



Minutes

Committee of Adjustment

Municipality of West Grey

March 4, 2025, 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

Members absent: Member Geoffrey Shea

Staff present: Jamie Eckenswiler, Director of Legislative Services/Clerk
 Karl Schipprack, Director of Community and Development
 Services/CBO
 David Smith, Manager of Planning and Development
 Ashley Noble, Communications Coordinator
 Kalind Patel, Planning Technician

1. Call to order

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

2. Purpose of meeting

The Manager of Planning and Development outlined the purpose of the meeting.

3. Disclosure of pecuniary interest and general nature thereof

Member Hutchinson declared a conflict with Item 5 due to a relative of his being coached by an individual who is opposed to the application.

4. Approval of minutes

4.1 Minutes of the Committee of Adjustment Hearing held on February 4, 2025

COA-250304-001

Moved by: Vice-chair Townsend

Seconded by: Member Eccles

"THAT the minutes of the February 4, 2025, Committee of Adjustment hearing be approved."

Carried

Having declared a conflict on Item 5, Member Hutchinson left Council Chambers at this time.

5. Application No. B21.2024 - 142239 Grey Road 9

5.1 Report from planning staff

The Manager of Planning and Development provided an overview of the application and property details, summarized the staff report, and provided a summary of the recommendation.

Mr. Smith noted that this revised application was being brought forward after being deferred at the Committee of Adjustment hearing held on February 4, 2025.

Mr. Smith noted that the application had been deemed acceptable by agencies, and all written comments received from the public were included as part of the report package.

5.2 Verbal comments

5.2.1 Committee members

Committee inquired about existing land use agreements and whether any previous applications for a severance had been received with respect to the subject property.

Staff responded to questions posed by Committee.

5.2.2 Applicant/Agent and Members of the public

Robert Scriven, resident of West Grey, expressed concerns regarding the amended application and noted his opposition to the application.

Kristine Loft, agent for the applicant, provided an overview of the application. Ms. Loft noted the current application had been amended and that there were no concerns from agencies.

Bill Scriven, resident of West Grey, expressed concerns regarding the application.

5.3 Decision

COA-250304-002d

Moved by: Member Eccles

Seconded by: Member Foerster

"THAT in consideration of staff report 'B21.2024 – Martin and Brubacher (Loft) Revised', the Committee of Adjustment hereby grants provisional approval to consent application B21.2024 for the creation of a new agricultural lot as shown on Schedule 'A' attached to this decision and subject to the following conditions:

- i. THAT the owner provides a property tax certificate or, correspondence from the municipal finance department, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this decision;**
- ii. THAT this decision applies only to 'Severed Lot 1' as indicated on Schedule 'A' attached to and forming part of this decision. The severed lot shall substantially conform with Schedule 'A';**
- iii. THAT a Reference Plan (survey that is registered) be completed and a digital and/or hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from the Reference Plan be received from the Registrar. A draft copy of the Reference Plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;**
- iv. THAT pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed);**
- v. THAT the owner provides a draft transfer prepared by a solicitor describing the legal description of the new lot;**

- vi. **THAT the owner pays a \$500 parkland dedication fee for the severed land in accordance with Section 51(1) of the Planning Act to the Municipality of West Grey;**
- vii. **THAT the owner submits a letter, or similar, indicating that the requirements of the County of Grey Transportation Department have been satisfied;**
- viii. **THAT the Clerk of the Municipality of West Grey provide written confirmation that a minor variance or zoning bylaw amendment is in force and effect recognizing a reduced 'Front Yard, Minimum' and any other required exemptions."**

Defeated

COA-250304-003

Moved by: Member Nuhn

Seconded by: Member Townsend

"THAT in consideration of staff report 'B21.2024 – Martin and Brubacher (Loft) Revised', the Committee of Adjustment hereby refuses consent application B21.2024 for the following reasons:

- i. **The number of severances initially proposed on the property; and**
- ii. **The adjustment of the lot line from the original crown lot line."**

Carried

5.4 Next steps

The Planning Department will issue a notice of decision on the application; the decision is subject to appeal.

Committee recessed at 2:49 p.m. and reconvened at 2:56 p.m.

Member Hutchinson returned to Council Chambers at this time.

6. Application No. B02.2025 - 311050 Highway 6

6.1 Report from planning staff

The Manager of Planning and Development provided an overview of the application and property details and provided a summary of the staff report.

Mr. Smith reviewed comments received and noted that no concerns were raised from the agencies or the public.

6.2 Verbal comments

6.2.1 Committee members

Committee members requested clarification with respect to the location and registration of the proposed easement.

Staff responded to questions posed by Committee.

6.2.2 Applicant/Agent and Members of the public

There were no public comments.

