



Agenda

**Municipality of West Grey
Committee of Adjustment Committee Meeting
Monday, July 31st, 2017, 11:45 a.m.,
West Grey Municipal Office**

Items of Business:

1. Disclosure of Pecuniary Interest

2. Public Meetings
 - 11:45 a.m. – Minor Variance Application A08/17 – Concession 1, Pt Div 3, Lot 31, RP16R9945, Parts 2-4 (152 Harry Bye Blvd.), former Township of Normanby (MARMO Properties Inc.) (attachment)

3. Other - None

4. Next Meeting – not determined to date

5. Adjournment



Municipality of West Grey Committee
Of Adjustment
Notice of Application for Minor Variance
The Planning Act, RSO 1990, as amended

Take Notice that the Municipality of West Grey Committee of Adjustment has appointed July 31, 2017, at 11:45 a.m., for the purpose of a public hearing into this matter. The Hearing will be held at the Council Chambers in the West Grey Municipal Office, 402813 Grey Rd. 4, R.R. #2, Durham, Ontario.

Minor Variance – s. 45 (1) Permission – s. 45 (2)

Application for Minor Variance – File No.: A08/17

Name of Owner: MARMO Properties Inc.

Address of Applicant: 231570 Con 2, RR 3, Ayton ON., N0G 1C0

Purpose and Effect of the Application: To seek relief from the M1-237 (Industrial Exception Zone) to reduce the minimum front yard setback requirement from 15 metres to 7.5 metres to permit an addition to an existing space extensive commercial building

Municipality: Municipality of West Grey (former Township of Normanby)

Legal Description: Concession 1, Pt Div 3, Lot 31, RP16R9945, Parts 2-4 (152 Harry Bye Blvd.), Property Roll No. 4205 010 007 02450 0000

Property owners within 60 metres of the subject land are hereby notified of the above application for minor variance.

If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed minor variance does not make written submissions to: Committee of Adjustment, before it grants or refuses the minor variance, the Ontario Municipal Board may dismiss the appeal.

A certified copy of the decision, with a notice of the last day for appealing to the Ontario Municipal Board will be sent no later than ten days from the decision being made, to the applicant, and any individual who appeared in person at the public hearing and who requested the secretary-treasurer a written request for notification of the decision.

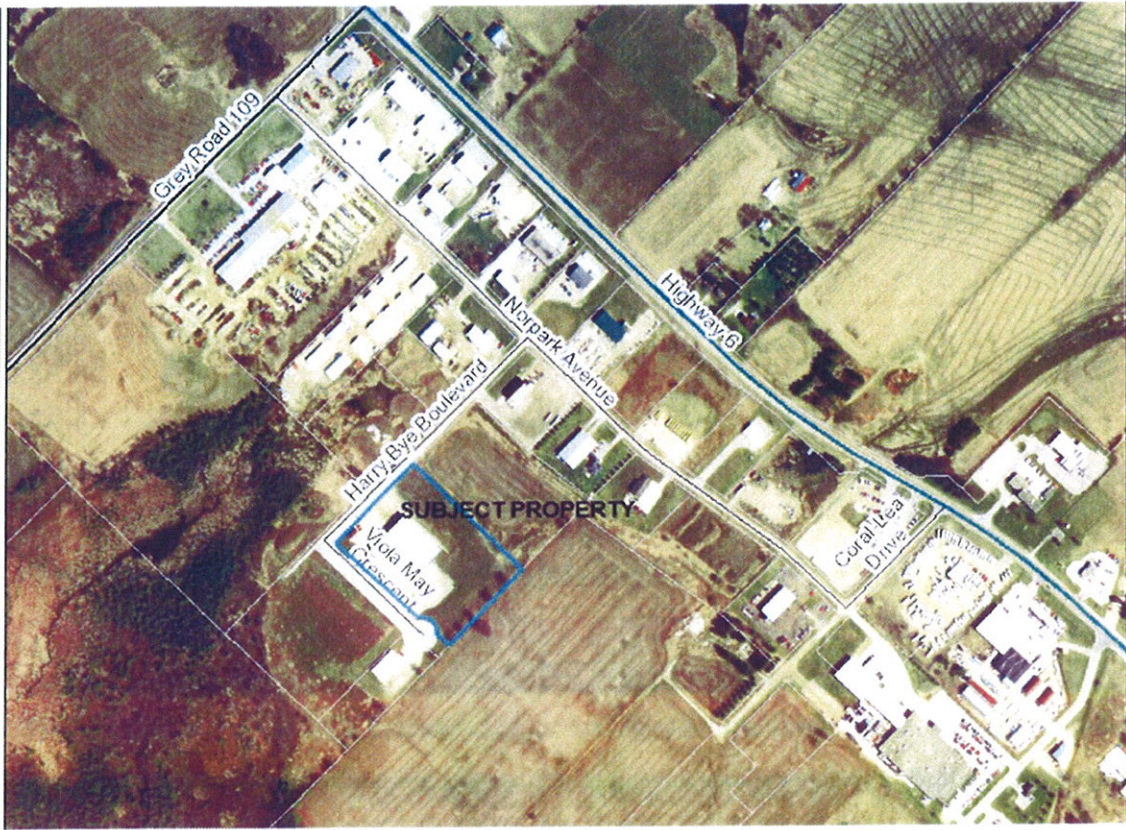
Additional information regarding the application is available for public inspection from Monday to Friday 8:30 A.M. to 4:30 P.M. at the Municipality of West Grey Municipal Office.

