



**Minutes
Committee of Adjustment
Municipality of West Grey
June 14, 2021, 1:00 p.m.
Virtual meeting**

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

Committee members absent: Member R. Hergert

Staff members present: Chief Administrative Officer L. Johnston, Secretary-Treasurer G. Scharback, Recreation Supervisor K. Hewlett, Manager Planning & Development L. Spencer, Legislative Coordinator T. Patterson

1. Call to order

Chair Hutchinson called the meeting to order at 1:07 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.

2. Purpose of meeting

Secretary-Treasurer Scharback advised that the purpose of this meeting is to allow the presentation of applications for minor variances and consents to sever; 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 each application is available and if any member of the public would like to be notified in writing of the decision on this application they are to provide their name and mailing address by email or via the meeting chat function for the corresponding registry.

3. Declaration of pecuniary interest and general nature thereof

None.

4. Approval of minutes - May 17, 2021

Resolution: COA 35-2021

Moved by: Member C. Robinson

Seconded by: Vice-Chair D. Hutchinson

That the Committee of Adjustment minutes of May 17, 2021 are hereby approved as circulated.

Disposition: Carried

5. Minor variance No. A11-2021 - McEachern

5.1 Application No. A11-2021 - McEachern

5.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application. She noted that the application is considered to maintain the general intent and purpose of the Official Plan, the general intent and purpose of the municipality's zoning by-law, is minor in nature, and desirable use of the land and buildings.

The purpose and effect of the application is to vary the provisions of sections 6.1.3 and 6.1.4(ii) of the municipality's comprehensive zoning by-law no. 37-2006 to permit a maximum height of ± 7.62 m (25 ft) and a total floor area for an accessory structure of ± 146.3 m² (1574.8ft²) whereas a maximum height of 5.0 m (16.4 ft) is required and a total floor area of 92.9 m² (1000 ft²) is permitted. The effect of which will permit the construction of an accessory structure for storage purposes.

5.3 Written comments received

Planner Spencer noted comments were received from Saugeen Valley Conservation Authority after publishing the agenda.

5.3.1 Grey County

Planner Spencer reviewed the comments received from the County of Grey.

5.4 Verbal comments

5.4.1 Committee members

Councillor Townsend inquired about Grey County's comments regarding approval from the Ministry of Transportation. Planner Spencer advised that due to the proximity to Highway 6 the Ministry of Transportation approval is required.

Member Robinson asked when the additional structures on the property will be removed. Planner Spencer noted that there is no confirmed timeline.

5.4.2 Members of the public

None.

5.5 Decision

Resolution: COA 36-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member C. Robinson

That West Grey Committee of Adjustment hereby approves minor variance application No. A11-2021, McEachern, for the reasons set out in the planner's report.

Disposition: Carried

5.6 Next Steps

Staff advised that there is a twenty day appeal period. If no appeals are received in that time the applicant may proceed with applying for a building permit.

6. Minor variance No. A13-2021 - Barfoot

6.1 Application No. A13-2021 - Barfoot

6.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application as the application is considered to maintain the general intent and purpose of the Official Plan, the general intent and purpose of the municipality's zoning by-law, is minor in nature, and desirable use of the land and buildings.

The purpose and effect of the application is to vary the provisions of sections 6.1.4(ii) and section 15.2.5 of the municipality's comprehensive zoning by-law no. 37-2006 to permit a maximum floor area of an accessory structure of $\pm 120.6 \text{ m}^2$ (1298.13 ft^2) and an exterior side yard setback of $\pm 6.09 \text{ m}$ (19.98 ft.), whereas a maximum floor area of 92.9 m^2 (1000 ft^2) is permitted and an exterior side yard setback of 7.6 m (24.93 ft.) is required. The effect of which will permit the construction of an accessory structure for storage purposes.

6.3 Written comments received

6.3.1 Grey County

No objections. Grey County noted their preference to minimize tree removal on-site.

6.4 Verbal comments

6.4.1 Committee members

Member Townsend asked about consultation with Saugeen Valley Conservation Authority. Planner Spencer noted that no comments have been received noting concerns.

6.4.2 Members of the public

None.

6.5 Decision

Resolution: COA 37-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member C. Robinson

That West Grey Committee of Adjustment hereby approves minor variance application No. A13-2021, Barfoot, for the reasons set out in the planner's report.

Disposition: Carried

6.6 Next Steps

Staff advised that there is a twenty day appeal period, if no appeals are received in that time the applicant may proceed with applying for a building permit.

7. Minor variance No. A14-2021 - Piercey

7.1 Application No. A14-2021 - Piercey

7.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application as the application is considered to maintain the general intent and purpose of the Official Plan, the general intent and purpose of the municipality's zoning by-law, is minor in nature, and desirable use of the land and buildings.

