

**Committee of the Whole (Planning)
Municipality of West Grey
Minutes of November 13th, 2017, at 1:40 p.m.**

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

Council Mayor Kevin Eccles, 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; Scott Taylor, Senior Planner, Grey County Planning & Development Department

1) Disclosure of Pecuniary Interest - None

2) Public Meetings

- 1) Zoning By-law Amendment Application ZA-09-17 – Plan 500, Pt Lots 4-6, Queen W/S (226 & 240 Queen Street South), former Town of Durham (Bruce Gilkinson)

Attendance: Bruce Gilkinson

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 implement a condition of consent application B08/2017 to rezone the subject lands from the "R2-355" (Residential Exception Zone) and "M1" (Industrial Zone) to the "R2-375" (Residential Exception Zone) and "R2-376" (Residential Exception Zone) to permit two four-plexes, one on severed parcel and one on the retained parcel. The proposed Amendment will also allow for parking to occur in the front yard of the buildings.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, Historic Saugeen Metis, Union Gas Limited, and Source Water Protection Risk Management Office.

The Historic Saugeen Metis indicated in an email dated October 10, 2017 that they have no objection or opposition to the proposed severance or zoning by-law amendment applications.

Union Gas Limited indicated in an email dated October 11, 2017 that Union Gas has service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocated required due to a severance would be at the cost of the property owner. Should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

The Grey County Planning & Development Department indicated in a letter dated October 26, 2017 that it appears the subject property falls within a Municipal Wellhead Protection Area (WHPA) – Zone E. County planning staff recommend comments are received from the local Risk Management Official to address any potential concerns of groundwater or surface water contamination. County Transportation Services have no objections or concerns. County Housing Services have no objections or concerns. Provided the subject properties are adequately serviced through municipal servicing, County planning staff have no concerns with the subject application. However, the County sent a follow-up email dated November 7, 2017 indicating they have been apprised that operations on the subject property used to be industrial in nature. Given that the proposed use is residential, the County recommends the applicant completes a record of site condition in order to address any potential contaminant concerns.

The Source Water Protection Risk Management Office indicated in a letter dated November 3, 2017 that it has been determined that neither section 57 (Prohibited Activities) nor section 58 (Regulated Activities) applies on the subject properties. Consequently, no policies apply to the activities in the application under the approved Source Protection Plan for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region.

The Saugeen Valley Conservation Authority indicated in a letter dated November 7, 2017 that it has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on or adjacent to the subject property. It is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. The letter concludes that the zoning by-law amendment application is acceptable to the SVCA staff.

The Municipal Planner indicated in his Planning Report dated November 13, 2017 that the proposed development appears to be an appropriate use of the subject lands. A pair of fourplexes would clearly be more compatible in this neighbourhood than the previous industrial use. The concept of having parking areas in the front yard of the buildings is not a concern in this particular case, given that the parking lots associated with the apartment buildings on the lands to the south and northwest are also located in the front yard. Notwithstanding the merit of the application, the requested rezoning should not be approved until the Record of Site Condition has been prepared and any site remediation, if required, has been undertaken. Allowing the development to proceed without taking the necessary steps to ensure that the site is clean could lead to serious health issues for the residents of the apartments and also place the municipality in a liable position. The Municipal Planner also recommended a Site Plan Agreement be required for each property.

The Committee asked about the Record of Site Condition requirement, asking if it needs to be done before or after the building is demolished. The Municipal Planner indicated it doesn't matter.

The Committee asked if there is enough of a building area for parking and the building itself due to comments from the SVCA. The Municipal Planner indicated the SVCA likely won't be concerned. The Clerk noted if a Site Plan Agreement is required it would be circulated to the Authority for approval.

Bruce Gilkinson indicated he has approval from the SVCA for the proposed site, and he will forward this to the Clerk. Mr. Gilkinson noted he is proposing affordable housing that likely will be accessible. The Municipal Planner noted the process for obtaining a Record of Site Condition, and indicated both sites will need to be addressed.

The Committee indicated the last use of the property was an industrial building (sawmill/lumber yard) that manufactured hockey sticks on the southerly vacant lot, however, this building burned down.

**Hergert-Bell, Resolved that, the West Grey Committee of the Whole (Planning) hereby defers a decision respecting zoning bylaw amendment ZA-09-17, as amended;
And further that, a Site Plan Control Area By-law be passed for the subject properties. ... #36-17** **Carried.**

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- 1) Zoning By-law Amendment Application ZA-10-17 – Part Lots 103 & 104, Concession 2 SWTSR, former Township of Glenelg (Martha Bosch)

Attendance: Walter & Martha Bosch

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 implement a condition of consent application B09/2017 to rezone the subject lands for the retained parcel from the "A3" (Restricted Rural Zone) and "NE" (Natural Environment Zone) to the "A3-377" (Restricted Rural Exception Zone) and "NE" (Natural Environment Zone). The "A3-377" Zone will reduce the minimum lot area requirement for the retained parcel from 40 hectares to 1.2 hectares, and the existing barn on the retained parcel shall be used for dry storage only.

Written comments were received from the Grey County Planning & Development Department, Saugeen Valley Conservation Authority, Municipal Planner, Source Water Protection Risk Management Office, The Historic Saugeen Metis, and Union Gas Limited.

