Comments have been received both in favor and in opposition of the application. Ms. Spencer noted that there is some question about comments that were provided from the Saugeen Ojibway Nation that may not have been satisfied to their liking at this point in time.

There were no members of the public who expressed interest in providing oral comments.

Glenn David, agent for the applicant, requested clarification regarding the purpose of the meeting and advised that the Committee of Adjustment meeting should have been done prior to the public meeting.

Ms. Spencer clarified that Mr. David was correct and that this file is required to come before the Committee of Adjustment to consider the severance first. Ms. Spencer advised that this meeting is for the zoning amendment that is required should the severance be approved to recognize the deficient lot area of the subject lands. Ms. Spencer noted that there will be an opportunity to speak to the Committee of Adjustment in a public setting this afternoon.

Ms. Spencer advised that staff recommend refusal of the application on the basis of the decision and recommendation of the Committee of Adjustment meeting that will be held this afternoon. Ms. Spencer recommended that any decision on this application may want to be considered at a future council meeting dependent on the outcome of the Committee of Adjustment meeting.

In response to a question of council, Mr. Eckenswiller clarified that the point of the public meeting it is to receive comments from the public in relation to this zoning bylaw amendment. It was noted that no deferral needs to occur during this meeting, but if council wishes, the staff report pertaining to this file in the council meeting portion may be deferred to a future meeting.

There being no other comments, Mayor Eccles declared the public meeting closed at 10:12 a.m.

5. Zoning Amendment No. ZA13.2023 - 233256 Concession 2 WGR (Bentinck) - Porsius

Mayor Eccles declared the Public Meeting open at 10:13 a.m. and read the following announcement:

- The purpose of this public meeting is to receive input from the public.
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- All submission materials for this application are available at the Municipality of West Grey municipal office during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or

make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body is not entitled to appeal the decision.

- If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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The Director of Legislative Services/Clerk advised that notice of the Public Meeting was circulated to the prescribed persons and bodies, posted on the subject property, and mailed to all properties within 120 meters of the subject property on April 11, 2023. The comments received before the publishing of the agenda have been attached to the agenda. Anyone wishing to provide verbal comments at this public meeting is asked to sign the sign in sheet located on the speaker's table.

The Director of Legislative Services/Clerk advised that personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, and that the information collected will be used to complete the Zoning Bylaw Amendment process and will form part of the public record. Questions about this collection should be addressed to the Director of Legislative Services/Clerk.

The Director of Legislative Services/Clerk advised that any person wishing to receive notice of this decision of the Corporation of the Municipality of West Grey on the proposed Zoning Bylaw Amendment application must make a written request to the Municipality of West Grey, care of the Director of Legislative Services/Clerk.

The Manager of Planning and Development provided an overview of Zoning Amendment No. ZA13.2023 that is being brought forward to change the zone symbols on the subject lands from A1 (agriculture), A2 (rural), NE (natural environment) and NE2 (natural environment 2) to A1-482 (agricultural with exception), A2 (rural), NE (natural environment) and NE2 (natural environment 2).

Ms. Spencer advised that the effect of which will permit the placement of a secondary single detached dwelling unit on the subject lands, subject to specific conditions. Exception 482 will implement the following:

- A second detached dwelling unit is a permitted use;
- A second unit shall be defined as a self-contained residential unit with a private kitchen, bath, and sleeping facilities within a separate single detached dwelling unit;
- The second dwelling unit must be serviced with adequate private services;
- An accessory apartment within the principal single detached dwelling unit is not permitted; and
- The principal detached dwelling unit and second dwelling unit must utilize the existing road entrance.

Comments were received in support of the application. Ms. Spencer advised as a cautionary note to the applicant that there is a screening area and it appears that the location proposed for the second detached dwelling unit may require a permit from the Saugeen Valley Conservation Authority as part of the building permit process. Planning staff have not received any comments in opposition of the application.

There were no members of the public online or in-person who expressed interest in providing oral comments.

In response to a question of council, Ms. Spencer clarified that the property with the partial frontage on Concession 2, which would be to the east end of this property, is a separate detached lot.

There being no other comments, Mayor Eccles declared the public meeting closed at 10:18 a.m.

6. Zoning Amendment No. ZA14.2023 - 181676 Concession 12 (Normanby) - Logan

Mayor Eccles declared the Public Meeting open at 10:19 a.m. and read the following announcement:

- The purpose of this public meeting is to receive input from the public.
- Every person who attends a statutory public meeting required under the *Planning Act* shall be given an opportunity to make representations in respect of the proposed bylaw.
- All submission materials for this application are available at the Municipality of West Grey municipal office during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body is not entitled to appeal the decision.
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Staff reviewed instructions for members of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected.

The Director of Legislative Services/Clerk advised that notice of the Public Meeting was circulated to the prescribed persons and bodies, posted on the subject property, and mailed to all properties within 120 meters of the subject property on April 11, 2023. The comments received before the publishing of the agenda have been attached to the agenda. Anyone wishing to provide verbal comments at this public meeting is asked to sign the sign in sheet located on the speaker's table.

The Director of Legislative Services/Clerk advised that personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, and that the information collected will be used to complete the Zoning Bylaw Amendment process and will form part of the public record. Questions about this collection should be addressed to the Director of Legislative Services/Clerk.

The Director of Legislative Services/Clerk advised that any person wishing to receive notice of this decision of the Corporation of the Municipality of West Grey on the proposed Zoning Bylaw Amendment application must make a written request to the Municipality of West Grey, care of the Director of Legislative Services/Clerk.

