



**Minutes
Committee of Adjustment
Municipality of West Grey
August 9, 2021, 1:00 p.m.
Virtual meeting**

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

Staff members present: Chief Administrative Officer L. Johnston, Secretary-Treasurer G. Scharback, Director of Finance/Treasurer K. Mighton, Manager Planning & Development L. Spencer, Legislative Coordinator T. Patterson

1. Call to order

Chair Hutchinson called the meeting to order at 1:05 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. Disclosure of pecuniary interest and general nature thereof

None.

3. 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.

4. Approval of minutes

4.1 July 5, 2021 Committee of Adjustment

Resolution: COA 51-2021

Moved by: Member R. Hergert

Seconded by: Member C. Robinson

That the committee of adjustment approves the minutes of July 5, 2021, as circulated.

Disposition: Carried

5. Minor variance application No. A17.2021 (Stott, Keith) - 475066 Townsend Lake Road, Concession 13, Part Lot 4; RP 17R2549 and RP17R2549, Part 1, Township of Glenelg

5.1 Application No. A17.2021 (Stott, Keith)

5.2 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 a desirable use of the land and buildings. She noted the purpose and effect of the application is to vary the provisions of section 6.15(a) to permit the construction of an accessory building on the subject lands prior to the establishment of the main use. The effect of which will permit the construction of an accessory structure on the subject lands.

5.3 Written comments received

5.3.1 Grey County

Written comments noting no objections were received from Grey County.

5.3.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

5.4 Verbal comments

5.4.1 Committee members

Vice-Chair D. Hutchinson inquired about the timeframe for the applicants to build a house after construction of the garage. Planner Spencer explained the provision has a condition to apply for a building permit within twelve months.

Member Hergert noted Saugeen Valley Conservation Authority's comment to update the mapping to reflect county mapping. Planner Spencer noted that the updating will be conducted by the county during the zoning bylaw review process.

Member Hergert inquired if the set back requirements have been met and if the secondary building will need to conform to the set back requirements. Planner Spencer confirmed that all requirements have been met and future builds will need to meet requirements.

Member Townsend noted Saugeen Valley Conservation Authority's comment regarding a site control agreement. Planner Spencer indicated the agreement is not necessary with the conditional approval.

Member Robinson inquired about the application complying with the county official plan. Planner Spencer noted the structure will not impact any land use designations.

5.4.2 Members of the public

None.

5.5 Decision

Resolution: COA 52-2021

Moved by: Member R. Hergert

Seconded by: Vice-Chair D. Hutchinson

That Committee of Adjustment hereby approves minor variance application No. A17-2021, Stott, for the reasons as set out in the planner's report.

Disposition: Carried

5.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they may proceed with applying for a building permit.

6. Minor variance application No. A18.2021 (Domm, Ryan and Agent - DOMM Construction) - 1019 Victoria Street, Ayton, Plan 153, Part Lot 1 S Victoria Street; RP16R11092, Part 2, Township of Normanby

6.1 Application No. A18.2021 (Domm, Ryan and Agent - DOMM Construction)

6.2 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the application. She noted the purpose and effect of the application is to vary the provisions of Section 6.1.4(ii) of the municipality's comprehensive zoning by-law no. 37-2006 to permit a total floor area of an accessory structure of $\pm 167 \text{ m}^2$ (1797.6 ft^2), whereas a total floor area of 92.9 m^2 (1000 ft^2) is permitted. 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

Written comments noting no objections were received from Grey County.

6.3.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

6.4 Verbal comments

6.4.1 Committee members

Vice-Chair D. Hutchinson requested clarification on the aerial photo. Planner Spencer noted recently constructed structures are not shown on the aerial photo as the Grey County mapping is current to 2016.

Councillor Townsend requested clarification on the property size. Planner Spencer advised it is 167m².

6.4.2 Members of the public

None.

6.5 Decision

Resolution: COA 53-2021

Moved by: Member C. Robinson

Seconded by: Vice-Chair D. Hutchinson

That Committee of Adjustment hereby approves minor variance application A18.2021, Domm, for the reasons as set out in the planner's report.

Disposition: Carried

6.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they may proceed with applying for a building permit.

7. Minor variance application No. A19.2021 (1896830 Ontario Inc., c/o Dennis Graham and Agent - 579575 Ontario Inc., Candue Homes) - 46 Forest Creek Trail, Township of Bentinck; Plan 1097, Lot 46, Municipality of West Grey

7.1 Application No. A19.2021 (1896830 Ontario Inc., c/o Dennis Graham and Agent - 579575 Ontario Inc., Candue Homes)

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 a desirable use of the land and buildings. She noted the purpose of the application is to vary the provisions of sections 6.1.2(a) and 6.1.2(b). The effect of which will permit the construction of an accessory structure within the defined front yard.

