



## **Minutes**

### **Committee of Adjustment**

### **Municipality of West Grey**

**September 5, 2023, 2 p.m.**

**West Grey municipal office, council chambers and virtual**

Members present: Chair Tom Hutchinson  
 Vice-Chair Doug Townsend  
 Member Kevin Eccles  
 Member Scott Foerster  
 Member Doug Hutchinson  
 Member Joyce Nuhn  
 Member Geoffrey Shea

Staff present: Laura Johnston, Chief Administrative Officer  
 Jamie Eckenswiller, Director of Legislative Services/Clerk  
 Karl Schipprack, Director of Infrastructure and Development/CBO  
 Mary Hall, Planning Consultant  
 Sile Ferguson, Communications Coordinator  
 Sarah Bothman, Legislative Services Coordinator  
 Tammy Wheeldon, Development Services Administrative Assistant

#### **1. Call to order**

Chair Hutchinson called the meeting to order at 2:00 p.m.

Staff reviewed instructions for members 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. Purpose of meeting**

The Director of Legislative Services/Clerk advised that the purpose of the meeting is to allow the presentation of a minor variance application and three consent to sever applications; and to allow interested members of the public the opportunity to ask questions or offer comments regarding the applications.

A public registry for the applications is available by email at [sferguson@westgrey.com](mailto: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 entitle one to be advised of a possible Ontario Land Tribunal hearing in the event the decision on the application is appealed.

**3. Disclosure of pecuniary interest and general nature thereof**

There were no declarations of interest.

**4. Approval of minutes**

**CA-230905-001**

Moved by: Member Kevin Eccles

Seconded by: Member Geoffrey Shea

**"THAT the Committee of Adjustment hereby approves the minutes of July 4, 2023, as presented."**

**Carried**

**5. Staff reports**

**5.1 Director of Legislative Services/Clerk**

**5.1.1 Appointment of Committee of Adjustment Secretary-Treasurer**

The Director of Legislative Services/Clerk provided an overview of the report.

**CA-230905-002**

Moved by: Vice-Chair Doug Townsend

Seconded by: Member Kevin Eccles

**"THAT in consideration of staff report 'Appointment of Secretary-Treasurer for the Committee of Adjustment', the Committee of Adjustment appoints Tammy Wheeldon as the Secretary-Treasurer of the Committee of Adjustment, effective immediately."**

**Carried**

The Director of Legislative Services/Clerk introduced and welcomed West Grey's contract planner, Mary Hall. Mr. Eckenswiller advised that Ms. Hall is previously from the Town of Caledon where she served as the Director of Planning.

## **5.2 Director of Infrastructure and Development/CBO**

### **5.2.1 B06.2022 Goetz and B10.2022 Elo - Remove conditions**

The Director of Infrastructure and Development/CBO provided an overview of the report.

#### **CA-230905-003**

Moved by: Member Scott Foerster

Seconded by: Member Doug Hutchinson

**"THAT in consideration of staff report 'B06.2022 Goetz and B10.2022 Elo – Remove conditions', the committee of adjustment:**

- 1. Removes conditions five and six from B06.2022 Goetz; and**
- 2. Removes conditions five and six from B10.2022 Elo."**

**Carried**

## **6. Minor variance application No. A07.2023 - 522708 Welbeck Road**

### **6.1 Report from planning staff**

Planner Hall provided an overview of the application, property details, and provided a summary of the staff report which included a description of the policy framework, an overview of the facts of the application, comments from agencies, and a summary of the recommendation.

### **6.2 Verbal comments**

#### **6.2.1 Committee members**

Committee requested further information as to why accessory buildings are not permitted in the front yard.

Planner Hall advised that it is common practice with zoning bylaws that the main primary building is in the front yard and all other structures are in the side or rear yard so that it is evident what the predominant use on the lot is.

#### **6.2.2 Members of the public**

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

There were no comments from members of the public.

### 6.3 Decision

#### CA-230905-004

Moved by: Member Kevin Eccles

Seconded by: Vice-Chair Doug Townsend

**"THAT in consideration of staff report A07.2023 - YACK, Barry and YACK, Mary, the Committee of Adjustment approves the minor variance as it maintains the general purpose of the Official Plan and Zoning Bylaw, is considered a desirable use of the property, and is minor in nature."**

**Carried**

### 6.4 Next steps

Planner Hall advised that following this decision, there is an appeal period and within that appeal period if there are no appeals to the minor variance application, it is in force and effect. If there is an appeal, then they will have to go through an appeal through the tribunal for a decision.

