

**Committee of the Whole (Planning)  
Municipality of West Grey  
Minutes of February 20<sup>th</sup>, 2018, at 1:37 p.m.**

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

Council Mayor Kevin Eccles (left meeting at 2:30 p.m.), Deputy Mayor John A. Bell, Councillor Bev Cutting, Councillor Doug Hutchinson, Councillor Rebecca Hergert, Councillor Carol Lawrence, Councillor Rob Thompson

Staff: Mark Turner, Clerk

Also Present: Ron Davidson, Municipal Planner

**1) Disclosure of Pecuniary Interest - None**

**2) Public Meetings**

- 1) Zoning By-law Amendment Application ZA-01-18 – Part Lot 69, Lot 70, Concession A, former Township of Normanby (Urias Weber)

Attendance: Urias Weber, Steve Weber

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 Part Lot 69, Lot 70, Concession A, former Township of Normanby, from the "A2" (Rural Zone), "A3" (Restricted Rural Zone), and "NE" (Natural Environment Zone) to the "A2" (Rural Zone) and "NE" (Natural Environment Zone) to facilitate the potential expansion of livestock operations on the subject property.

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 in an email dated January 26, 2018 that they have no objection or opposition to the proposed zoning by-law amendment application.

The Grey County Planning & Development Department indicated in a letter dated February 9, 2018 that new development complies with MDS, positive comments are received from the Conservation Authority, and consideration

is given to any potential long-term impacts livestock operations may have on neighbouring settlement areas, County planning staff have no concerns with the subject application.

The Saugeen Valley Conservation Authority indicated in a letter dated February 1, 2018 that it has come to the attention of SVCA staff that the habitat of threatened species may be located in the area of the proposed development. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNR) for information on how to address this policy. MNR in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: [jody.scheifley@ontario.ca](mailto:jody.scheifley@ontario.ca). 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 by the Applicant, then this proposed Zoning By-law Amendment will be acceptable to SVCA staff.

The Municipal Planner indicated in his Planning Report dated February 20, 2018 that the purpose of the rezoning application is to change the 'A3' (Restricted Rural) zoning of the subject lands to 'A2' (Rural) in order to allow for the expansion of an existing livestock operation. The 'A3' zone is typically applied to lands located adjacent to the urban centres. No new barns or livestock facilities or the expansion of existing barns or livestock facilities are permitted in the 'A3' zone, and this helps to ensure that future plans to expand the urban boundaries are not inhibited by barns and manure storage facilities. In this particular instance, the 'A3' zone has been applied to a portion of the subject lands and other properties in this area adjacent to Mount Forest and the industrial park located northwest of Mount Forest. According to the owner, he has no intentions of expanding his farming operation, but is simply trying to sell the farm and apparently anyone interesting in purchasing the lands cannot obtain financing with the current zoning restrictions in place. Livestock barns and manure storage facilities are permitted within the 'Rural' designation, and so are expansions, subject to compliance with the Minimum Distance Separation Guidelines. Without knowing the specific expansion plans, it's not possible to comment on whether an expansion of the existing barn and/or manure storage facility is possible under the MDS Guidelines, even if the zoning is changed to 'A2'.

The Municipal Planner's Report also stated that the MDS II section of the MDS Guidelines is intended to ensure that new or expanding livestock facilities do not create odour issues for adjacent non-agricultural uses including urban areas. The MDS II policies, however, do not take into account the possible future expansions of urban areas, and therefore it is necessary to apply restrictive zoning to the lands located in the fringe areas of the urban centres. This is the sole purpose of applying the 'A3' zone to such lands as opposed to the 'A2' zone. Without such restrictions, new or expanding livestock facilities could make it impossible for settlement areas to expand in the future. In this regard, approving the proposed livestock facility expansion could possibly inhibit the future expansion of Mount Forest of the business park adjacent to Mount Forest. The Committee's recommendation to Council must take this into account. At the time of writing this Report, the Ministry of Agriculture, Food and Rural Affairs had not commented. Their opinion on this matter may be of assistance.

The Committee asked what is the difference between A1 & A2 Zones. The Municipal Planner indicated the A1 Zone generally has better quality agricultural lands. The Committee noted the subject property contains very good agricultural lands.

The Committee noted any expansion of the existing industrial park to the west is quite limited due to the NE Zone.

