

**Municipality of West Grey
Committee of Adjustment
Minutes of July 11th, 2016 at 1:00 p.m.**

The Committee of Adjustment met at the Council Chambers with the following members in attendance:

Members Present: John A. Bell (Chair), Kevin Eccles, Doug Hutchinson, Carol Lawrence, Don B. Marshall, Robert Thompson
Members Absent: Bev Cutting
Also Present: Mark Turner, Secretary/Treasurer; Ron Davidson, Municipal Planner

1. Disclosure of Pecuniary Interest - None
2. Approval of Minutes – May 9, 2016

COA 13/16 Moved by: Carol Lawrence Seconded by: Doug Hutchinson

That, the Municipality of West Grey Committee of Adjustment hereby adopts the minutes of May 9, 2016, as printed.

Committee Members: Attending members present. All yea. Carried.

3. Public Meetings
 - 1) Severance Application B03/2016 – Plan 508, Parts 1, 2, 3, 6 & 7, RP16R10400 (317 Garafraxa Street South), Former Town of Durham (The TDL Group – owner; Paul MacGillivray - applicant)

File	Applicant	Decision
B03/2016	The TDL Group (owner) Paul MacGillivray (applicant) (Former Town of Durham)	GRANTED

Attendance: David Ellingwood, Cuesta Planning Consultants

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the severance application is to sever a portion of an Industrial lot and add it to an abutting Commercial lot.

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

The Municipal Planner indicated in his Planning Report dated July 11, 2016 that the proposed lot addition will increase the size of a commercial property and provide additional parking. As such, this requested lot addition has merit. Provided the Drinking Water Source Protection staff is satisfied that the use of the subject lands as a parking area is not posing a threat to the municipal well, the application should be given favourable consideration. As a condition a severance, the applicant should be required to demonstrate that the lands conveyed recently to the Tim Hortons property, in addition to another parcel location between the former County lands and the restaurant portion of the site, have all merged into one holding. The County GIS mapping shows the Tim Hortons site as three parcels at this time. The mapping may be incorrect, but this should be clarified. If there is more than one holding involved, then the lands must be merged.

The Grey County Planning & Development Department indicated in a letter dated June 22, 2016 that Municipal staff may wish to receive comments from Drinking Water Source Protection staff. The subject lands are located within close proximity to a propane facility. Comments should be received from this facility. Transportation Services have reviewed the above noted file and have no objections as this application should have no impact to the County Road. Housing Services have reviewed the above noted file and have stated no concerns. Of a general planning nature the shape of the severed and retained lots appear to be abnormal. County Staff would further note that depending on the development plans for the enlarged parcel, there may be a need for further planning applications to rectify the commercial/industrial split on these lands. It shall be ensured that the lot configuration is appropriate to the landscape and the land uses in the area, and represents an efficient use of serviced development lands. Provided the severed lot is being added to the abutting lot, and the above noted comments are taken into account, County planning staff have no further concerns with the subject application.

The Saugeen Valley Conservation Authority indicated in a letter dated July 5, 2016 that in the opinion of SVCA staff, there are no Significant Natural Heritage features or Natural Hazards affecting this particular property. All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. Authority staff is of the opinion that these applications for consent appear to conform to the relevant policies of the Municipality of West Grey Official Plan, Grey County Official Plan, and Provincial Policies referred to in the Agreement.

The Historic Saugeen Metis indicated in an email dated May 26, 2016 that they have no objection or opposition to the proposed severance.

The Committee noted some concerns regarding the SVCA comments regarding conformity to West Grey Official Plan, Grey County Plan, and West Grey Zoning By-law, as the Authority was to cease commenting on planning conformity issues. The West Grey representatives on the SVCA Board of Directors will discuss this matter at a future Board meeting.

Committee members noted some concerns with access from South Street through to Parts 6 & 7 that may result from the approval of the severance.