When requesting information please quote File No. **A08/17**

Dated this 18th day of July, 2017.

Mark Turner, ACST, Secretary-Treasurer
Committee of Adjustment

Municipality of West Grey
402813 Grey Road #4, R.R. #2,
Durham, Ontario, N0G 1R0
PHONE: 519-369-2200
1-800-538-9647
FAX: 519-369-5962
EMAIL: mturner@westgrey.com



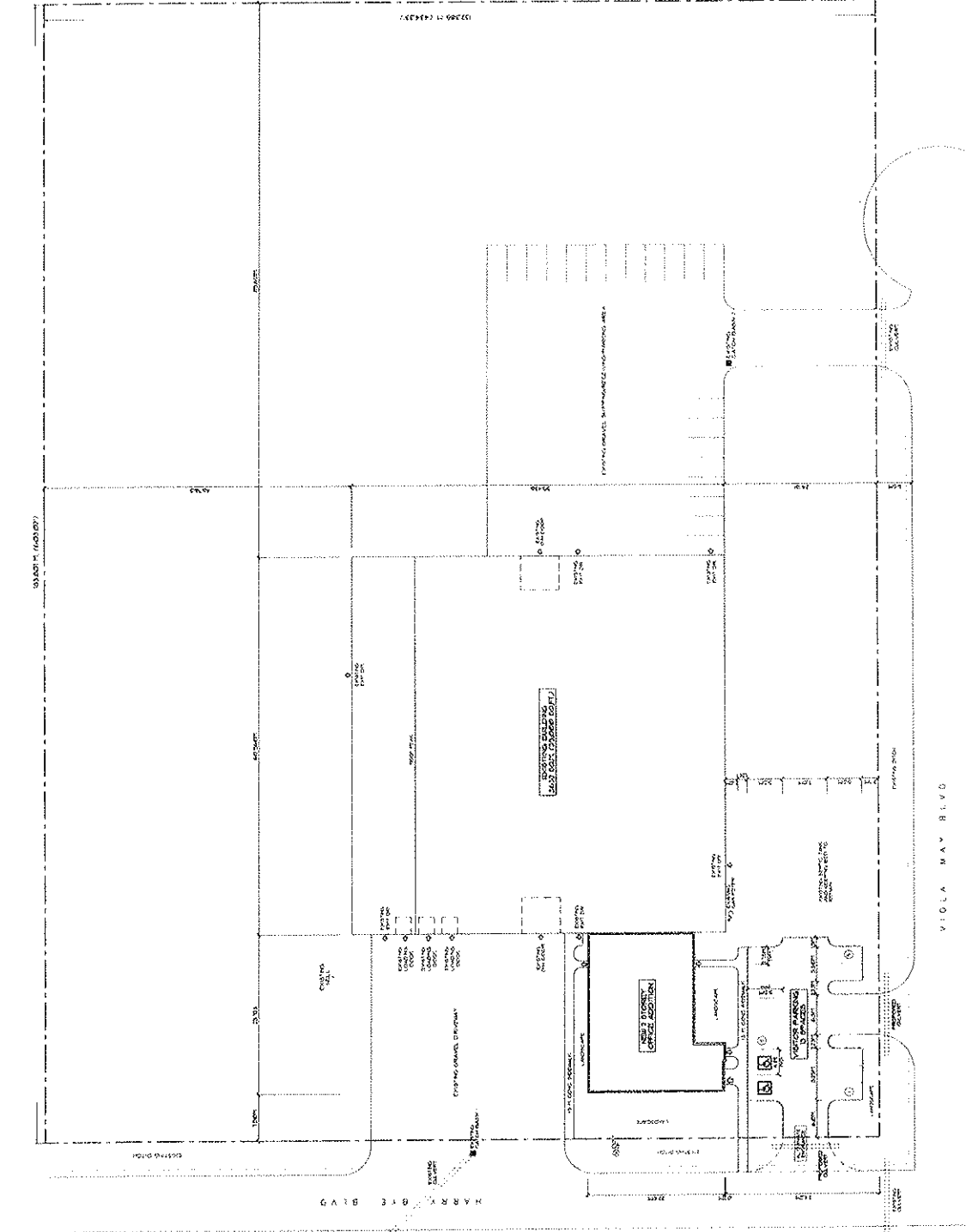
— Municipal Road
— Municipal Road (No Winter Maintenance)

Notes

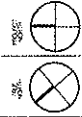
ZONING REQUIREMENTS	
GENERAL: CITY OF RICHMOND	PROPOSED: RESIDENTIAL
LOCAL: R-1	PROPOSED: R-1
MINIMUM LOT COVERAGE: 35%	MINIMUM LOT COVERAGE: 35%
MINIMUM FRONT YARD SETBACK: 10M	MINIMUM FRONT YARD SETBACK: 10M
MINIMUM SIDE YARD SETBACK: 3M	MINIMUM SIDE YARD SETBACK: 3M
MINIMUM REAR YARD SETBACK: 3M	MINIMUM REAR YARD SETBACK: 3M