The Historic Saugeen Metis indicated in an email dated October 12, 2017 that they have no objection or opposition to the proposed severance or zoning by-law amendment applications.

Union Gas Limited indicated in an email dated October 11, 2017 that Union Gas has service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocated required due to a severance would be at the cost of the property owner. Should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

The Grey County Planning & Development Department indicated in a letter dated October 27, 2017 that that it appears the subject property falls within Municipal Wellhead Protection Areas (WHPA) "C" & "C". County planning staff recommends comments are received from the local Risk Management Official in this regard. There are some Significant Woodlands on the subject property and it is recommended that comments are received from the SVCA. The County concludes that provided positive comments are received from the SVCA, the severed parcel is added to the farm property, and MDS can be complied with, County planning staff have no further concerns with the subject applications. (NOTE: The existing barn on the retained parcel is being rezoned for dry storage only, so MDS is not an issue.)

The Source Water Protection Risk Management Office indicated in an email dated November 3, 2017 that A portion of the noted severance to add 47 acres to the existing 100 acre property does fall within the WHPA 'C' where the storage of certain chemicals (DNAPLs) could be considered a threat. Since there are no barn/building structures included in the proposal application in the WHPA 'C' portion of the property, then we do not have any comments or concerns with this application.

The Saugeen Valley Conservation Authority indicated in a letter dated November 1, 2017 that it has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on or adjacent to the subject property. It is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area associated with their Regulation, the SVCA should be contacted, as permission may be required. The SVCA letter concludes that all of the plan review functions listed in the Agreement have been assessed with respect to this application. The application for consent and the proposed zoning by-law amendment are acceptable to SVCA staff.

The Municipal Planner indicated in his Planning Report dated November 13, 2017 that the proposed Zoning By-law Amendment conforms to the County Official Plan and is consistent with the Provincial Policy Statement, and therefore should be approved.

Bell-Lawrence, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends Council approves zoning bylaw amendment ZA-10-17, as amended. ... #37-17 Carried.

3) Other

1) Phil Jemmett Draft Plan of Subdivision

Nik Kohek, Cuesta Planning Consultants, acting on behalf of Phil Jemmett, indicated the Jemmett draft plan approved subdivision is for a 48-unit residential subdivision approved in 1997. Mr. Jemmett is attempting to sell the property, however, there have been no interested purchasers at this time. As a result, Mr. Kohek requested that draft plan approval be extended to permit additional time to sell the property.

Mr. Jemmett provided some history regarding the subject property, and noted once draft plan approval of subdivision was granted, the market circumstances did not warrant developing the property. Mr. Jemmett is trying to sell the subject property, or considering a joint venture with another developer. Mr. Jemmett indicated there are a number of lots in Neustadt that are not selling, so opined it is not economically viable to develop his lots at this time.

The Committee asked if Mr. Jemmett maintains four lots at the front of the property. Mr. Jemmett indicated he owns these four lots.

The Committee noted there were four lots near his property that were sold and built on. Mr. Jemmett indicated they were sold about fifteen years ago.

The Municipal Planner asked if Mr. Jemmett is actively trying to sell the property, and asked if it is listed. Mr. Jemmett noted he is trying to sell the lots, however, he does not have the property listed. The Municipal Planner indicated Mr. Jemmett should be more proactive in listing the property, such as contacting local real estate agents to notify the property is for sale, or placing ads or signs on the property.

The Committee noted real estate sales are strong in the area and suggested placing a for sale sign on the property.

The Clerk asked Scott Taylor, Senior Planner, Grey County Planning & Development Department, about Council options. Scott Taylor indicated draft plan approval can be extended typically for one year, however, Council could request a two or three year extension. Any extensions are approved by the County of Grey. Scott Taylor indicated the County wants to see development in Neustadt, and would consider intensification of the number of lots through a redline revision. County staff are willing to meet with Mr. Jemmett or any interested new parties to discuss options. The County has the option not to extend draft plan approval, however, there are some appeal rights that would extend back to former current Planning Act provisions. Some municipalities don't move forward with extensions if the development is tying up servicing that could be utilized for other development.

The Clerk asked the County Planner what difference there would be if the Jemmett draft approved subdivision was not extended. Mr. Taylor stated that if draft plan lapsed, it would still be deemed residential, and would be assessed for development at the current standard of 20 units/net hectare.

Mr. Kohek opined there is a common interest in extending draft plan approval for at least one year to facilitate discussion with the County and Municipality regarding possible options.

The Committee asked if the Municipality can stipulate conditions of extending draft plan approval. Scott Taylor indicated the resolution and letter from the municipality can indicate they request the owner to undertake certain actions, or request the County to change certain draft plan conditions.

The Committee indicated they will wait for the letter from the property owner or consultant requesting extension of draft plan approval.

The Committee asked how many acres are on the property. Mr. Jemmett indicated there is just under 10 acres.

4) Next Meeting – December 11, 2017, 1:30 p.m.

5) Adjournment

On motion of Rebecca Hergert, the Committee adjourned at 2:46 p.m.

(Signed)
Kevin Eccles, Mayor

(Signed)
Mark Turner, Clerk