COA 14/16 Moved by: Kevin Eccles Seconded by: Rob Thompson

Resolved that, Severance Application B03/2016 be approved, subject to the conditions of the Municipality and Agencies.

Committee Members: Attending members present. All yea.

Carried.

- 2) Severance Application B04/2016 – Parts 4 & 5, RP16R10400 (323 Garafraxa Street South), Former Town of Durham (E.A.M. Enterprises/Paul MacGillivray – owner; Cuesta Planning Consultants - applicant)

File	Applicant	Decision
B04/2016	E.A.M. Enterprises Ltd./Paul MacGillivray (owner) Cuesta Planning Consultants (applicant) (Former Town of Durham)	GRANTED

Attendance: David Ellingwood, Cuesta Planning Consultants

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the severance application is to sever a portion of an Commercial lot and add it to an abutting Commercial lot.

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

The Municipal Planner indicated in his Planning Report dated July 11, 2016 that The proposed lot addition is intended to improve the traffic flow on the Tim Hortons property and at its entrance point on Garafraxa Street. (The improvements have already occurred.) The proposal represents appropriate land use planning and should be approved.

The Grey County Planning & Development Department indicated in a letter dated June 22, 2016 that Municipal staff may wish to receive comments from Drinking Water Source Protection staff. The subject lands are located within close proximity to a propane facility. Comments should be received from this facility. Transportation Services have reviewed the above noted file and have no objections as this application should have no impact to the County Road. Housing Services have reviewed the above noted file and have stated no concerns. Provided the severed lot is being added to the abutting lot, County planning staff have no further concerns with the above noted application.

The Saugeen Valley Conservation Authority indicated in a letter dated July 5, 2016 that in the opinion of SVCA staff, there are no Significant Natural Heritage features or Natural Hazards affecting this particular property. All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. Authority staff is of the opinion that these applications for consent appear to conform to the relevant policies of the Municipality of West Grey Official Plan, Grey County Official Plan, and Provincial Policies referred to in the Agreement.

The Historic Saugeen Metis indicated in an email dated May 26, 2016 that they have no objection or opposition to the proposed severance.

COA 15/16 Moved by: Kevin Eccles Seconded by: Doug Hutchinson

Resolved that, Severance Application B04/2016 be approved, subject to the conditions of the Municipality and Agencies.

Committee Members: Attending members present. All yea.
Carried.

4. Other

1) Smart Growth for Our Communities Act 2015

Committee members reviewed the provisions of the Smart Growth for Our Communities Act 2015, as it relates to planning applications and processes. The Committee suggested the Municipality may wish to dissolve the West Grey Planning Advisory Committee, and establish Committee of the Whole (Planning) meetings to deal with official plan and zoning by-law amendments, and other planning matters not including severances and minor variances that are dealt with through the Committee of Adjustment.

2) Ministry of Natural Resources and Forestry – Wildland Fire Risk Assessment and Mitigation: A Guidebook

Committee members reviewed the Ministry of Natural Resources and Forestry (MNR) – Wildland Fire Risk Assessment and Mitigation: A Guidebook, in support of the Provincial Policy Statement, 2014 that includes a new natural hazards policy regarding wildland fire. The MNR is posting the proposed wildland fire policy for a 45-day commenting period ending July 22, 2016.

The proposed policy is intended to identify areas with the greatest potential for risks associated with high to extreme wildland fire. If there is a planning application in one of these high to extreme wildland fire areas, then a study will need to be completed by a qualified individual (i.e. arborist), to assess the type of tree species, etc., to establish the potential wildland fire risk, and then establish mitigative measures, if possible, to facilitate the proposed development.

The Clerk will obtain any reports on this matter from the County of Grey Planning & Development Department, if applicable.

5. Next Meeting – August 8, 2016, 1:00 p.m.

On motion of Doug Hutchinson, the Committee adjourned at 2:30 p.m.

(Signed)
John A. Bell
Chair

(Signed)
Mark Turner, ACST
Secretary-Treasurer