MINIMUM LOT AREA: 10,000 SQ. FT.	MINIMUM LOT AREA: 10,000 SQ. FT.
MINIMUM FRONT YARD SETBACK: 10M	MINIMUM FRONT YARD SETBACK: 10M
MINIMUM SIDE YARD SETBACK: 3M	MINIMUM SIDE YARD SETBACK: 3M
MINIMUM REAR YARD SETBACK: 3M	MINIMUM REAR YARD SETBACK: 3M
MINIMUM LOT AREA: 10,000 SQ. FT.	MINIMUM LOT AREA: 10,000 SQ. FT.
MINIMUM FRONT YARD SETBACK: 10M	MINIMUM FRONT YARD SETBACK: 10M
MINIMUM SIDE YARD SETBACK: 3M	MINIMUM SIDE YARD SETBACK: 3M
MINIMUM REAR YARD SETBACK: 3M	MINIMUM REAR YARD SETBACK: 3M

ZONING INFORMATION
REQUIREMENTS
 REAR YARD SETBACK: 3M
 SIDE YARD SETBACK: 3M
 FRONT YARD SETBACK: 10M
 MINIMUM LOT AREA: 10,000 SQ. FT.
 MINIMUM FRONT YARD SETBACK: 10M
 MINIMUM SIDE YARD SETBACK: 3M
 MINIMUM REAR YARD SETBACK: 3M
 MINIMUM LOT AREA: 10,000 SQ. FT.

