

Committee of the Whole (Planning)
Municipality of West Grey
Minutes of December 12th, 2016, at 1:19 p.m.

The Committee of the Whole (Planning) met at the Council Chambers with the following members in attendance.

Council Mayor Kevin Eccles, Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Doug Hutchinson, Councillor Carol Lawrence, Councillor Rob Thompson
Absent Councillor Don B. Marshall
Staff: Mark Turner, Clerk
Also Present: Ron Davidson, Municipal Planner

1) Disclosure of Pecuniary Interest - None

2) Public Meetings

- 1) Zoning Bylaw Amendment Application ZA-16-16 – Part Lots 18 & 19, Concession 3 EGR, former Township of Glenelg (Odilia Osthaus & Johannes Schneider)

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the Zoning By-law Amendment is to implement a condition of severance application B07/2016, to rezone the subject lands described as Part Lots 18 & 19, Concession 3 EGR, former Township of Glenelg, Municipality of West Grey, from the "A2" (Rural Zone), "NE" (Natural Environment Zone), and "NE2" (Natural Environment 2 Zone) to the "A2-h" (Rural-Holding Zone), "A2" (Rural Zone), "NE" (Natural Environment Zone), and "NE2" (Natural Environment 2 Zone), for the severed and retained parcels. The "NE" (Natural Environment Zone) was revised as requested by the Saugeen Valley Conservation Authority. The "A2-h" (Rural-Holding Zone) shall not permit any activity such as fill, grading and excavation that would change the land form and natural vegetative characteristics in the "A2-h" (Rural-Holding Zone). The Holding Symbol (-h) shall not be removed until an Environmental Impact Study has been completed to the satisfaction of the Saugeen Valley Conservation Authority.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, and the Historic Saugeen Metis.

The Historic Saugeen Metis indicated by email that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated December 6, 2016 that correspondence from the Conservation Authority indicates that the Conservation Authority finds the proposed Zoning By-law Amendment to be acceptable, and therefore, County planning staff has no further concerns with the subject application.

The Saugeen Valley Conservation Authority indicated in a letter dated December 1, 2016 that SVCA Staff are of the opinion that this Zoning By-law amendment appears to comply with the relevant policies of the Grey County Official Plan and Provincial Policies.

The Municipal Planner noted in his Planning Report dated December 12, 2016 that the proposed by-law represents sound, environmental planning and should be approved.

Hutchinson-Bell, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment. ... #29-16 **Carried.**

2) Zoning Bylaw Amendment Application ZA-15-16 – Part Lots 30 & 31, Concession 10, former Township of Normanby (861467 Ontario Inc.)

Attendance: Kristine Loft, Loft Planning Inc.; Bob Gibson, Robert Gibson Consulting Services Inc.; Dan Clark; Steven Clark; Miranda Wright; Rob Wagner, Parkbridge Lifestyles Communities; Heather & Lanny Walker; Merle & Allan Cronin

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose and effect of the Zoning By-law amendment is to rezone the subject lands described as Part Lot 30 & 31, Concession 10, Geographic Township of Normanby, from the Agricultural (A1) Zone to the Extractive Industrial (M4) Zone to permit the operation of a licensed gravel pit.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, the Historic Saugeen Metis, Bluewater District School Board, Celeste Phillips Planning Inc., Bonnie & Murray Grein, and Karyn & David Bradfield.

The Historic Saugeen Metis and Bluewater District School Board indicated by email that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated November 28, 2016 that provided the MNRF and SVCA are satisfied with the natural heritage aspects of the proposed pit, the boundaries on the draft zoning schedule are corrected (the schedule was corrected), and a commercial entrance permit is granted (which may be following the passing of the zoning amendment), the County would have no further concerns with the proposed zoning amendment.

The Municipal Planner noted in his Planning Report dated December 12, 2016 that the Provincial Government recognizes the importance of aggregate operations and makes it clear in the Provincial Policy Statement that aggregate extraction is generally not to be discouraged. This philosophy is also reflected in the County of Grey Official Plan. On this very note, the County Official Plan recognizes this particular area of the Municipality as being situated within a Primary Aggregate Resource Area and provides policies that strive to protect these areas from other land uses that may hinder future extraction operations.

