

**Municipality of West Grey
Committee of Adjustment
Minutes of September 12th, 2016 at 1:04 p.m.**

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

Members Present: John A. Bell (Chair), Doug Hutchinson, Carol Lawrence, Don B. Marshall, Robert Thompson
Members Absent: Kevin Eccles, Bev Cutting
Also Present: Mark Turner, Secretary/Treasurer; Ron Davidson, Municipal Planner

1. Disclosure of Pecuniary Interest - None
2. Approval of Minutes – August 8, 2016

COA 20/16 Moved by: Don B. Marshall Seconded by: Doug Hutchinson

That, the Municipality of West Grey Committee of Adjustment hereby adopts the minutes of August 8, 2016, as printed.

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

3. Public Meetings
 - 1) Severance Application B07/2016 – Park Lots 18 & 19, Concession 3 EGR, former Township of Glenelg (Odilia Osthaus & Johannes Schneider)

File	Applicant	Decision
B07/2016	Odilia Osthaus & Johannes Schneider (Former Township of Glenelg)	GRANTED

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the severance application is to sever a Rural lot and retain a Rural lot.

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

The Historic Saugeen Metis indicated in an email dated August 12, 2016 that they have no objection or opposition to the proposed severance.

The Bluewater District School Board indicated in an email dated August 12, 2016 that they have no comments or concerns regarding the proposed severance.

The Grey County Planning & Development Department indicated in a letter dated September 6, 2016 that provided positive comments are received from the Conservation Authority, County planning staff have no concerns with the severance application.

The Municipal Planner indicated in his Planning Report dated September 12, 2016 that the proposed severance appears to comply with the 'Rural' consent policies of the Official Plan. The proposed severed lot would only have approximately seven metres of frontage along an opened road because the severed parcel only touches Baseline at the exact place where this road bends ninety degrees. A field entrance exists in this location. West Grey staff has advised that upgrading the field entrance to a residential entrance and having a limited frontage is not a concern. To ensure that the development complies with the policies pertaining to natural heritage features, the MNRF has been asked to comment on the SVCA's concern pertaining to Habitat for Threatened or Endangered Species. At the time of writing this Planning Report, MNRF had not commented. If MNRF advises that no concerns exist in this regard, the Committee is advised to approve the application. To ensure that no development or site alteration occurs within the area shown as a 'Significant Woodland' on Appendix B to the Official Plan, a condition of Consent should be imposed requiring either: 1. A Zoning By-law Amendment be obtained to protect the 'Significant Woodlands', against development, but with the option of later conducting an Environmental Impact Study if development or site alteration is proposed within this area; or 2. The owner enter into a Site Plan Control Agreement that would protect the 'Significant Woodlands' in basically the same manner.

The Saugeen Valley Conservation Authority indicated in a letter dated August 29, 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 (MNRF) for information on how to address this policy.

The SVCA also note that the watercourse is considered fish habitat by SVCA staff, and requests the Department of Fisheries and Oceans to be contacted 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.

The SVCA concluded that although provincially significant wetlands, significant woodlands, watercourses, and significant wildlife habitat, and/or their adjacent lands are located on the property the SVCA does not anticipate impacts on these features associated with the proposal provided one of the following conditions of approval are implemented: a) existing NE and NE2 zoning in the northern portion of the property remain in place and an NE zone, 'holding', or other zone precluding site alterations or development, be applied to the woodlands located in the southeast portion of the lot. Or, b) an Environmental Impact Study (EIS) be completed to the satisfaction of the SVCA and Municipality addressing significant natural heritage features and the findings of that report are implemented via a zoning amendment or site plan control application on the property.

COA 21/16 Moved by: Rob Thompson Seconded by: Carol Lawrence

Resolved that, Severance Application B07/2016 be approved, subject to the conditions of the Municipality and Agencies.

Committee Members: Attending members present. All yea.

Carried.