Urias Weber spoke in favour of the proposed zoning bylaw amendment so any future owner came obtain financing for the farming operation.

Steve Weber spoke in favour of the zoning by-law amendment, being a farmer who is considering the purchase of the subject property, and noted the financing issue that arises when the farming operation cannot be expanded with the present A3 Zoning.

The Clerk will send the SVCA letter to Urias Weber regarding threatened or endangered species noting it is the owner's responsibility to address this issue.

**Cutting-Hutchinson, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends Council approves zoning bylaw amendment ZA-01-18. ... #3-18 Carried.**

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- 2) Zoning By-law Amendment Application ZA-02-18 (B01/2017) – Part Lot 4, Concession 9, former Township of Glenelg (Ron Torry – owner; Brian Milne - applicant)

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 B01/2017 by rezoning the subject lands described as Part Lot 4, Concession 9, former Township of Glenelg, from "A2-370h" (Rural Exception-Holding Zone) to "A2-376" (Rural Exception Zone). The intent of the By-law is to reduce the lot and frontage requirements of the "A2" Zone and incorporate the recommendations of the Environmental Impact Study regarding the alteration. The Zoning By-law has the effect of facilitating the severance of a 1.9 hectare rural lot.

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 in an email dated January 31, 2018 that they have no objection or opposition to the proposed zoning by-law amendment application.

The Grey County Planning & Development Department indicated in a letter dated February 13, 2018 that provided mitigation measures are considered from the LRG environmental report, and the updated EIS and supplementary field inventories are completed to the satisfaction of the Municipality of West Grey, County planning staff have no concerns with the subject application.

The Saugeen Valley Conservation Authority indicated in a letter dated February 12, 2018 that the Natural Heritage Environmental Impact Statement (EIS), prepared by LRG Environmental, Revised May, 2017, as well as the supplementary information submitted to the SVCA on November 28, 2017, which included field inventories conducted by John Morton of AWS Environmental Consulting, was reviewed by SVCA staff, and was found to be acceptable. It is the opinion of SVCA staff that the proposed wording for subsection A2-376 will effectively incorporate the recommendations of the EIS, and will adequately protect the natural heritage features on the property, as well as their ecological functions.

The Municipal Planner indicated in his Planning Report dated February 20, 2018 that the requested rezoning implements a decision of the Committee of Adjustment. This amendment has merit and should be approved.

**Bell-Hergert, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends Council approves zoning bylaw amendment ZA-02-18. ... #4-18 Carried.**

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3) Zoning By-law Amendment Application ZA-03-18 – Part Lot 3, Concession 15, Part 1, RP17R3449, former Township of Bentinck (Leslie & Randi Varga)

Attendance: Leslie Varga

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the Zoning By-law Amendment is to rezone the subject lands described as Part Lot 3, Concession 15, Part 1, RP17R3449, former Township of Bentinck, from the Rural (A2) Zone and Natural Environment (NE) Zone to the Rural Exception (A2-382) Zone and Natural Environmental (NE) Zone to allow for a commercial dog kennel, with a maximum of ten (10) adult dogs being able to be boarded at any one time.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, The Historic Saugeen Metis, and letters from Chris Wainwright, Ann Reid, and Cheryl Hillier.

The Historic Saugeen Metis indicated in an email dated January 31, 2018 that they have no objection or opposition to the proposed zoning by-law amendment application.

The Grey County Planning & Development Department indicated in a letter dated February 9, 2018 that of a general nature, County planning staff recommend the municipality include hours of operation in the amending zoning by-law. County planning staff have no concerns with the subject application. The Clerk noted that West Grey Dog/Kennel By-law Number 87-2009 does not permit dogs in outside runs between the hours of 10:00 p.m. to 7:00 a.m.

The Saugeen Valley Conservation Authority indicated in a letter dated February 12, 2018 that It has come to the attention of SVCA staff that the habitat of threatened species may be located in the area of the proposed development. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNR) for information on how to address this policy. MNR inquires in Grey County can be directed to Jody Scheifley, Management Biologist, phone:

519-371-8471, email: jody.scheifley@ontario.ca. 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 by the Applicant, then this proposed Zoning By-law Amendment will be acceptable to SVCA staff.