6.3 Decision

COA-250304-004

Moved by: Member Eccles

Seconded by: Member Hutchinson

"THAT in consideration of staff report 'B02.2025 – 2505289 Ont. Inc. (Deverell and Lemaich)', the committee of adjustment hereby grants provisional approval to consent application B02.2025 for a stormwater easement as shown on 'PART 1, PLAN 16R-10661' attached to this decision and subject to the following conditions:

- a. THAT the owner provides a property tax certificate or correspondence from the municipal finance department, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this decision;**
- b. THAT this decision applies only to 'PART 1, PLAN 16R-10661' as attached to and forming part of this decision;**
- c. THAT the application is for an easement in favour of the dominant land (Part Lot 32, Concession 1, Division 3 Normanby being Parts 1, 2 and 3 Plan 61R22246, geographic township of Wellington North) for provision of, and access to; stormwater drainage as indicated on 'PART 1, PLAN 16R-10661' and that Subsection (3) or (5) of Section 50 of the Planning Act, apply to any subsequent conveyance;**
- d. THAT a Reference Plan (survey that is registered) be completed and a digital copy and/or a hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from**

the Reference Plan be received from the Registrar. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;

- e. THAT pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed));
- f. THAT the owner provides a draft transfer prepared by a solicitor describing the legal description of the servient and dominant lands and the purpose of the easement."

Carried

6.4 Next steps

Should no appeals be filed, the applicant is required to fulfill all the conditions that have been imposed by the Committee within the prescribed timeframe.

7. Application No. B03.2025 and B04.2025 - 521106 Concession 12 NDR

7.1 Report from planning staff

The Manager of Planning and Development provided an overview of the application and property details and provided a summary of the staff report. Mr. Smith reviewed comments received and noted that no concerns were raised from agencies.

Mr. Smith noted that a letter of objection was received from a neighboring property owner.

7.2 Verbal comments

7.2.1 Committee members

Committee members asked for clarification with respect to property use, the number of severances permitted, and setbacks.

Staff responded to questions posed by Committee.

7.2.2 Applicant/Agent and Members of the public

Ron Davidson, agent for the applicant, provided an overview of the application.

Robert Kuepfer, resident of West Grey, expressed concerns regarding the potential impact of the severance on the future use of his property.

7.3 Decision

COA-250304-005

Moved by: Member Eccles

Seconded by: Vice-chair Townsend

"THAT in consideration of staff report 'B03.2025 and B04.2025 – Boerkamp (Davidson)' the Committee of Adjustment hereby grants provisional approval to consent applications B03.2025 and B04.2025 for the creation of new lots subject to the following conditions:

1. For file B03.2025:

- i. THAT the owner provide a property tax certificate or, correspondence from the West Grey finance department, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this decision;**
- ii. THAT this decision applies only to the 'Severed Lot 1' as indicated on Schedule 'A' attached to and forming part of this decision. The severed lot shall substantially conform with Schedule 'A';**
- iii. THAT a Reference Plan (survey that is registered) be completed and a digital and/or hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from the Reference Plan be received from the Registrar. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;**
- iv. THAT pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed));**

- v. **THAT the owner provides a draft transfer prepared by a solicitor describing the legal description of the new lot;**
 - vi. **THAT an easement in favour of the dominant land (Severed Lot 1) for provision of, and access to, hydro/electrical service lines as indicated on Schedule 'A' attached to and forming part of this decision is granted. The easement shall substantially conform with Schedule 'A';**
 - vii. **THAT the owner pay a \$500 parkland dedication fee for the severed land in accordance with Section 51(1) of the Planning Act to the Municipality of West Grey;**
 - viii. **THAT the Clerk of the Municipality of West Grey provide written confirmation that a zoning bylaw amendment is in force and effect; and**
- 2. For file B04.2025:**
- i. **THAT the owner provide a property tax certificate or, correspondence from the West Grey finance department, indicating that all property taxes have been paid up-to-date with respect to the property that is subject to this decision;**
 - ii. **THAT this decision applies only to the 'Severed Lot 2' as indicated on Schedule 'A' attached to and forming part of this decision. The severed lot shall substantially conform with Schedule 'A';**
 - iii. **THAT a Reference Plan (survey that is registered) be completed and a digital and/or hard copy be filed with the Secretary-Treasurer of the Committee of Adjustment, or an exemption from the Reference Plan be received from the Registrar. A draft copy of the reference plan shall be provided to the Secretary-Treasurer for review and approval prior to registration of the survey;**
 - iv. **THAT pursuant to Section 53(42) of the Planning Act, the 'Certificate of Consent' be affixed to the deed within two years of the giving of the Notice of Decision. (Note: Section 53(43) of the Planning Act requires that the transaction approved by this consent must be carried out within two years of the issuance of the certificate (i.e., Stamping of the deed));**

- v. **THAT the owner provides a draft transfer prepared by a solicitor describing the legal description of the new lot;**
- vi. **THAT the owner pays a \$500 parkland dedication fee for the severed land in accordance with Section 51(1) of the Planning Act to the Municipality of West Grey; and**
- vii. **THAT the Clerk of the Municipality of West Grey provide written confirmation that a zoning bylaw amendment is in force and effect."**

Carried

7.4 Next steps

Should no appeals be filed, the applicant is required to fulfill all the conditions that have been imposed by the Committee within the prescribed timeframe.

8. Next meeting

The next meeting is scheduled for April 1, 2025, at 2:00 p.m.

9. Adjournment

The business on the agenda having been completed, Chair Hutchinson adjourned the meeting at 3:48 p.m.

Chair Tom Hutchinson

Secretary-Treasurer