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- 2) Severance Application B06/2016 – Concession 1 EGR, Pt Lot 24, Pt Div 2 & 3, RP16R9070, Part 1 (323019 Durham Road East former Township of Glenelg (Mac & Donna Galbraith – owners; John Welton – applicant; Don Tremble - agent)

File	Applicant	Decision
B06/2016	Mac & Donna Galbraith (owners) John Welton (applicant) Don Tremble (agent) (Former Township of Glenelg)	GRANTED

Attendance: Dale McKean

The Secretary-Treasurer read the statutory requirements for the Public Meeting, and noted the purpose of the severance application is to sever a Residential lot and retain a Future Development/Residential lot.

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 in an email dated August 17, 2016 that they have no objection or opposition to the proposed severance.

The Grey County Planning & Development Department indicated in a letter dated September 9, 2016 that Appendix B in the Grey County Official Plan indicates a small portion of the subject property contains 'Significant Woodlands'. Section 2.8.4(1) of the OP states, No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study, as per section 2.8.7 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Comments should be received from the Conservation Authority in this regard. Transportation Services have reviewed the above noted file and have no concerns. In terms of general planning matters, it shall be ensured that for future development of the retained parcel, there is adequate road access. There also appears to be potential for the creation of smaller lots within the severed parcel, which should be considered. Provided positive comments are received from the Conservation Authority, County planning staff have no further concerns with the above noted application

The Municipal Planner indicated in his Planning Report dated September 12, 2016 that severing the existing house from the balance of the property has merit. The size of the proposed lot appears to be excessive and consideration should be given to reducing the depth of this parcel by 20 metres. This would allow for the creation of one additional lot along the new road when the retained lands are developed through the Plan of Subdivision. As a condition of Consent, the lands must be rezoned to adjust the 'minimum lot area' requirement that currently applies to the subject property.

The Saugeen Valley Conservation Authority indicated in a letter dated September 6, 2016 that it has come to the attention of SVCA staff that Habitat of a Threatened or Endangered Species may be located on or adjacent to the subject property. 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. In conclusion, the Authority indicated 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. This application for consent is acceptable to SVCA staff.

The Committee noted it does not agree that the size of the proposed severed lot needs to be reduced, as the existing proposed severed lot would have the same rear lot line as other abutting properties.

Dale McKean spoke against the proposed severed lot, as it was his understanding that any development behind them would only be single family lots, and voiced concerns with the quality of the homes that may be built in the future plan of subdivision. The Municipal Planner noted the Provincial Policy Statement requires intensification of lots, and the potential plan of subdivision is not part of this severance application. The Municipal Planner indicated this property was identified as the future growth area for Durham, with a Comprehensive Review being completed, and indicated there has to be medium density development (20 units/net hectare) to satisfy PPS, County and West Grey Official Plan policies.

Don Tremble spoke in support of the proposed severed lot, indicating he will be the builder of the retained parcel, and he indicated he builds quality homes. Mr. Tremble noted he will attempt to have a good number of large single detached lots in the proposed plan of subdivision.

The Committee asked if the rear portion of the proposed severed lot could be severed off at a later date. The Municipal Planner indicated this would be possible.

COA 22/16 Moved by: Carol Lawrence Seconded by: Rob Thompson

Resolved that, Severance Application B06/2016 be approved, subject to the conditions of the Municipality and Agencies.

Committee Members: Attending members present. All ye.

Carried.

4. Other

- 1) 2017 West Grey Committee of Adjustment Meeting Dates

COA 23/16 Moved by: Doug Hutchinson Seconded by: Don B. Marshall

Resolved that, the West Grey Committee of Adjustment hereby approves the following 2017 meeting dates, with all meetings starting at 1:00 p.m., unless otherwise noted in the respective Agenda: January 16, February 13, March 13, April 10, May 8, June 5, July 10, Thursday, August 17, September 11, Tuesday, October 10, November 13, and December 10.

Committee Members: Attending members present. All yea.

5. Next Meeting – October 11, 2016, 1:00 p.m.

On motion of Doug Hutchinson, the Committee adjourned at 1:39 p.m.

(Signed)

John A. Bell, Chair

(Signed)

Mark Turner, Clerk