

**Committee of the Whole (Planning)  
Municipality of West Grey  
Minutes of September 12<sup>th</sup>, 2016, at 1:45 p.m.**

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

Council Deputy Mayor John A. Bell, Councillor Doug Hutchinson,  
Councillor Carol Lawrence, Councillor Don B. Marshall,  
Councillor Rob Thompson  
Absent Mayor Kevin Eccles, Councillor Cutting  
Staff: Mark Turner, Clerk  
Also Present: Ron Davidson, Municipal Planner

1. Disclosure of Pecuniary Interest

Councillor Lawrence declared a pecuniary interest relating to the JT Excavating Ltd., public meeting as her spouse is a realtor, and sold the subject property to the proponent. Councillor Lawrence left the room during the public meeting discussions, and did not participate in any voting regarding same.

2. Public Meetings

1) Zoning Bylaw Amendment Application ZA-09-16 – Plan 500, Park Part Lots 2 & 3, George N/S, former Town of Durham (JT Excavating Ltd.)

Attendance: Don Tremble, Don & Cathy Wright, Kathy Mighton, Ivan Schwass, Paul Gutzke

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the Zoning By-law Amendment is to rezone the subject lands described as Plan 500, Park Part Lot 2 & 3 George N; former Town of Durham, Municipality of West Grey, from the 'FD' (Future Development Zone) to the 'R1B' (Residential Zone) to facilitate a proposed thirteen (13) lot residential plan of subdivision. The subject lands are designated "Residential" on Schedule A to the Municipality of West Grey Official Plan.

Written comments were received from the Grey County Planning & Development Department, the Municipal Planner, Saugeen Valley Conservation Authority, the Historic Saugeen Metis, Bluewater District School Board, Don & Cathy Wright, and Christina Gregg & Fraser Wilson.

The Historic Saugeen Metis indicated in an email dated August 17, 2016 that they have no objection or opposition to the proposed rezoning.

The Bluewater District School Board indicated in an email dated August 17, 2016 that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated September 6, 2016 that the County Paramedic Services department has had an opportunity to review the application, and would offer the following comments:

- 1) "With the exit of the ambulance bays directly in front of the proposed lots, we would like assurances that there would be no obstruction with ambulances exiting or returning to the station.
- 2) Ambulances on emergency calls will exit the base with emergency lighting activated. Siren use is discretionary and should not be an issue. Emergency lights may be a nuisance to residents."

County staff acknowledges that the proposed plan of subdivision is already draft approved and therefore the lots have some development status. If there are any measures which can be taken to ensure that there is no congestion on Chester Street West (e.g. on-street signage regarding ambulance entrance/exit), and that the lots be landscaped with the mitigation of flashing lights in mind, then this may be appropriate in this regard. County staff further recognizes that rezoning stage would not be the normal time to ask for such considerations regarding ambulance mitigation. County staff have no further concerns with the proposed zoning by-law amendment in this regard.

The Municipal Planner noted in his Planning Report dated September 12, 2016 that having the lands rezoned to 'R1B' is one of the conditions that was imposed by the County several years ago when granting Draft Approval of the proposed Plan of Subdivision. The proposed rezoning conforms with the Official Plan, is consistent with the Provincial Policy Statement and represents sound land use planning. Based on the foregoing, the requested rezoning should be granted.

The Saugeen Valley Conservation Authority indicated in a letter dated September 8, 2016 that it has come to the attention of the SVCA that 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 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 (MNR) for information on how to address this policy.

The watercourse to the south of the property and abandoned rail line is considered fish habitat by SVCA staff, and requests the applicant to contact the Department of Fisheries and Oceans to ensure this proposal is addressing Fish Habitat policies in accordance with section 2.1.6 of the PPS. As no development is proposed within the watercourse the SVCA does not anticipate impacts to fish habitat but please do check with the appropriate agency referenced above. Section 2.1.8 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. The eventual development of the lot will not be located in the adjacent lands to fish habitat in the opinion of SVCA staff.

In conclusion, the Authority is of the opinion that this proposed Zoning By-law amendment appears to comply with policies referred to in the agreement.

