

**Municipality of West Grey  
Committee of Adjustment  
Minutes of March 13<sup>th</sup>, 2017 at 12:30 p.m.**

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

Members Present: Kevin Eccles (Acting Chair), Bev Cutting, Rebecca Hergert, Doug Hutchinson, Carol Lawrence, Robert Thompson

Members Absent: John A. Bell

Also Present: Mark Turner, Secretary/Treasurer; Ron Davidson, Municipal Planner

1. Disclosure of Pecuniary Interest - None
2. Approval of Minutes – February 13, 2017

COA 9/17 Moved by: Doug Hutchinson Seconded by: Carol Lawrence

**That, the Municipality of West Grey Committee of Adjustment hereby adopts the minutes of February 13, 2017, as printed.**

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

4. Public Meetings
  - 1) Minor Variance Application A02/17 – Part Lots 53 & 54, Concession 3 SDR, former Township of Glenelg (Alex & Lauren Cook – owners)

<b>File</b>	<b>Applicant</b>	<b>Decision</b>
<b>A01/17</b>	<b>Alex &amp; Lauren Cook (owners)</b> (Former Township of Glenelg)	<b>GRANTED</b>

ATTENDANCE: Alex Cook

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the minor variance application is to seek relief from subsection 9.2.4 d) of West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended, to reduce the required minimum west interior side yard setback from 49.9' to 10' to facilitate a proposed detached garage, on lands described as Part Lots 53 & 54, Concession 3 SDR, former Township of Glenelg.

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

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

The Saugeen Valley Conservation Authority indicated in a letter dated March 9, 2017 that the wetlands on the easterly portion of the subject property are shown on the County of Grey Official Plan (OP) Constraint Mapping as Other Identified Wetlands. The proposed garage does not appear to be located within the adjacent lands to this wetland. Provided the proposed garage remains outside of the wetland and within the area that is already cleared, then it is the opinion of SVCA staff that an Environmental Impact Study (EIS) is not required for this particular proposal. However, should the proposal change, an EIS conducted to the satisfaction of the municipality and SVCA staff, may be required.

It has come to the attention of SVCA staff that habitat of threatened and endangered 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 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.

The proposed garage appears 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.

The SVCA letter concluded that all of the plan review functions listed in the Agreement have been assessed with respect to this proposal. Provided the applicable natural heritage policies are appropriately addressed, then this proposed minor variance will be acceptable to SVCA staff. Given the information available at this time, Authority staff is of the opinion that the proposed garage is not located within the SVCA's area of interest and does not require further review or approval by SVCA staff at this time.

The Grey County Planning & Development Department indicated in a letter dated February 28, 2017 that it appears that the proposed location of the detached garage is within the Hazard Lands designation. The Grey County Planning & Development Department recommends comments are received with regards to the Hazardous feature from the Conservation Authority. Schedule B of the OP designates the subject property as an 'Aggregate Resource Area'. The intent of the above noted policy is to protect lands that have significant areas of sand and gravel deposits from incompatible land uses, i.e. residential. In this case, the residential use is already established and therefore, the proposed addition of the detached garage is not expected to further hinder aggregate extraction.

The Grey County Planning & Development Department further noted that Appendix B designates a portion of the subject property as 'Other Identified Wetlands', however, the proposed detached garage will be located outside of this natural feature and its designated adjacent lands. Provided comments are received from the Conservation Authority, County planning staff have no further concerns with the subject application.

The Municipal Planner indicated in his Planning Report dated March 13, 2017 that the proposal passes the four tests of a Minor Variance listed in the Planning Act. As such, the request should be approved. The Municipal Planner the Authority has determined the proposed garage is not within the NE Zone.

Alex Cook indicated support for the proposed minor variance, and questioned why the required interior side yard setback is larger for larger lots than smaller lots.

The Committee asked if there are two driveways on the property. Alex Cook indicated there are two driveways. The Committee asked if that is normal. The Clerk indicated Public Works will permit two entrances in certain situations.