The County Official Plan and the Provincial Policy Statement also provide policies that are intended to protect the natural environment and reduce potential impacts of a proposed pit operation on neighbouring land owners. Given the findings of the various reports submitted in conjunction with this rezoning application and the fact that the proposed pit meets the requirements of the Aggregate Resources act, it would appear that the impacts on the adjacent land owners should be mitigated to a certain degree. I am not suggesting, however, that the neighbours will not be impacted to some extent by the proposed pit.

The Natural Environment Report concludes that no significant natural features exist on the subject property or within 120 metres of the proposed licensed boundaries, and that Report has been accepted by MNRF and SVCA. From a transportation perspective, the proposed pit has good proximity to the County Road and Provincial Highway roads network.

Based on the foregoing, the proposed Zoning By-law Amendment has merit and should be given favourable consideration. The Municipal Planner recommended a Holding Symbol be included in the proposed zoning by-law amendment until a Development Agreement is entered into to the satisfaction of the Saugeen Valley Conservation Authority and Municipality of West Grey.

On a final note, the applicant should be advised that it is standard practice in West Grey to require the gravel pit operator to enter into a Development Agreement. The Agreement deals with such matters as hours of operation. Also, the By-law presented to Council will likely contain a "holding" symbol attached to the zoning, with the understanding that the "holding" would be removed once the Agreement is signed. Conversely, the applicant may wish to sign the Agreement prior to the adoption of the By-law, in which case the "holding" symbol would not be necessary.

The Saugeen Valley Conservation Authority indicated in a letter dated December 8, 2016 that all of the plan review functions listed in the Agreement have been assessed with respect to this proposal. SVCA staff would like to note that should the Committee require that the operational plan be revised such that all Significant Woodlands are outside of the area to be licenced, SVCA staff would find this change acceptable. Also, it is the opinion of SVCA staff that the draft Schedule circulated with this application does not accurately represent the proposed area to be licenced as shown on the revised site plans dated November 2, 2015. Provided the proposed M4 Zone boundary is revised appropriately, either to reflect the November 2, 2015 site plans or a newly revised area to be licenced that excludes all Significant Woodlands, this proposed Zoning By-law Amendment will be acceptable to SVCA staff. The Clerk noted that the SVCA was provided the amended zoning schedule and while they are satisfied that the zoning schedule reflects the current operational plan, the SVCA staff comments regarding the removal of the significant woodlands from the area to be licensed, being, part of the M4 Zone, still applies.

A letter of objection dated December 9, 2016 was submitted by Celeste Phillips Planning Inc., on behalf of Parkbridge Communities. Parkbridge is the owner of Silent Valley, a campground consisting of 335 sites. The Silent Valley property is zoned to permit a Tent & Trailer Campground with a maximum of 371 sites, a motor vehicle sales establishment, two existing single family dwellings and one mobile home. Parkbridge is contemplating an expansion of their facility.

Ms. Phillips indicates in her letter that in her opinion, the applicant has failed to assess the impact of the proposed gravel pit on Parkbridge's current and planned operations. In particular, she notes that the applicant has not demonstrated sensitivity to the "natural environment, minimizing the social, economic and environmental impacts" as required by the Provincial Policy Statement, nor recognized her client's lands as anything more than a 'campground'. An abbreviated list of Parkbridge's concerns is as follows: the compatibility of the gravel pit with the existing surrounding uses, noise

generated from the proposed extraction operation, traffic and life safety issues for the residents of Silent Valley that will be using surrounding roads, general disruption to Parkbridge's operation of Silent Valley, the potential restrictions that a gravel pit may have on the planned expansion of Silent Valley to the west, on lands that are already zoned for Parkbridge's intended use. Ms. Phillips asks that Council deny the rezoning application for a gravel pit use.