7.3 Written comments received

7.3.1 Grey County

Written comments received from Grey County suggested the submitted site plan be adjusted to align with West Grey's zoning provision of accessory structure maintaining rear and side yards. Planner Spencer noted that the retention of trees was deemed to be more important than altering the site plan.

7.3.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

7.4 Verbal comments

7.4.1 Committee members

Vice-Chair D. Hutchison inquired about the structure affecting the neighbouring property as it is five feet from the property line. Planner Spencer noted the distance will not be a factor as the retained trees provide privacy.

Member Robinson left the meeting at 1:42 p.m. and returned at 1:43 p.m.

7.4.2 Members of the public

None.

7.5 Decision

Resolution: COA 54-2021

Moved by: Member C. Robinson

Seconded by: Member R. Hergert

That Committee of Adjustment hereby approves minor variance application A19.2021, 1896830 Ontario Inc., for the reasons as set out in the planner's report.

Disposition: Carried

7.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they may proceed with applying for a building permit.

8. Minor variance application No. A20.2021 (Richard Graham) - 213461 Baseline Road, Township of Bentinck

8.1 Application No. A20.2021 (Richard Graham)

8.2 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 a desirable use of the land and buildings. She noted the purpose of the application is to vary the provisions of sections 6.1.2(a), 6.1.2(b), 6.1.4(ii) and 8.3.4 to permit the construction of an accessory structure and single detached dwelling unit. The effect of which will permit the placement of an accessory building in the front yard; an increased total floor area of the accessory structure of $\pm 204\text{m}^2$ (whereas a total floor area of 92.9m^2 is permitted); and a reduced rear yard setback for the detached dwelling unit of 3.0m (whereas 7.5m is required). The effect of which will permit the construction of an accessory structure and dwelling unit.

8.3 Written comments received

8.3.1 Grey County

Written comments noting no objections were received from Grey County.

8.3.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

8.4 Verbal comments

8.4.1 Committee members

None.

8.4.2 Members of the public

None.

8.5 Decision

Resolution: COA 55-2021

Moved by: Member S. Townsend

Seconded by: Vice-Chair D. Hutchinson

That Committee of Adjustment hereby approves minor variance application A20.2021, Graham, for the reasons as set out in the planner's report.

Disposition: Carried

8.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they may proceed with applying for a building permit.

9. Consent to sever No. B14.2021 (Daniel and Beverly Cudney, and Paul Wong) - 304599 South Line Road, Lot 48-49, Concession 2 SDR, Township of Glenelg

9.1 Application No. B14.2021 (Daniel and Beverly Cudney, and Paul Wong)

9.2 Planner L. Planner - report

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

- Payment of any outstanding municipal taxes on the subject lands (if any);
- Payment of the parkland dedication fee for the newly created parcel; and
- That a revised site plan is provided to the satisfaction of the municipality and conservation authority demonstrating that development can occur outside of the natural environment zone.

The purpose of the application is to sever one (1) 20 ha. (50 acre) rural lot and retain one 20 ha. (50 acre) rural lot. The effect of which would create two rural lots along the original crown survey.

9.3 Written comments received

9.3.1 Grey County

Written comments noting no objections were received from Grey County.

9.3.2 Saugeen Valley Conservation Authority

Written comments were received from Saugeen Valley Conservation Authority requesting confirmation that the development of the property will be located outside of the identified hazard lands and natural environment zones.

9.3.3 Enbridge Gas Inc.

Written comments noting no objections were received from Enbridge Gas Inc.

9.3.4 Hydro One

Written comments noting no objections were received from Hydro One.

9.4 Verbal comments

9.4.1 Committee members

Vice-Chair D. Hutchinson inquired about requesting a site plan on the property where the potential new build is to take place. Planner Spencer noted a site plan will be required.

9.4.2 Members of the public

None.

9.5 Decision

Resolution: COA 56-2021

Moved by: Member C. Robinson

Seconded by: Vice-Chair D. Hutchinson

That Committee of Adjustment provisionally approves consent to sever application B14.2021, Cudney and Wong, for the reasons and subject to the conditions as set out in the planner's report.

Disposition: Carried

9.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they have 12 months from the date of the decision to complete the conditions as set out in the decision sheet.

- 10. Consent to sever No. B19.2021 (Merle and Florence Brubacher) - 278 and 280 Garafraxa Street South, Durham; Part Lot 2 WGR, Queen; E/S, Plan 500, Town of Durham**

10.1 Application No. B19.2021 (Merle and Florence Brubacher)

10.2 Planner L. Spencer - report

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

- Payment of any outstanding municipal taxes (if applicable);
- Payment of the \$500.00 parkland dedication fee;
- Payment of the zoning by-law amendment application fee; and
- Passage of a zoning by-law amendment.