The Manager of Planning and Development provided an overview of Zoning Amendment No. ZA14.2023 that is being brought forward to change the zone symbol on the subject lands from A3 (restricted rural), A2 (rural), and NE (natural environment) to A3 (restricted rural), A2 (rural), A2-459 (rural with exception) and NE (natural environment).

Ms. Spencer advised that the effect of which will permit the conversion of an existing accessory structure to an additional residential unit (ARU) on the subject lands, subject to specific conditions. Exception 459 will implement the following:

- A second detached dwelling unit is a permitted use;
- A second unit shall be defined as a self-contained residential unit with a private kitchen, bath, and sleeping facilities within a separate single detached dwelling unit;
- The second dwelling unit must be serviced with adequate private services;
- An accessory apartment within the principal single detached dwelling unit is not permitted; and
- The principal detached dwelling unit and second dwelling unit must utilize the existing road entrance.

Ms. Spencer noted that this dwelling unit is planned to be located above an existing accessory structure, however, this permission will grant the individual as a landowner to determine if that accessory structure is sufficient for that purpose for a change of use. If not, they will be permitted to construct an additional structure within that existing location to have a separate single detached dwelling unit. This won't preclude that from happening should they find that the change of use with the existing structure is cost prohibitive.

Planning staff have received comments in favor of the application and no comments of concern have been provided to staff at this time.

There were no members of the public online or in-person who expressed interest in providing oral comments.

There being no other comments, Mayor Eccles declared the public meeting closed at 10:24 a.m.

7. Zoning Amendment No. ZA18.2023 - 233515 Concession 2 WGR - Holloway

Mayor Eccles declared the Public Meeting open at 10:24 a.m. and read the following announcement:

- The purpose of this public meeting is to receive input from the public.
- Every person who attends a statutory public meeting required under the *Planning Act* shall be given an opportunity to make representations in respect of the proposed bylaw.
- All submission materials for this application are available at the Municipality of West Grey municipal office during regular business hours.
- If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning Bylaw Amendment is passed, the person or public body is not entitled to appeal the decision.
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Staff reviewed instructions for members of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected.

The Director of Legislative Services/Clerk advised that notice of the Public Meeting was circulated to the prescribed persons and bodies, posted on the subject property, and mailed to all properties within 120 meters of the subject property on April 11, 2023. The comments received before the publishing of the agenda have been attached to the agenda. Anyone wishing to provide verbal comments at this public meeting is asked to sign the sign in sheet located on the speaker's table.

The Director of Legislative Services/Clerk advised that personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, and that the information collected will be used to complete the Zoning Bylaw Amendment process and will form part of the public record. Questions about this collection should be addressed to the Director of Legislative Services/Clerk.

The Director of Legislative Services/Clerk advised that any person wishing to receive notice of this decision of the Corporation of the Municipality of West Grey on the proposed Zoning Bylaw Amendment application must make a written request to the Municipality of West Grey, care of the Director of Legislative Services/Clerk.

The Manager of Planning and Development provided an overview of Zoning Amendment No. ZA18.2023 that is being brought forward to change the zone symbol of the subject lands from A2 (rural) to A2-483 (rural with exception).

Ms. Spencer advised that the effect of which will permit the conversion of an existing accessory structure to an additional residential unit (ARU) on the subject lands, subject to specific conditions. Exception 483 will implement the following:

- A second detached dwelling unit is a permitted use;
- A second unit shall be defined as a self-contained residential unit with a private kitchen, bath, and sleeping facilities within a separate single detached dwelling unit;
- The second dwelling unit must be serviced with adequate private services;
- An accessory apartment within the principal single detached dwelling unit is not permitted; and
- The principal detached dwelling unit and second dwelling unit must utilize the existing road entrance.

Comments have been received in support of the application. Specifically, comments from the Saugeen Valley Conservation Authority (SVCA) note that there are no specific requirements for natural hazards on the parcel. The SVCA and the County of Grey have no concerns with the application.

Ms. Spencer noted that if the applicant chooses to tear this existing structure down and construct a new structure, no further zoning amendment would be required as both permissions would be the same provided that it is in the same location as indicated on the zoning bylaw schedule.

There were no members of the public online or in-person who expressed interest in providing oral comments.

In response to a question of council, Ms. Spencer advised that there is the opportunity for shared services to apply to this property. Ms. Spencer advised that as part of the building permit process, the applicant will be required to demonstrate that sufficient private services can be provided to support the accessory structure that their proposing as an ARU. The property has been previously severed, however minimum distance separation requirements have been reviewed and based on the information provided by the applicant there are no livestock facilities that would be within 500 meters of the subject lands that would impede this application. Staff are satisfied that there is sufficient area on the property to accommodate a system. The quality or type of system is at the discretion of the applicant to fulfill the building code.

In response to a question of council, Ms. Spencer advised the setbacks have been reviewed in terms of what the requirements would be in the A2 zone for the ARU. Ms. Spencer advised that as long as the setbacks are maintained, then there are no concerns or need to recognize those setbacks and at this point in time it is part of the zoning bylaw.

There being no other comments, Mayor Eccles declared the public meeting closed at 10:31 a.m.

8. Adjournment

The business contained on the agenda having been completed, Mayor Eccles adjourned the meeting at 10:32 a.m.

Mayor Kevin Eccles

Jamie M. Eckenswiller, Clerk