## 7. Consent to sever No. B03.2023 and B15.2023 - (Unassigned) Park Street West

### 7.1 Report from planning staff

Stephanie Lacey-Avon, Senior Planner for Grey County, provided an overview of the application, property details, and provided a summary of the staff report which included a description of the policy framework, an overview of the facts of the application, comments from agencies, and a summary of the recommendation.

### 7.2 Verbal comments

#### 7.2.1 Committee members

Committee inquired if more land could be zoned residential in the remaining 1.19 hectares.

Ms. Lacey-Avon advised that all the lands that are currently subject to the consent application would have allocated lands for residential use, therefore there are no additional lands on this parcel that are not currently subject to the proposed townhouse units' development.

Committee further noted that the 1.19 hectares is rural land, and inquired if it will stay as future development or if in the future will there

be different zoning applied to that land. Committee requested clarification as to why it is not all zoned residential.

The Director of Infrastructure and Development/CBO advised that the map contained within the notice of decision speaks to the B03 and B15 severance and the proposed retained parcel. Mr. Schipprack advised that the retained parcel will remain zoned future development, but the official plan has been amended for the entire parcel, and the zoning is only being amended on the B03 and B15 parcel. If the applicant wishes to do anything outside of the future development zoning on the proposed retained parcel, another zoning bylaw amendment would be required.

Ms. Lacey-Avon further advised that under the highlights section of the report there is reference to a rural parcel which is simply noting that the lands are rural in nature, but the zoning is not changing and are going to continue to be zoned future development.

#### **7.2.2 Members of the public**

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

Dana Kieffer, Senior Development Planner with Cobide Engineering and planner for the proponent, advised that they are creating two severed parcels with one retained parcel. Ms. Kieffer advised that they are creating two severed parcels off the front with a 66-foot access out to Park Street for those retained lands and that the severance before committee is severance one and two. Ms. Kieffer further advised that they are currently setting up the property to be able to construct one 4-plex on one parcel and one 5-plex on the other parcel.

### **7.3 Decision**

#### **CA-230905-005**

Moved by: Member Geoffrey Shea

Seconded by: Member Joyce Nuhn

**"THAT in consideration of staff report 'B03.2023 and B15.2023 – 1993934 Ontario Inc. (Cobide Engineering)', the Committee of Adjustment provides provisional consent to both files, subject to the following conditions:**

- 1. Payment of any outstanding municipal taxes (if applicable);**

2. **Payment of an entrance permit fee for the newly created lots from the Municipality of West Grey;**
3. **Receipt of acceptable entrance permits from the Municipality of West Grey;**
4. **Completion of an Erosion and Sediment Control Plan to the satisfaction of the County's Planning Ecologist;**
5. **Final Approval by Grey County of West Grey OPA 14;**
6. **Application to alter a regulated area submitted to SVCA; and**
7. **Payment of the \$500.00 parkland dedication fee."**

**Carried**

#### **7.4 Next steps**

Stephanie Lacey-Avon, Senior Planner for Grey County, advised that the applicant was advised that the conditions stipulated must be completed within 24 months from the date of decision or the approval will lapse. The next steps will include the requirement to include draft deeds once conditions have been fulfilled for review by staff. Once approved, it is the responsibility of the applicant to direct their lawyer to register the deeds with the Land Registry Office. A copy of the registered deed is required for the municipality's records. Should future development be proposed, the applicant is advised that further approvals may be required by the Saugeen Valley Conservation Authority who should be consulted prior to any development on these two parcels and valid entrance permits for each parcel are required to be obtained and/or confirmed for each parcel from the Municipality of West Grey Public Works Department.

### **8. Consent to sever No. B10.2023 - 343028 Concession 2 NDR**

#### **8.1 Report from planning staff**

Planner Hall provided an overview of the application, property details, and provided a summary of the staff report which included a description of the policy framework, an overview of the facts of the application, comments from agencies, and a summary of the recommendation.

## **8.2 Verbal comments**

### **8.2.1 Committee members**

Committee inquired if the entrance to the new lands that are severed is off the highway, and further inquired if this is going to be the main entrance to get to the parcel where the paddock and horse barn is.,

The Director of Infrastructure and Development/CBO advised that both properties currently have an entrance and a residence on the property, therefore there is an entrance and civic address for both properties.

