

Draft

**Municipality of West Grey
Committee of Adjustment
Minutes of May 8th, 2017 at 1:00 p.m.**

Draft

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

Members Present: John A. Bell (Chair), Kevin Eccles, Bev Cutting, Rebecca Hergert, Doug Hutchinson, Carol Lawrence, Robert Thompson

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

1. Disclosure of Pecuniary Interest - None
2. Approval of Minutes – April 10, 2017

COA 15/17 Moved by: Carol Lawrence Seconded by: Kevin Eccles

That, the Municipality of West Grey Committee of Adjustment hereby adopts the minutes of April 10, 2017, as printed.

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

4. Public Meetings
 - 1) Minor Variance Application A03/17 – Part Lot 52, Concession 2 WGR, former Township of Normanby (John & Katherine Padget – owners)

File	Applicant	Decision
A03/17	John & Katherine Padget (owners) (Former Township of Normanby)	GRANTED

ATTENDANCE: John Padget

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 6.1.2 a) of West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended, to reduce the required minimum front yard setback from 66' to 16' to facilitate a proposed detached garage/shed, on lands described as Part Lot 52, Concession 2 WGR, former Township of Normanby.

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 April 27, 2017 that 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. The SVCA requests the owner to contact the Ministry of Natural Resources and Forestry (MNRF) for information on how to address this policy. Provided the natural heritage policy mentioned above is appropriately addressed, then this proposed minor variance will be acceptable to SVCA staff.

The Grey County Planning & Development Department indicated in a letter dated May 2, 2017 that Schedule B designates the property as 'Aggregate Resource Area', however, given that development already exists on this property, and the subject application is fairly minor in nature, County planning staff are of the belief that this development would not further hinder future aggregate extraction, or represent an incompatible land use. County planning staff have no concerns with the subject application.

The Municipal Planner indicated in his Planning Report dated May 8, 2017 that the proposal passes the four tests of a Minor Variance listed in the Planning Act, being, that the minor variance maintains the intent and purpose of the Official Plan, maintains the intent and purpose of the Zoning Bylaw, is minor in nature, and represents an appropriate or desirable use of the land and buildings. As such, the request should be approved.

John Padget spoke in favour of the proposed minor variance.

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

Resolved that, Minor Variance Application A03/17 be approved, 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.

- 1) Minor Variance Application A04/17 – Part Lot 61, Concession 1 NDR, RP17R1416, Parts 1 & 2, former Township of Bentinck (Joseph & Carol Cacciapuoti – owners; Michael Champagne & Julie Kelly - applicants)

File	Applicant	Decision
A03/17	Joseph & Carol Cacciapuoti (owners) Michael Champagne & Julie Kelly (applicants) (Former Township of Normanby)	GRANTED

ATTENDANCE: Michael Champagne

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 16.2.7 of West Grey Comprehensive Zoning Bylaw Number 37-2006, as amended, to increase the maximum square footage requirement for a proposed accessory structure (storage shed) from 86.1 square feet to 288' square feet, on lands described as Part Lot 61, Concession 1 NDR, former Township of Bentinck.

Written comments were received from the Grey County Planning & Development Department, 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 Grey County Planning & Development Department indicated in a letter dated May 4, 2017 that Schedule B of the County Official Plan identifies a portion of the subject property as 'Aggregate Resource Area'. Policy 2.3.3(i), and because the cited location of the proposed storage shed falls outside this area, the subject application conforms to the above noted policy. County Transportation Services note that the lot in question is north of Meadows Drive and does not back onto the County road, and therefore, the County has no objections to the subject application. County planning staff have no further concerns with the subject application.

The Municipal Planner indicated in his Planning Report dated May 8, 2017 that the proposal passes the four tests of a Minor Variance listed in the Planning Act, being, that the minor variance maintains the intent and purpose of the Official Plan, maintains the intent and purpose of the Zoning Bylaw, is minor in nature, and represents an appropriate or desirable use of the land and buildings. As such, the request should be approved.

Michael Champagne noted he is in favour of the proposed minor variance.

COA 18/17 Moved by: Carol Lawrence Seconded by: Kevin Eccles

Resolved that, Minor Variance Application A04/17 be approved, 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.

4. Other

- 1) Severance Application B02/2017 – Lot 4, Concession 9, former Township of Glenelg (Ron Torry – owner; Brian Milne - applicant)

The Clerk recounted that a public meeting was held on March 13, 2017 for severance applications B01/2017 and B02/2017 submitted by Ron Torry (owner) and Brian Milne (applicant). The Saugeen Valley Conservation Authority identified some shortcomings with the Environmental Impact Study (EIS) completed by a consultant hired by Mr. Torry, and a decision respecting the severance applications was deferred to provide an opportunity for the consultant to address the concerns of the SVCA.

The Clerk noted that Mr. Milne subsequently contacted him to request that severance application B02/2017 (house lot) be considered during today's meeting as the SVCA has indicated it can support B02/2017 prior to the EIS being completed for B01/2017, subject to a rezoning application being required as a condition of consent if B02/2017 is approved. The Clerk indicated the Municipal Planner supports the request to consider approving B02/2017, and mentioned that another zoning by-law amendment will be required to address any recommendations from the updated EIS and to also recognize the new lot created via B01/2017. Mr. Milne & Mr. Torry acknowledged the need for a second zoning bylaw amendment.

The Committee discussed why the SVCA can support B02/2017 prior to completion of the EIS, and not B01/2017. The Clerk indicated it is likely because B02/2017 has the existing dwelling.

Brian Milne noted the SVCA wants further details respecting B01/2017, and indicated the updated EIS may take until the Fall or Winter 2017 to be completed.

COA 19/17 Moved by: Doug Hutchinson Seconded by: Rebecca Hergert

Resolved that, Severance Application B02/2017 be approved, subject to the conditions of the Municipality and Agencies.

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

2) Proposed Re-scheduling of August 17, 2017 West Grey Committee of Adjustment Meeting

The Clerk informed Committee members that he will be on vacation the week of August 14-18, 2017, and therefore requested the meeting be re-scheduled to August 9, 2017, 1:00 p.m.

COA 16/17 Moved by: Rob Thompson Seconded by: Doug Hutchinson

Resolved that, the August 17, 2017 West Grey Committee of Adjustment meeting be re-scheduled to August 9, 2017, at 1:00 p.m.

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

2. Erwin Arthur

The Clerk reported receiving a letter from Erwin Arthur requesting a refund of \$1,120 for severance application B02/2015 on lands described as Part Lot 72, Concession 2, former Township of Normanby, that he submitted in 2015, as both the Clerk and the Municipal Planner missed noting during a pre-consultation with Mr. Arthur that the subject property contained an Aggregate Resource Area constraint in the County of Grey Official Plan. As a result, the proposed severance for a non-farm lot was not supported by the Committee of Adjustment, as the County of Grey does not permit the creation of non-farm lots on a property having an Aggregate Resource Area constraint.

COA 20/17 Moved by: Kevin Eccles Seconded by: Rebecca Hergert

Resolved that, the Committee of Adjustment hereby recommends Council approve a refund in the amount of \$1,120.00 to Erwin Arthur respecting severance application B02/2015, due to an oversight by municipal staff during the preliminary pre-consultation process.

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

5. Next Meeting – June 5, 2017, 1:00 p.m.

On motion of Carol Lawrence, the Committee adjourned at 1:40 p.m.

John A. Bell, Chair

Mark Turner, Clerk