COA 10/17 Moved by: Carol Lawrence Seconded by: Rebecca Hergert

**Resolved that, Minor Variance Application A02/17 be approved, as amended, as the Committee is satisfied that the variance maintains the intent and purpose of the Grey County Official Plan, and Municipality of West Grey Comprehensive Zoning By-law Number 37-2006, as amended; is minor in nature; and represents an appropriate or desirable use of the lands and buildings.**

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

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The Saugeen Valley Conservation Authority indicated in a letter dated March 8, 2017 that although a Natural Heritage Environmental Impact Statement (EIS) has been prepared in support of the proposed Applications for Consent, SVCA staff is of the opinion that the EIS is not satisfactory. The EIS references the out-of-date 2005 version of the Provincial Policy Statement (PPS); relies upon the adjacent land widths specified in the Grey County Official Plan, as opposed to the Provincial Recommendations for Adjacent Lands Widths found in the Natural Heritage Reference Manual; and information from the Ministry of Natural Resources and Forestry (MNRF) regarding restricted Endangered Species and Threatened Species was not obtained.

SVCA staff are recommending that the Applications for Consent be deferred until a satisfactory EIS has been completed. If a decision is being made by the Committee of Adjustment, SVCA staff recommend the Applications for Consent not be granted. Should the Committee of Adjustment grant provisional consent, SVCA staff are recommending the following Conditions:

1. The completion of an Environmental Impact Study, satisfactory to SVCA staff, that demonstrates that there will be no negative impact to any natural heritage feature on or adjacent to the property, or their ecological functions.
2. The establishment of a building envelope, 1 acres in size or less, for the proposed southwestern lot (B01/2017) through a Site Plan Agreement or other suitable planning mechanism.

NOTE: In the opinion of SVCA staff, the building envelope location for B01/2017 cannot be determined until a satisfactory EIS has been completed.

3. A building envelope be established for the proposed retained parcel, or that development restrictions be placed on the Significant Woodlands for the entire property.

Please be advised that should provisional consent be granted, SVCA staff are in no way guaranteeing that the above recommended conditions can be necessarily achieved. SVCA staff are not able to recommend approval at this time

The Municipal Planner indicated in his Planning Report dated March 13, 2017 that the Environmental Impact Study has not adequately addressed the relevant policies of the Official Plan or the PPS. The applications should therefore be deferred to allow the applicant's consultant an opportunity to discuss this matter with the SVCA. On a different note, the proposed severance on the west side of the property is located at the bottom of a hill. Confirmation from municipal staff that safe vehicular access from Concession 8 is necessary.

Brian Milne spoke in favour of the application, and noted they have contacted the Authority in order to address their concerns respecting the EIS.

The Committee noted the Municipal Planner has recommended confirmation of suitable entrance for the proposed severed lots. The Clerk noted Tim Cook, West Grey Public Works Supervisor, has indicated entrances are available for the proposed severed lots.

The Committee asked what are the Authority's concerns regarding establishment of a building envelope. The Municipal Planner noted the building envelope would ensure natural heritage features would be protected.

Brian Milne asked for clarification as to what the Authority wants. The Clerk suggested this be determined through the proponents' discussions with the Authority. Ron Torry thought perhaps that a building envelope is only required by the Authority for one of the lots.

COA 11/17 Moved by: Rebecca Hergert Seconded by: Rob Thompson

**Resolved that, Severance Application B01/2017 & B02/2017 be deferred, to provide an opportunity for the applicant to address the concerns of the Saugeen Valley Conservation Authority.**

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

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#### 4. Other

- 1) Minor Variance Application A01/17 – Part Lot 24, Concession 11, former Township of Normanby (Duncan & Sandra Denman – owners; Greg Grandy - applicant)

The Clerk advised Committee of Adjustment members that Mr. Grandy has verbally indicated that the minor variance application is no longer required as the proposed garage will be placed further back on the subject property in order to meet all setback requirements.

#### 5. Next Meeting – April 10, 2017, 1:00 p.m.

On motion of Doug Hutchinson, the Committee adjourned at 1:29 p.m.

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(Signed)  
Kevin Eccles, Acting Chair

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(Signed)  
Mark Turner, Clerk