The purpose of the application is to vary the provisions of subsection 6.10 to permit development on an unopened, unmaintained municipal road. The effect of which would permit the construction of a new single detached dwelling unit on an existing lot of record.

7.3 Written comments received

Comments were received from Grey County and Saugeen Valley Conservation Authority after publishing the agenda.

Grey County noted a site plan agreement regarding municipal services on the unopened road allowance be a condition of the approval.

7.3.1 Enbridge

Enbridge Gas Inc. noted the proposed site plan may affect their services lines and requested confirmation of the gas pipeline location be made through Ontario One Call.

7.4 Verbal comments

7.4.1 Committee members

Member Doug Hutchinson commented on the need for a non-service agreement for approval of this application.

Member Townsend also noted concerns regarding the access onto an unopened road allowance. Planner Spencer noted that non-service agreements are registered on title allowing future owners to be aware of the agreement.

7.4.2 Members of the public

None.

7.5 Decision

Resolution: COA 38-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member S. Townsend

That West Grey Committee of Adjustment hereby approves minor variance application No. A14-2021, Piercey, for the reasons set out in the planners report and conditional that a non-service agreement being entered into with the municipality.

Disposition: Carried

7.6 Next steps

Planning staff will notify of the committee decision, including the requirement for a non-service agreement. Provided no appeals are received and the condition is met, staff will advise the applicant's agent that they can proceed to obtain a building permit.

8. Minor variance No. A15-2021 - Slobosky

8.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application noting the need for a non-service agreement with the municipality as the entrance is on an unopened road allowance. She noted that the application is considered to maintain the general intent and purpose of the Official Plan, the general intent and purpose of the municipality's zoning by-law, is minor in nature, and desirable use of the land and buildings.

The purpose of the application is to vary the provisions of subsection 6.10 to permit development on a property with no frontage or access on an open and maintained municipal road. The effect of which would permit the construction of a new single detached dwelling unit on an existing lot of record.

8.3 Written comments received

Comments were received from Grey County, Saugeen Valley Conservation Authority, and Mihaela Burlacu, resident, after publishing the agenda.

Grey County noted further environmental review will need to be completed prior to development on the subject property. Additionally, the county requested confirmation that the subject easement 'right of way' that is registered to serve several properties, is sufficient to legally ensure continued, ongoing access to the subject lands.

Saugeen Valley Conservation Authority were supportive of comments received by the Grey County.

Mihaela Burlacu noted objection to changes of the driveway surface and concerns regarding access to the current right of way.

8.3.1 Enbridge

Enbridge Gas Inc. noted the proposed site plan may affect their services lines and requested confirmation of the gas pipeline location be made through Ontario One Call.

8.4 Verbal comments

8.4.1 Committee members

Member Doug Hutchinson noted that this is similar to other applications approved with the condition of a non-service agreement.

8.4.2 Members of the public

None.

8.5 Decision

Resolution: COA 39-2021

Moved by: Member S. Townsend

Seconded by: Vice-Chair D. Hutchinson

That West Grey Committee of Adjustment hereby approves minor variance application No. A15-2021, Slobosky, for the reasons set out in the planners report and conditional upon a non-service agreement being entered into with the Municipality of West Grey.

Disposition: Carried

8.6 Next steps

Planning staff will notify of the committee decision, including the requirement for a non-service agreement. Provided no appeals are received and the condition is met, staff will advise the applicant's agent that they can proceed to obtain a building permit.

9. Consent to sever No. B07-2021 - Wynia

Planner Spencer reviewed her report and recommendation for approval.

The purpose and effect of B07.2021 is to sever a 2.12 ha. (5.24 acres) residential parcel and retain a 16.9 ha. (41.76 acre). The effect of which will create a new residential parcel and retain a rural parcel.

9.1 Application No. B07-2021 - Wynia

9.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application with the following conditions:

- Payment of any outstanding municipal taxes
- Payment of the parkland dedication fee for the newly created lot
- Payment and receipt of an entrance permit for the newly created parcel.

The purpose and effect of B07.2021 is to sever a 2.12 ha. (5.24 acres) residential parcel and retain a 16.9 ha. (41.76 acre). The effect of which will create a new residential parcel and retain a rural parcel.

9.3 Written comments received

9.3.1 Grey County

Comments from the County of Grey noted that Minimum Distance Separation (MDS) requirements must be met, and supportive comments be provided by Saugeen Valley Conservation Authority.

9.3.2 Hydro One

No objections.

9.3.3 Saugeen Valley Conservation Authority

No objections. Comments noted that Threatened and Endangered Species considerations must be addressed by the Ministry of Environment, Conservation and Parks.

9.4 Verbal comments

9.4.1 Committee members

Member Townsend noted that the application is identified as B05, as well as in the Saugeen Valley Conservation Authority comments and requested that it be corrected to B07 to ensure records are correct.

Member Doug Hutchinson asked if MDS requirements are met. Planner Spencer confirmed that MDS has been addressed.