The Municipal Planner indicated in his Planning Report dated February 20, 2018 that of particular interest to any rezoning application involving a proposed dog kennel is the location of neighbours' dwellings, given the potential for excessive barking to be an issue. In this regard, there appears to be a new dwelling under construction on the south side of Concession 14 NDR, at a distance of approximately 280 metres from the dog kennel. Other dwellings exist to the west and southeast, both about 370 metres from the proposed dog kennel. It should also be noted that the non-farm residential lot to the immediate east does not contain a dwelling, but should a house be erected on that site, it would likely be set back 180 metres to 230 metres from the kennel. The most appropriate location for a dog kennel is somewhere in the countryside, away from the higher concentration of residences associated with urban centres. Even in some rural locations, however, a dog kennel may create some noise issues for the neighbours, if there are dwellings situated in close proximity to the site. In this particular instance, a new dwelling is being constructed about 280 metres from the kennel, and two other dwellings are set back about 340 metres. Should a house be erected on the vacant property to the east, the setback would likely be between 180 meters and 230 metres. The question is: Is this a reasonable separation distance?

Letters of support were also received from nearby property owners, namely, Chris Wainwright, Cheryl Hillier, and Ann Reid.

The Committee asked about Official Plan conformity noting a kennel is permitted in the Rural designation, whereas the Rural Zone does not permit a kennel, and asked if this is a conflict. The Municipal Planner noted it is not a conflict, and provided other pertinent examples.

The Committee recalled that other kennels were approved with support from neighbours, with little or no complaints being received respecting kennels. Leslie Varga spoke in favour of the proposed zoning bylaw amendment, noting they have had other calls from neighbours in support of the kennel application. The proposed kennel is more for breeding purposes, rather than for boarding purposes.

The Clerk will send the SVCA letter to the Varga's regarding threatened or endangered species noting it is the owner's responsibility to address this issue.

**Hergert-Lawrence, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends Council approves zoning bylaw amendment ZA-03-18. ... #5-18 Carried.**

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### **3) Other**

#### 1) Proposed West Grey Comprehensive Review Study

The Municipal Planner noted the Provincial Policy Statement (PPS) requires a Comprehensive Review to be completed for any proposed expansion of an urban settlement area. The long term need, for instance, for residential expansion, needs to be justified, and population/growth projections as well as building permits are used for possible justification of same.

The Municipal Planner opined that it will be quite difficult at present to justify a further expansion of the urban settlement areas in West Grey given the recent conversion of property in the northerly part of the Durham Industrial Park to residential zoning, as well as the limited growth in population and households in West Grey noted in the recent draft of the Grey County Growth Management Strategy.

The Committee agreed with the recommendation of the Municipal Planner not to proceed with the completion of a Comprehensive Review at this time.

Mayor Eccles left the meeting at 2:30 p.m.

#### 2) Saugeen Springs R.V. Park

The Clerk reported on a meeting held with the present owner of the Saugeen Springs R.V. Park and her engineer, as further development is proposed. The current zoning is OS-39 (Open Space Exception Zone) and NE (Natural Environment). The OS-39 Zone permits a tent and trailer campground with a maximum of 300 seasonal sites, and a maximum of 100 day-use or overnight sites. A number of ancillary uses associated with the tent and trailer campground are also permitted, including a single detached dwelling. There is a maximum of 10 sites per hectare.

The Clerk and Planner noted that there was a Development Agreement entered into in 1986 that was approved by the Ontario Municipal Board as a

result of an appeal to the OMB. The OMB directed that when Phases II and III of the tent and trailer campground were being developed that the river sites would have to be removed. The current owner of the property is not willing to remove the sites by the river as they are the most attractive sites for the campground. The Clerk and Planner requested the Committee's input on how to deal with the OMB issue.

The Committee requested the Clerk to contact the property owner to bring an updated site plan before the Committee for discussion purposes.

3) Proposed Saugeen Valley Conservation Authority Memorandum of Understanding

The Clerk indicated that Grey County will be further considering the proposed SVCA Memorandum of Understanding (MOU) on March 8.

The Committee indicated it will consider the SVCA MOU and the resolution from the Township of Southgate concerning the SVCA MOU, after the County provides direction on same at their March 8, 2018 meeting.

4) **Next Meeting** – not determined to date

5) **Adjournment**

On motion of Doug Hutchinson and Rob Thompson, the Committee adjourned at 2:50 p.m.

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(Signed)  
Kevin Eccles, Mayor

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(Signed)  
Mark Turner, Clerk