EXISTING BUILDING INFORMATION	
EXISTING BUILDING CLASSIFICATION:	GROUP 1
NO. OF STOREYS (PLAZED OR UNPLAZED):	1
MAXIMUM BUILDING HEIGHT:	10.75 M
ACTUAL BUILDING HEIGHT:	10.75 M



MOLOK HEAD OFFICE
162 HARRY AVE BLVD
WOLFE BURG, ONTARIO
SITE PLAN LAYOUT



REVISIONS	
NO.	DESCRIPTION
1	ISSUED FOR PERMIT
2	ISSUED FOR PERMIT
3	ISSUED FOR PERMIT
4	ISSUED FOR PERMIT
5	ISSUED FOR PERMIT

DATE: _____
SCALE: _____
PROJECT NO.: _____
CLIENT: _____

A1.1



Planning Report
for the Municipality of West Grey
Committee of Adjustment

Date: July 31, 2017

File No: A08/2017

Owner: MARMO Properties Inc.

Legal Description: Part Lot 31, Concession 1, Geographic Township of Normanby, Municipality of West Grey
Parts 2, 3 and 4, Plan 16R9945
(152 Harry Bye Boulevard)

Purpose of Application:

The purpose of this Minor Variance application is to reduce the 'minimum front yard' provision from 15 metres to 7.5 metres to facilitate the enlargement of an existing industrial building.

The proposed addition would be two storeys in height, and would be used for office purposes in conjunction with the existing industrial operation.

Subject Lands:

The subject lands are located at the northeast corner of the Harry Bye Boulevard and Viola May Crescent intersection, within the business park adjacent to Mount Forest.

The property comprises 2.44 hectares of land and is occupied by a 3623 square metre building that is used for manufacturing and warehousing.

Adjacent Lands:

The subject property is located within the business park; however, the adjacent lands in all directions are currently vacant. The parcels to the west and south will likely remain vacant in perpetuity, given their 'Natural Environment' zoning.

Planning Act Requirements

Section 45 of The Planning Act gives the Committee of Adjustment the authority to grant relief from a provision(s) of a Comprehensive Zoning By-law provided such relief passes four tests:

1. Does the Minor Variance maintain the intent and purpose of the Official Plan?

Comment: The subject property is designated 'Space Extensive Commercial' on Schedule A to the County of Grey Official Plan. The Official Plan provides a list of development criteria for properties within this land use designation; however, none pertains to building location. As such, the requested variance would maintain the intent and purpose of the Official Plan.

It should be noted that the policies for the 'Space Extensive Commercial' designation includes the following:

- i) Site Plan Control, as exercised under Section 41 of the Planning Act, R.S.O. 1990, as amended, shall be utilized for all development.*

2. Does the Minor Variance maintain the intent and purpose of the Zoning By-law?

Comment: The subject lands and other properties located within the business park are zoned 'M1-237' (Industrial Exception). This zoning category includes a list of special development provisions for these lands, including a 'minimum front yard' requirement of 15 metres. The 'M1' zone only requires a 'minimum front yard' of 7.5 metres. West Grey staff has not been able to determine why the front yard requirement was increased for the business park lands. A 7.5 metre front yard, as requested, would appear be sufficient.

3. Is the Minor Variance minor in nature?

Comment: This question is generally re-phrased as "what impact will the variance have on the adjacent lands?" All of the adjacent lands are vacant at this time. Future development on those abutting properties should not be impacted by the requested variance.

4. Would the Minor Variance represent an appropriate or desirable use of the land and buildings?

Comment: The owner of the property has advised that the proposed addition, to be used for office space, must be located at the front of the building given the layout of the existing industrial building. Future additions to the building for additional manufacturing and warehousing floor space will occur at the rear of the existing building. As such, and given that a 7.5 metre front yard seems to be reasonable, the proposed variance represents an appropriate and desirable use of the land and buildings.