9.4.2 Members of the public

None.

9.5 Decision

Resolution: COA 40-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member C. Robinson

That committee of adjustment hereby approves severance application number B07-2021 - Wynia, for the reasons and with the conditions as set out in the planner's report.

Disposition: Carried

9.6 Next steps

Staff advised that there is an appeal period of twenty days. The applicant has twelve months from the date of the decision to complete the conditions as set out in the decision.

10. Consent to sever No. B09-2021 - Weller

10.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application with the following conditions:

- Payment of any outstanding municipal taxes
- Payment of the zoning by-law amendment fee
- Receipt of a zoning by-law amendment to require the existing barn be zoned solely for dry storage.
- Payment of the parkland dedication fee for the newly created lot
- That the retained lands merge with the lands to the west.

The purpose and effect of B09.2021 is to sever a 2.8 ha. (6.92 acres) residential parcel and add 25.2 ha. (62.3 acre) to the west. The effect of which will create a new residential parcel and created a newly merged farm parcel to the west.

10.3 Written comments

Comments were received from Saugeen Valley Conservation Authority, Enbridge Gas Inc. and Hydro One after publishing of the agenda. Saugeen Valley Conservation Authority recommends a zoning by-law amendment or site plan control agreement be implemented to ensure the natural heritage recommendations are carried out.

10.3.1 Grey County

No objections.

10.4 Verbal comments

10.4.1 Committee members

Member Townsend requested information about the need for an entrance permit. Planner Spencer advised that it was not necessary as this application creates a merged lot, not a new lot.

10.4.2 Members of the public

Alexandra Ibbotson submitted a chat message inquiring about a reference in the report to lots two and three. Planner Spencer clarified the information in the report.

10.5 Decision

Resolution: COA 41-2021

Moved by: Member S. Townsend

Seconded by: Vice-Chair D. Hutchinson

That committee of adjustment hereby approves severance application number B09-2021 - Weller, for the reasons and with the conditions as set out in the planner's report.

Disposition: Carried

10.6 Next steps

Staff advised that there is an appeal period of twenty days. The applicant has twelve months from the date of the decision to complete the conditions as set out in the decision.

11. Consent to sever No. B11-2021 - J. T. Excavating

11.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application with the following conditions:

- Payment of any outstanding municipal taxes
- Payment of the parkland dedication fee for the newly created lot
- Payment and receipt of an entrance permit for the retained parcel

The purpose and effect of B11.2021 is to sever a 40 ha. (100 acres) agricultural parcel and retain a 50 ha. (124 acres) rural parcel. The effect of which will create an agricultural parcel and retain a rural parcel.

11.3 Written comments received

Comments were received from Terry Lorenz objecting to the application. Enbridge Gas Inc. submitted comments with no concerns.

11.3.1 County of Grey

County of Grey comments noted that prior to a decision on this application it is necessary to ensure that supportive comments are received from the Saugeen Valley Conservation Authority with respect to the ability to have safe access to the retained parcel with no impact on the Significant Valleylands and the associated watercourse.

11.3.2 Saugeen Valley Conservation Authority

Comments noted that an engineered floodplain analysis confirming safe access criteria can be met is required.

11.3.3 Hydro One

No objections.

11.3.4 Loft Planning

Loft Planning provided a planning justification report in support of this application from their client.

11.4 Verbal comments

11.4.1 Committee members

Member Doug Hutchinson requested clarification of the entrances shown on the map. Planner Spencer clarified the property entrance and the farm entrance to the field.

11.4.2 Members of the public

Kristine Loft, on behalf of J.T. Excavating, reviewed the planning justification report.

Enn Allen Kuuskne, neighbour, noted concerns that the entrance on the west side exceeds requirements for a farm entrance as well as concerns that there will be a future aggregate licence for the property that would negatively impact the area.

Joyce Hopkins, resident, asked if there is a requirement to own a property for one year prior to expanding. Planner Spencer advised that she was unaware of any such requirement.

11.5 Decision

Resolution: COA 42-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member S. Townsend

That committee of adjustment hereby approves severance application number B11.2021 - J.T. Excavating, for the reasons and with the conditions as set out in the planner's report with an additional condition of floodplain assessment prohibiting future residential development until it is demonstrated the lot has safe access through the regional floodplain.

Disposition: Carried

11.6 Next steps

Staff advised that there is an appeal period of twenty days. The applicant has twelve months from the date of the decision to complete the conditions as set out in the decision.

12. Next meeting

The next meeting is scheduled for July 5, 2021 at 1:00 p.m.

13. Adjournment

Resolution: COA 43-2021

Moved by: Member S. Townsend

Seconded by: Member C. Robinson

That Committee of Adjustment hereby closes this meeting at 3:20 p.m.

Disposition: Carried

Chair Tom Hutchinson

Secretary-Treasurer Genevieve
Scharback