Mr. Schipprack advised that the current driveway goes through the neighbouring property, therefore they want to sever that portion of that property off to keep the driveway on their property. Mr. Schipprack noted that access to both properties and civic addresses will not change.

Committee further inquired if the main entrance for the property comes off Concession 2.

Mr. Schipprack advised that for the house at the rear, which is on the southern property, the entrance is off Concession 2 and because both properties are currently owned by the same people, there is no issue. Mr. Schipprack advised that if they propose to sell, they will be required to extend Concession 2 to municipal standards and bring a new entrance into the property, or they will have to extend the entrance off Highway 6 in order to access the property at the back. Mr. Schipprack noted that another option would be for the applicant to enter into an agreement with a neighbor for an easement registered on title for that property.

### **8.2.2 Members of the public**

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

There were no comments from members of the public.

### 8.3 Decision

#### CA-230905-006

Moved by: Member Doug Hutchinson

Seconded by: Member Scott Foerster

**"THAT in consideration of staff report B10.2023 HINES, Elizabeth (Michael Brenner Planning), the Committee of Adjustment provides provisional consent subject to the following conditions:**

1. **Payment of any outstanding municipal taxes (if applicable);**
2. **Payment of the zoning bylaw amendment application fee; and**
3. **Receipt of an amendment to the municipality of West Grey zoning bylaw A2 (Rural), subject to the approval of consent application B10.2023, to recognize the reduction in the lot area (1.88 hectares) of the retained parcel."**

**Carried**

### 8.4 Next steps

Planner Hall advised that there is an appeal period regarding any consent application. Ms. Hall advised that after the appeal period has been completed and there are no appeals, then the applicant is required to fulfill all the conditions that have been imposed within two years of the date of decision. If the conditions are completed within the two years, the severance is issued. If there is an appeal, then the appeal will be dealt with through the Ontario Land Tribunal.

## 9. Consent to sever No. B16.2023 - 501105 Concession 10 NDR

### 9.1 Report from planning staff

Planner Hall provided an overview of the application, property details, and provided a summary of the staff report which included a description of the policy framework, an overview of the facts of the application, comments from agencies, and a summary of the recommendation.

### 9.2 Verbal comments

#### 9.2.1 Committee members

There were no comments from committee members.



### 9.2.2 Members of public

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

Ron Davidson, Planning Consultant for the applicant, acknowledged that a condition of consent requires the applicant to submit a zoning bylaw amendment application and noted that the zoning bylaw amendment application will be submitted shortly.

## 9.3 Decision

### **CA-230905-007**

Moved by: Vice-Chair Doug Townsend

Seconded by: Member Kevin Eccles

**"THAT in consideration of staff report B16.2023 - BRENNENDORFER, Alfred and BRENNENDORFER, Dawn (Ron Davidson Land Use Planning), the Committee of Adjustment provides provisional consent, subject to the following conditions:**

1. **Payment of any outstanding municipal taxes (if applicable);**
2. **Payment of an entrance permit fee for the newly created parcel;**
3. **Receipt of an acceptable entrance permit application;**
4. **Payment of the \$500.00 parkland dedication fee;**
5. **Payment of the zoning bylaw amendment application fee;**
6. **Receipt of an amendment to the municipality of West Grey zoning bylaw A2 (Rural), subject to the approval of consent application B16.2023, to recognize the reduction in the lot area (3.3 hectares) and frontage (110 metres) for the portion of the lands subject to consent application B16.2023; and**
7. **Receipt of an amendment to the Municipality of West Grey zoning bylaw A2 (Rural) and A3 (Restricted Rural) for the retained lands to consent application B16.2023 to recognize the reduction in the lot area (37.4 hectares) and the NE zone lands shall be used in the calculation of lot area."**

**Carried**

#### **9.4 Next steps**

Planner Hall advised that there is an appeal period regarding any consent application. Ms. Hall advised that after the appeal period has been completed and there are no appeals, then the applicant is required to fulfill all the conditions that have been imposed within two years of the date of decision. If the conditions are completed within the two years, the severance is issued. If there is an appeal, then the appeal will be dealt with through the Ontario Land Tribunal.

#### **10. Next meeting**

The next meeting is scheduled for October 3, 2023 at 2:00 p.m.

#### **11. Adjournment**

There being no other items on the agenda, Chair Hutchinson adjourned the meeting at 2:50 p.m.

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Chair Tom Hutchinson

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Secretary-Treasurer