Based on the foregoing, the proposed variance appears to pass the four tests of a Minor Variance listed in the Planning Act.

Provincial Policy Statement Conformity:

The Provincial Policy Statement (PPS) does not provide policies pertaining to building location.

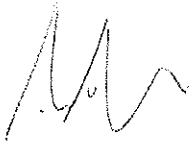
Conclusion and Recommendation:

Based on the foregoing, the Minor Variance has merit and should be given favourable consideration.

As noted above, the Official Plan requires development within the 'Space Extensive Commercial' designation to be subject to a Site Plan Control Agreement. The Site Plan should address, among other things, stormwater management.

This Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.

Respectfully submitted,



Ron Davidson, BES, RPP, MCIP



Grey
County

Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

July 24th, 2017

Mark Turner
Municipality of West Grey
402813 Grey Road #4, R.R. #2
Durham, ON N0G 1R0
*Sent Via E-mail

**RE: Minor Variance Application A08-2017
Concession 1, Pt Div 3, Lot 31, RP 16R9945, Parts 2-4 (152 Harry Bye Blvd.)
Municipality of West Grey
Applicant/Owner: Marmo Properties Inc.**

Dear Mr. Turner,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to seek relief from the M1-237 (Industrial Exception Zone) to reduce the minimum front yard setback requirement from 15 metres to 7.5 metres to permit an office space addition to an existing space extensive commercial building.

Schedule A of the OP designates the subject property as 'Space Extensive Commercial'. Policy 2.10(3) outlines a number of development criteria within this designation. Some that may be of particular interest are:

- (a) The use must be dry in nature. A dry use is one which could exist without the necessity of a municipal piped water and municipal sewage system to accommodate it, and is one where only waste water discharges are from employee washrooms. All uses shall meet the requirements of the appropriate approval authority with respect to the water taking, waste water discharge, solid waste disposal, and all emissions to the atmosphere including noise and vibration.
- (b) An adequate and potable supply of water shall be available and it shall be the responsibility of the applicant to provide a report on the adequacy of the water supply.

- (c) Soils shall be suitable to support an individual sewage system, subject to the approval of the appropriate authority.
- (d) Adequate drainage and outlets must be provided for stormwater run-off. Approval of drainage provisions will be required from the appropriate approval authority.
- (f) Entrances will be limited in number and typically only one entrance will be allowed and continuous access across the lot frontage is discouraged. Common or shared entrances, rather than separate entrances for each establishment are strongly encouraged and applicants for new development who propose individual entrances are required to justify why common entrances could not be used.
- (g) Buildings containing space extensive commercial uses shall be so designed and any lighting or signs so arranged as to blend in with and be compatible with surrounding uses.
- (h) Adequate buffering shall be maintained between commercial uses and any residential, open space, recreational or institutional use.

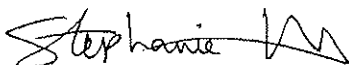
Schedule A of the OP also designates a small portion along the westerly side of the property as 'Hazard Lands'. Policy 2.8.2(3) states, within the 'Hazard Lands' designation, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted. In this regard, the proposed development is an extension of an existing structure; therefore, County planning staff have no concerns.

Provided there is adequate access to potable water, waste water is from employees only, traffic access is discouraged along the lot frontage, and the proposed development is compatible with surrounding uses, County planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,



Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca



1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY (mturner@westgrey.com)

July 26, 2017

Municipality of West Grey
Committee of Adjustment
402813 Grey Road 4, RR#2
Durham, ON
N0G 1R0