Don & Cathy Wright sent an email dated September 5, 2016 outlining objections to the proposed zoning by-law amendment. The Wrights' indicated they lived on their property for the past 30 years, and moved there because of the quiet atmosphere that gives us the feeling of living in the country, but still living in town. We have had deer and wild turkey's come right up to are yard. Traffic has been a on-going concern ever since the hospital moved there entrance to the west side of the hospital, and they question what would 13 more homes do to the traffic flow not counting all the construction vehicles, dust, dirt, noise. The Wrights' also question will the water main take away their water pressure, will the sewers require the road to be torn up. The Wrights indicated construction equipment has already thrown rocks and debris into their pool, and stated they are not looking forward to cleaning out are pool every day due to on-going construction. The Wrights' asked if they will build up the lots, and the road way to put are property lower, and will the ground water runs off onto are property? The Wrights concluded in their email by stating that they as property owners, are totally against any rezoning for 13 new homes.

Christina Gregg & Fraser Wilson submitted a letter dated September 8, 2016 indicating opposition to the proposed rezoning, as they have concerns regarding

road construction, sewer and water construction, lot grading and drainage, additional traffic and congestion, and the potential negative impacts this could have on their current residence. Ms. Gregg & Mr. Wilson's also opined in their letter that the proposed rezoning would violate section E3.2.1 of the West Grey Official Plan, and noted Grey County's concerns that ambulances would be obstructed not only on the street with heavy equipment, but also exiting and returning to the station. If Council approves the rezoning, it was requested that Council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable, and mitigate any potential hazards or inconvenience to neighbours.

The Committee asked for clarification if the proposed approved subdivision is 13 lots or 11 lots. The Clerk noted it is a 13-lot draft plan approved subdivision.

The Committee noted some concerns with the congestion of this road, and ambulance traffic.

Paul Gutzke spoke in opposition to the proposed rezoning, and requested a comprehensive drainage plan be reviewed, and a meander belt study. The Municipal Planner indicated there will be a comprehensive review of stormwater management/drainage and lot grading plans, and the Authority, County will have to approve the subdivision.

Don Wright reiterated his opposition to the proposed rezoning. Kathy Mighton noted opposition to the proposed rezoning, echoing concerns of other neighbours.

Don Tremble, whose son purchased the property, noted they will abide by any hours of operation and other requirements of the required subdivision agreement. Mr. Tremble indicated services will be extended from the south of his property through the railway lands. Mr. Tremble indicated the plan of subdivision was draft approved in 2005 by Grey County. Mr. Tremble suggested the subdivision may alleviate parking issues by providing parking on the internal subdivision road.

Don Wright noted he does not recall a draft plan of subdivision being approved in 2005. The Municipal Planner mentioned the draft plan of subdivision process by the County of Grey, and it would have involved a public meeting.

Ivan Schwass, owner of property south of the subject property, indicated they would work with the property owners to alleviate their concerns when looking to develop his property.

**Thompson-Hutchinson, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment. ... #24-16 Carried.**

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- 2) Zoning Bylaw Amendment Application ZA-10-16 – Plan 80, Lots 37 & 38, William Street, Village of Elmwood, former Township of Bentinck (Suzanne Krajcir, Ernest Krajcir)

Attendance: Suzanne & Ernest Krajcir

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the proposed Zoning By-law Amendment is to rezone the subject lands from the "C2" (Highway Commercial) Zone to the "R1A" (Unserviced Residential) Zone.

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

The Historic Saugeen Metis indicated in an email dated August 17, 2016 that they have no objection or opposition to the proposed rezoning.

The Bluewater District School Board indicated in an email dated August 15, 2016 that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated September 6, 2016 that Transportation Services and County planning staff have no concerns with the subject application.

The Saugeen Valley Conservation Authority indicated in a letter dated September 6, 2016 that provided the Natural Heritage policy is appropriately addressed, then the proposed zoning by-law amendment is acceptable to SVCA staff.

The Municipal Planner noted in his Planning Report dated September 12, 2016 that it is doubtful that the loss of a commercial property in this area would have a negative impact on the Elmwood community. A residential zoning on this site should not cause any land use compatibility issues. The rezoning conforms with the County Official Plan and is consistent with the Provincial Policy Statement. Based on the foregoing, the proposed By-law should be given favourable consideration.

**Marshall-Thompson, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment. ... #25-16 Carried.**

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- 3) Zoning Bylaw Amendment Application ZA-11-16 – Part Lot 6, Concession 2 WGR, RP17R1376, Parts 1 & 2, former Township of Normanby (Jason & Petra Kana Booth)

Attendance: Shirley Dodds

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the proposed Zoning By-law Amendment is to rezone the subject lands to permit a Garden Suite (granny flat) in addition to the permitted uses in the A2 (Rural Zone) and A2-276 (Rural Exception Zone).