Bonnie & Murray Grein submitted a letter date December 11, 2016 noting opposition to the proposed zoning by-law amendment, unless Council can reassure them in writing regarding the following concerns – destruction of prime agricultural lands which is currently cashed cropped; safety and traffic concerns on Grey Road 9, noting a sharp curve on this road; dust and noise levels, and possible decrease in property values. The Clerk noted some of the property owners indicated they did not receive notice of the public meeting, however, the Clerk's records indicate that the property owners required to be circulated were mailed the notice of public meeting on October 28, 2016.

Karyn & David Bradfield submitted a letter dated December 12, 2016 noting concerns regarding the proposed rezoning for a gravel pit, including the potential sound disturbance from gravel crushers and increased truck traffic; safety concerns regarding the blind corner at Grey Road 9 and Baseline Road; dust concerns, noting severe allergies of one of their children; impact on quality of life; want assurances of no impact on water table and local wildlife.

Kristine Loft, Loft Planning Inc., provided a powerpoint presentation on behalf of the proponent, providing details relating to the proposed gravel pit. The aggregate license was modified by the MNRF to account for some environmental issues. The ARA process is complete, pending the decision of the zoning by-law amendment. The property is within the Aggregate Resource Area as identified in County of Grey constraint mapping. Ms. Loft noted the number of technical reports completed for the proposal. It is proposed to extract a maximum of 100,000 tonnes/year, and there is an estimated 1.7 million tonnes on the subject property.

Ms. Loft, in response to comments from objectors, noted the County of Grey is the commenting agency and has approved the haul route, and that dust and noise issues are dealt with in the ARA process. The water table was established by the hydrogeological study, and extraction is to take place 1.5 metres above the water table. The extraction area is well within the boundary of the property, and the extraction begins somewhat central in the

proposed M4 Zone, with only 6 hectares extracted at a time. Ms. Loft noted no noise study was required as there are no sensitive noise receptors within 150 metres of proposed extraction. Ms. Loft noted the ARA process included notification of agencies and landowners in the vicinity, comments were received at that time, and information was provided to agencies and landowners – the MNRF have indicated they are satisfied the ARA process is complete.

Miranda Wright, expressed concerns that they could sell out to a larger company that could cause more dust, traffic, etc., and expressed concerns that an asphalt recycling plant could impact her agricultural operations, and decrease her property values. Bob Gibson noted the same equipment would be used for recycling asphalt as per the gravel material. Bob Gibson indicated the separation distance for crushing the stone would be sufficient, and there can be some petroleum product used in the process. Mr. Gibson indicated he is not aware of any increase in airborne particulants that would result. Mr. Gibson noted any sale to another company would still result in having to adhere to the ARA, zoning approval, and Development Agreement.

Merle & Allan Cronin, speaking on behalf of Craig & Julia Ehman, who rents his land and is conducts organic certified farming, is against the proposal. Ms. Cronin also noted Jason Showalter and Max Lorenz are against the proposal. Mrs. Cronin expressed her opinion that the blind curve at Grey Road 9 is a death trap. Mrs. Cronin noted the prevailing winds cause problems with dust and noise from the current Lembke Pit, that would be compounded by the approval of this pit. Mrs. Cronin asked if there will be asphalt recycling on the site. Bob Gibson indicated asphalt and concrete recycling is not proposed on site at this time.

Mayor Eccles indicated the M4 Zone permits asphalt and concrete plants, so if the proponent obtains their license from the MNRF without including an asphalt and concrete plant, they would have to apply for a modification to the ARA through the MNRF, depending on whether or not it is deemed as a minor or major change.

Mrs. Cronin requested that asphalt and concrete recycling not be permitted on the subject property.

Miranda Wright questioned whether or not Committee members would like to live near a gravel pit.