ATTENTION: Mark Turner, Clerk

Dear Mr. Turner,

RE: Proposed Minor Variance A08/17
Part Lot 31, Concession 1 WGR
Municipally known as 152 Harry Bye Blvd.
Geographic Township of Normanby
Municipality of West Grey (MARMO Properties Inc.)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed this proposal in accordance with the SVCA's mandate and Environmental Planning and Regulations Policies Manual Approved May 16, 2017, and the Memorandum of Agreement between the SVCA and the Municipality of West Grey relating to plan review. The purpose of this proposed minor variance is to provide relief from M1-237 (Industrial Exception Zone) front yard setback in order to permit the construction of an addition to the existing commercial building with a reduced minimum front yard setback of 7.5 metres. Provided the natural heritage policies mentioned below are appropriately addressed, then this proposed minor variance will be acceptable to SVCA staff. The following comments are offered.

Natural Hazards

The westerly and southwesterly portions of the property appear to be zoned Natural Environment (NE) in the Municipality of West Grey Zoning By-law, No. 3-2009, as amended, and designated as Hazard Lands in the County of Grey Official Plan. In the opinion of SVCA staff, the current NE Zone and Hazard Lands designation do not accurately represent site conditions. Given the information available at this time, it is the understanding of SVCA staff that there are no natural hazards affecting the westerly half of the subject property. SVCA staff recommend that the NE Zone and Hazard Lands designation be updated at the next opportunity. A map showing SVCA staff's recommend NE Zone and Hazard Lands designation boundaries can be provided at that time, or upon request.



Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands,
Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce,
Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North,
Town of Saugeen Shores, Township of Southgate, Municipality of West Grey

Natural Heritage

The Significant Natural Heritage features affecting the subject property are fish habitat, and the potential habitat of threatened or endangered species.

Fish Habitat

It is the understanding of SVCA staff that the small watercourses in this area are considered to be fish habitat. Section 2.1.3 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions. It is the opinion of SVCA staff that the adjacent lands to fish habitat on the subject property will not be negatively impacted by this particular proposal and that an EIS regarding fish habitat is not warranted at this time.

Threatened and Endangered Species

It has come to the attention of SVCA staff that the habitat of threatened or endangered wildlife 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 or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the threatened and endangered species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy.

SVCA Regulation

Please be advised that portions of the property are within the area of interest with regards to the SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O., 1990, Chap. C. 27, as amended, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a watercourse or wetland.

"Development" and Alteration

Subsection 28(25) of the Conservation Authorities Act defines "development" as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA's area of interest is located associated with our Regulation on the subject property, please refer to the SVCA's online mapping program, available via the SVCA's website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.


Permission for Development or Alteration

The proposed addition to the existing commercial building, and proposed new parking area, appear to be located outside of the SVCA's area of interest on the subject property. As such, a permit from this office is not required for this particular proposal. However, should the proposal change, or should any aspect of the proposed development encroach into the SVCA's area of interest, our office should be contacted as further review and approval may be required. If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed in or near the area of interest on the subject property in the future, the SVCA should be contacted as permission may be required.

Conclusion

Provided the natural heritage policies mentioned above are appropriately addressed, then this proposed minor variance will be acceptable to SVCA staff. All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,



Jennifer Prenger
Environmental Planning Technician
Saugeen Conservation

JP/

cc: Andrew Halliday, Agent (via email)
John Bell, Authority Member, SVCA (via email)
Kevin Eccles, Authority Member, SVCA (via email)

Mark Turner

From: Lands and Resources Consultation Coordinator <saugeenmetisadmin@bmts.com>
Sent: Wednesday, July 19, 2017 11:10 AM
To: Mark Turner
Subject: Request for Comments - West Grey (MARMO Properties Inc.) Minor Variance

Your File: A08/17
Our File: West Grey Municipality

Good Morning Mr. Turner,

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official plan and/or Zoning By-law Amendments.

I trust this may be helpful.

Regards,

George Govier

Co-ordinator Lands, Resources, and Consultation

Historic Saugeen Metis
204 High Street
Southampton, Ontario
N0H 2L0
Direct Line (519) 483-4001
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Email saugeenmetisadmin@bmts.com

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