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

The Historic Saugeen Metis indicated in an email dated August 24, 2016 that they have no objection or opposition to the proposed rezoning.

The Grey County Planning & Development Department indicated in a letter dated September 7, 2016 that provided the proposed development can be adequately serviced, County planning staff have no concerns with the application.

The Municipal Planner noted in his Planning Report dated September 12, 2016 that a garden suite on a rural property on a temporary basis has merit and should be given favourable consideration.

The Saugeen Valley Conservation Authority indicated in a letter dated September 7, 2016 that all of the plan review functions listed in the Memorandum of Agreement between the Authority and the Municipality of West Grey relating to Plan Review have been assessed by SVCA staff with respect to this proposal. Provided the threatened and endangered species natural heritage policy referenced above is appropriately addressed by the applicant, this proposed zoning by-law amendment will be acceptable to SVCA staff.

Shirley Dodds, a neighbour of the Booths, spoke in favour of the proposed rezoning.

**Lawrence-Hutchinson, Resolved that, the West Grey Committee of the Whole (Planning) hereby recommends West Grey Council approve the zoning bylaw amendment. ... #26-16 Carried.**

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4) Other

1) Shipping Containers

The Clerk cited the existing prohibitions on shipping containers in the West Grey Property Standards By-law and West Grey Comprehensive Zoning By-law Number 37-2006, as amended.

The Committee discussed the possibility of permitting a limited number of shipping containers in commercial or industrial zoned properties, or larger rural properties. The Committee questioned if a licence could be required for shipping containers in lieu of a building permit being required.

The Municipal Planner indicated the Township of Chatsworth Council amended their by-law a few years ago to prohibit shipping containers in the Township.

The Committee requested the Clerk and Municipal Planner to compare other abutting municipalities regarding their shipping container practices, and report back on this matter at the September 26, 2016 Committee of the Whole meeting, if possible.

2) Judy Sedgwick

The Clerk reported to the Committee that Judy Sedgwick owns a property at 432 Park Street West, Durham, and is seeking municipal input as to whether or not a single detached dwelling, or other larger scale development would be permitted on the subject property.

The Clerk indicated the Sedgwick property does not have municipal water or sewer services currently available to service the subject property. The West Grey Official Plan and West Grey Zoning By-law does not permit development, including a single detached dwelling, on lands that are not serviced by both municipal water and sewer services.

The Clerk recounted an earlier delegation to the West Grey Planning Advisory Committee by Steve Lantz, who owns an approximate 11 acre parcel in Neustadt, and who also sought input as to whether or not the

municipality would permit a detached dwelling to be constructed on his property without municipal water or sewer services being available.

The Clerk noted that the County of Grey Official Plan has a similar requirement for municipal water and sewer services to service lots in the identified urban areas in the Grey County Official Plan, however, the Grey County Official Plan indicates that it may permit development (i.e. a single detached dwelling) if the extension of municipal water and sewer services is not economically feasible. The West Grey Planning Advisory Committee, at the time, indicated it could not provide direction on this issue, until a planning application for same was submitted, and comments from the Public Meeting were considered prior to rendering a decision, however, the proponent would have to provide an engineers' or other qualified individuals report determining that the extension of municipal water and sewer services would not be economically feasible.

Judy Sedgwick indicates she is considering a seniors home or multiple severances on her property. The Clerk and Municipal Planner noted that any development without full municipal water and sewer services should only be considered by the Committee on the existing lot and with limited development (i.e. a single detached dwelling).

The Clerk, in response to a question posed by the Committee, indicated the engineering firm of Gamsby & Mannerow completed a D-4 Study pursuant to the Ontario Ministry of Environment guidelines that resulted in reducing the required buffer area from the Durham Landfill Site to 100 metres or less.

The Municipal Planner indicated he assumes if the Committee and Council is willing to consider development without full municipal water or sewer services on an urban lot, that one detached dwelling would only be considered. The Municipal Planner indicated the property owner may wish to hire a planning consultant to justify amending the West Grey Official Plan and Zoning By-law to permit such a proposal.

5) Next Meeting – not determined to date

6) Adjournment

On motion of Doug Hutchinson, the Committee adjourned at 3:01 p.m.

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(Signed)  
Kevin Eccles, Mayor

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(Signed)  
Mark Turner, Clerk