The purpose of the application is to sever a semi-detached dwelling unit and the associated property for each unit. The effect of which will create two (2) residential parcels. The retained parcel will be approximately 0.08 ha. (887.33m²) in size and the severed parcel will be approximately 0.06 ha. (652.52m²) in size. Both properties are on municipal services and contain access to Garafraxa Street South.

10.3 Written comments received

10.3.1 Grey County

Written comments noting no objections were received from Grey County.

10.3.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

10.3.3 Enbridge Gas Inc.

Written comments noting no objections were received from Enbridge Gas Inc.

10.3.4 Hydro One

Written comments noting no objections were received from Hydro One.

10.4 Verbal comments

Planner Spencer noted verbal comments were received from a citizen concerned with the property standards associated with the application.

10.4.1 Committee members

Vice-Chair D. Hutchinson commented on the intent of the application. Planner Spencer confirmed the application is to sever the rental units into two separate units. There has been no request for change in land use.

Member Townsend inquired about the restricted covenant on the property. Planner Spencer explained it is an easement for the adjacent land that is registered and will remain on title and will not affect the application.

10.4.2 Members of the public

None.

10.5 Decision

Resolution: COA 57-2021

Moved by: Member R. Hergert

Seconded by: Member S. Townsend

That Committee of Adjustment hereby provisionally approves consent to sever B19.2021, Brubacher, for the reasons and subject to the conditions as set out in the planner's report.

Disposition: Carried

10.6 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they have 12 months from the date of the decision to complete the conditions as set out in the decision sheet.

11. Consent to sever No. B20.2021 and B21.2021 (Cobblestone Diversions Inc., and Agent - Wilson-Ford Surveying and Engineering Ltd.) - 496 Garafraxa Street South, Durham; Plan 505, Lot 16 WGR

11.1 Application No. B20.2021 (Cobblestone Diversions Inc., and Agent - Wilson-Ford Surveying and Engineering Ltd.)

11.2 Application No. B21.2021 (Cobblestone Diversions Inc., and Agent - Wilson-Ford Surveying and Engineering Ltd.)

11.3 Planner L. Spencer - report

Planner Spencer reviewed her report and recommendation for approval of the applications subject to the following conditions:

- Payment of any outstanding municipal taxes (if applicable);
- Payment and receipt of an entrance permit for the newly created parcel; and
- Payment of the \$500.00 parkland dedication fee for the newly created parcel (not applicable to the easement application).

The purpose of application B20.2021 is to provide an easement for an existing driveway encroachment on lands directly north of the subject

lands. The effect of which will provide legal notice of the easement and rights of access on title.

The purpose of application B21.2021 is to sever a residential lot and retain a residential lot. The effect of which will create a total of two residential parcels (including the retained parcel).

11.4 Written comments received

11.4.1 Grey County

Written comments noting no objections were received from Grey County.

11.4.2 Saugeen Valley Conservation Authority

Written comments noting no objections were received from Saugeen Valley Conservation Authority.

11.4.3 Hydro One

Written comments noting no objections were received from Hydro One.

11.5 Verbal comments

11.5.1 Committee members

Member Townsend inquired about the county's recommendation for Ministry of Transportation (MTO) consultation. Planner Spencer noted that although consultation with MTO is not a necessity for a condition of consent, it will be required as part of the building permit application process.

Member Hergert noted an error on application B20.2021, Part B, Item 1; the date should read November 1, 2020.

Member Hergert also inquired about the benefits of retaining the small portion of land and placing an easement on the property. Planner Spencer explained the easement allows retention of property ownership and restricts any building.

11.5.2 Members of the public

Cameron Gerber, Cobblestone Diversions Inc., thanked the committee for the opportunity to work with West Grey.

11.6 Decision

Member Hergert inquired if the intent is for the entrance to be on Park Street West. Planner Spencer confirmed the current intent is for the entrance to remain on Park Street West. Additional potential entrance locations may be considered during the entrance permit process.

Resolution: COA 58-2021

Moved by: Vice-Chair D. Hutchinson

Seconded by: Member S. Townsend

That Committee of Adjustment hereby provisionally approves consent to sever applications B20.2021 and B21.2021, Cobblestone Diversions Inc. and Wilson-Ford Surveying and Engineering Ltd., for the reasons and subject to the conditions as set out in the planner's report.

Disposition: Carried

11.7 Next steps

Upon approval of the application there is a twenty day appeal period. If no appeals are received in that time staff will advise the applicant that they have 12 months from the date of the decision to complete the conditions as set out in the decision sheet.

12. Next meeting

The next meeting is scheduled for September 13, 2021.

13. Adjournment

Resolution: COA 59-2021

Moved by: Member C. Robinson

Seconded by: Member R. Hergert

That committee of adjustment hereby adjourns this meeting at 2:31 p.m.

Disposition: Carried

Chair Tom Hutchinson

Secretary-Treasurer Genevieve
Scharback