Rob Wagner, representing Parkbridge Lifestyle, expressed similar concerns echoed by Celeste Phillips Planning Inc., including potential impact on expansion plans. Mr. Widener questioned if the proposal meets PPS re: sensitive land use from the campground. The Municipal Planner questioned what Mr. Wagner means, as the ARA doesn't indicate that a gravel pit cannot occur if it is within 150 metres of a sensitive land use. If there is a sensitive noise receptor within 150 metres of the area to be extracted, then a noise study is required, which isn't the case with this pit. Mr. Gibson commented on sensitive receptors, indicating the provincial standard applies if extraction is proposed within 150 metres of a sensitive receptor (i.e. dwelling, vacant residential lot). Mr. Gibson noted in this case, extraction is starting near the centre of the property, at about the lowest point, and the approximate 30' pit face will serve to mitigate the noise emanating from pit operations.

Mr. Wagner stated Parkbridge is more than just a campground, and proposes to expand in the future, noting some individuals live on the property for the summer. Mr. Gibson indicated crushing operations will likely only occur twice a year – once in spring and fall. Mr. Wagner asked if the proponent is proposing to complete a noise study, and Mr. Gibson responded that the proponent is not completing a noise study, as it is not required.

Heather Walker questioned if the proposed entrance for the pit can be changed at any time. Mayor Eccles stated that the proponent would have to obtain approval from the County of Grey, and amend the operational plan through the ARA. Heather Walker questioned if her water table is lower than the proposed water table. Bob Gibson indicated there are three monitoring wells on site that provided data respecting the water table, and monitoring will continue on a monthly basis, so there should be no effect on water table. The Municipal Planner noted Heather Walker likely has a drilled well, which was confirmed by Mrs. Walker, so extraction will be greatly above the water level for the drilled well.

Lanny Walker expressed concerns regarding potential engine brake noise from the gravel trucks. Mayor Eccles indicated there will be a development agreement to enter into if a zoning by-law amendment is approved, that can speak to hours of operation and other issues, such as when crushing is permitted.

Mrs. Cronin asked about the potential impact of the gravel pit on land values. Mayor Eccles responded that MPAC has indicated that if a property is within 500 metres there could be some de-valuation of properties that is recognized by MPAC, however, on speaking to realtors, they have indicated

there can be a 2-year angst about a drop in property values, however, after the 2 year period, the realtors have not recognized a drop in re-sale values.

Mr. Cronin questioned how much aggregate is left in the Lembke Pit. Dan Clark noted the aggregate is almost exhausted at the Lembke Gravel Pit.

The Committee of the Whole indicated the natural environment report noted a number of endangered species and one endangered species that will be impacted. The Municipal Planner stated he has read the environmental report, and the ecologist that wrote the report has satisfied the MNRF and SVCA.

The Committee of the Whole questioned how far away the river is from proposed extraction. Bob Gibson responded that it is at least 120 metres away.

The Committee of the Whole suggested that turning lanes be considered by the County of Grey due to the curve of the road. Bob Gibson stated an on-site meeting was held with County staff and the distances meet their guidelines.

The Committee of the Whole questioned if a holding symbol can be placed on recycling asphalt and concrete. The Municipal Planner indicated this can be done, however, the MNRF, and by extension, the Province, is pro-recycling.

The Committee of the Whole requested consideration be given to establishing hours of operation that will exclude weekends and extraction after 4:00 p.m. on Fridays.

The Committee of the Whole questioned if the proponent considered an entrance to the pit off of the Baseline Road. Bob Gibson responded that it was not considered as the existing entrance is off of Grey Road 9, and the County didn't ask the proponent to consider this access. Additionally, an entrance off of the Baseline Road would be closer to the Silent Valley Campground.

The Committee of the Whole reiterated that the proponent should discuss the possibility of turning lanes. Lanny Walker indicated he does not like the idea of turning lane as it would require land from his property, resulting in bringing his house nearer to the lane/traffic.

Thompson-Bell, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment with a Holding (h) Symbol, subject to removal upon the applicant entering into a Development Agreement to the satisfaction of the Municipality of West Grey and the County of Grey. ... #30-16 Carried.

- 3) Zoning Bylaw Amendment Application ZA-18-16 – Part Lots 4 & 5, Concession 7, former Township of Bentinck (John Frook – owner; Rhonda Hunt - applicant)

Attendance: Rhonda Hunt; Darren Ryerson

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the Zoning By-law Amendment is to implement a condition of consent application B13/2016. The effect of the Zoning By-law Amendment is to rezone the subject lands described as Part Lots 4 & 5, Concession 7, Geographic Township of Bentinck, Municipality of West Grey, from the 'A2' (Rural Zone) and 'NE' (Natural Environment Zone) to the 'A2-362' (Rural Exception Zone) and 'NE' (Natural Environment Zone) for the enlarged parcel created by severance (lot addition), and to rezone the retained parcel from the 'A2' (Rural Zone) and 'NE' (Natural Environment Zone) to the 'A2-363' (Rural Exception Zone) and 'NE' (Natural Environment Zone). The 'A2-362' (Rural Exception Zone) will permit an accessory structure (storage shed) in the front yard. The 'A2-363' (Rural Exception Zone) will recognize the deficient lot frontage of the retained parcel.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, the Historic Saugeen Metis, Bluewater District School Board, and Bette Cummings.

The Historic Saugeen Metis and Bluewater District School Board indicated in their emails that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated December 1, 2016 that provided positive comments are received from the Conservation Authority and the proposed severed portion is added to the abutting lot, County planning staff have no further concerns with the zoning by-law amendment application.

The Municipal Planner noted in his Planning Report dated December 12, 2016 that the proposed lot frontage reduction is required to allow for the lot addition to occur. This poses no concerns and should be approved. With regard to the request to construct an accessory building in the front yard, this proposal also has merit. Due to the definitions of front lot line and front yard and the location of the existing dwelling at the rear of the property, it would likely be impossible to erect an accessory building on this property without having to locate the building between the house and the front lot line. This component of the proposed Zoning By-law Amendment is reasonable and should be approved.

The Saugeen Valley Conservation Authority indicated in a letter dated December 8, 2016 that it has come to the attention of SVCA staff that habitat of threatened or endangered species may be located in the area of the proposed development. It is the responsibility of the applicant to ensure the threatened and endangered species policy referred to in the PPS is appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNR) for information on how to address this policy. It is the understanding of SVCA staff that a 60 foot by 50 foot accessory building is proposed on the severed parcel. Given the general location of the proposed accessory building as shown on the site plan circulated with the applications, it appears as though there is sufficient room outside of the SVCA's Regulated Area for the proposed building in this area. However, more detailed information will be required in order for SVCA staff to determine the precise location of the proposed accessory building and thus whether or not a permit from this office is required. SVCA staff recommend that the proponent contact their office at their convenience to initiate SVCA review of the proposal. All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. Provided the Natural Heritage policies mentioned above are appropriately addressed, then this application for consent and proposed Zoning By-law Amendment will be acceptable to SVCA staff.

Bette Cummings submitted a letter dated November 21, 2016 requesting to be notified of the decision.

Darren Ryerson and Rhonda Hunt spoke in favour of the proposed zoning by-law amendment.

Lawrence-Bell, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment. ... #31-16 **Carried.**

3) Other

- 1) "Housekeeping By-law" - Shipping Containers et al.

The Committee of the Whole members requested the Municipal Planner and Clerk to amend section 5 f) of the proposed housekeeping by-law by deleting the words "...from public view from the street...", and amending the wording of "abutting" to include residentially zoned properties across the road from shipping containers et al., to be screened. The Committee of the Whole requested the amended Housekeeping By-law to be advertised in a local newspaper in order for its consideration during the January 16, 2017 West Grey Committee of the Whole (Planning) meeting.

- 5) Next Meeting** – January 16, 2017, 1:15 p.m., West Grey Municipal Office

6) Adjournment

On motion of Doug Hutchinson, the Committee adjourned at 4:02 p.m.

(Signed)
Kevin Eccles, Mayor

(Signed)
Mark Turner, Clerk