Minutes
Committee of Adjustment
Municipality of West Grey
September 8, 2020, 1 p.m.
Virtual meeting

Members present: Chair Tom Hutchinson, Member Rebecca Hergert, Member Beth Hamilton, Member Doug Hutchinson, Member Christine Robinson, Member Geoffrey Shea

Members absent: Member Stephen Townsend

Staff members present: Lorelie Spencer, Manager Planning & Development; Genevieve Scharback, Clerk; Vance Czerwinski, Director of Infrastructure and Public Works; Karl Schipprack, CBO; Kerri Mighton, Director of Finance-Treasurer; Jonathan Zettel, Co-ordinator, Office of the CAO; Lindsey Glazier, Administrative Assistant Clerk’s Office

1. Call to order
   The chair called the meeting to order at 1:01 p.m.

2. Appoint secretary-treasurer and deputy secretary-treasurer
   Resolution: COA 13-20
   Moved by: Member Robinson
   Seconded by: Member Hamilton
   That West Grey Committee of Adjustment hereby appoints Genevieve Scharback to the position of Secretary-Treasurer and Lindsey Glazier to the position of Deputy Secretary-Treasurer for the Committee of Adjustment.
   Disposition: Carried

3. Purpose of meeting
   Clerk Scharback identified the purpose of the public meeting, which is to present minor variance and severance applications and allow the public to give comments.
4. Disclosure of pecuniary interest and general nature thereof

None.

5. Approval of minutes

5.1 July 14, 2020 Committee of Adjustment minutes

Resolution: COA 14-20

Moved by: Member Hergert
Seconded by: Member Hamilton

That Municipality of West Grey Committee of Adjustment hereby adopts the minutes of July 14, 2020, as circulated.

Disposition: Carried


6.1 Application

6.2 Planner L. Spencer - report

6.3 Written comments received

6.3.1 Grey County comments

The County of Grey had no objection to application A02-2020 Goetz and requested notice of any decision rendered.

6.3.2 Saugeen Valley Conservation Authority comments

The Saugeen Valley Conservation Authority find application A02-2020 Goetz acceptable and requested notice of any decision and appeals rendered.

6.4 Verbal comments

6.4.1 Committee members

Planner Spencer advised that for accessibility requirements, drawings and maps will be included in future reports with descriptive tags and an option of requesting the document in an alternate format.

Members asked why the Saugeen Valley Conservation Authority (SVCA) submitted written comment when the minor variance being discussed is not in their scope.
Planner Spencer identified that the written comments received from the SVCA and county are contractual obligations at the Provincial level and that they have a delegated responsibility to comment.

Members requested for future meetings a reference in the report of missing documents is provided in order to identify to council additional documents that may be requested.

Planner Spencer clarified questions about the minor variance process.

6.4.2 Members of the public

None.

6.5 Decision

Resolution: COA 15-20

Moved by: Member Hutchinson  
Seconded by: Member Shea

That file A02-2020 be approved for the purpose and effect of which will vary the requirements of subsection 6.1.4(ii) of the Municipality of West Grey zoning bylaw 37-2006 which will increase the maximum permitted gross floor area of an accessory structure from 93 squared metres to 223 squared meters, the effect of which will permit the construction of an accessory structure on the subject lands.

Disposition: Carried

7. Consent to sever no. B03-2020 – 1993934 Ontario Inc. – 502413 Concession 10 NDR

7.1 Application

7.2 Planner L. Spencer – report

7.3 Written comments received

7.3.1 Saugeen Valley Conservation Authority comments

The Saugeen Valley Conservation Authority found application B03-2020 – 1993934 Ontario Inc. acceptable and requested that notice of any decision rendered.
7.4  Verbal comments

7.4.1  Committee members

Planner Spencer confirmed that there is sufficient frontage on both the retained and proposed severed property to have access from Concession 10 and the planner does not see an issue.

Member Hergert requested that the inclusion of a condition be included respecting a survey needing to be done and a fence needing to be erected. Member Hergert asked where the driveway was located for the retained parcel.

Director Czerwinski stated he could look into whether a permit was issued and report back to the committee.

Planner Spencer stated the conditions are the will of the committee and that a survey is a requirement for a severed lot. Planner Spencer confirmed the inclusion of a condition for the construction of a fence is the will of the committee. Planner Spencer identified that Concession 10 is where the driveway is located on the retained parcel.

Kevin Tremble, applicant, B03-2020 confirmed to council that the grading is still a work of progress. He questioned if the grading was relevant to the severance application, and identified that they are two separate issues.

Planner Spencer concurred with the applicant that the severance application and grading are two separate issues. Planner Spencer stated that the abutting property owner and subject property landowners can sort out the grading and fence issues as a separate matter to the application.

7.4.2  Members of the public

David Lang, West Grey resident, spoke in opposition to the application and shared his issues that although the access is stated to be on Concession 10 on NDR, there is currently large access constructed off sideroad 30. It is his understanding that no permit has been issued. Additionally, her is concerned as a nearby property owner that another severance is occurring on a property that has already been severed four times, and wants to know if the larger retained portion will be subject to further severances in the future, as there are now eight lots out of what were originally two
lots. He fills that the severances are changing the area and making having a negative impact.

Planner Spencer confirmed that the lands are identified as rural lands, that the lot has not exceeded the minimum distance separation requirements and that they would be able to potentially severance the lot into more parcels in the future.

Kevin Tremble, applicant shared that the purpose of the severance is not to develop into more lots. The severance will allow better accessibility for larger machines. He reiterated that there is no intent to further develop the property into more lots.

Dave Lang, West Grey resident, thanked Mr. Tremble and stated that it is good to know the lot will be retained as farmland. He further asked if the retained lot was going to have a house built on it.

Kevin Tremble, applicant confirmed that the entrance is going to be the access to the farm that no house will be built on the lot and that the severed area is where the original house is located.

Dave Lang, West Grey resident, requested council add a condition to not permit another dwelling.

Planner Spencer identified that she did not support such a condition.

Rosemary and Amo Frind, West Grey residents, spoke in opposition to the application as they have a joining property and are concerned about the re-sloping of land and debris piled up at the boundary line and if it will come down the hill onto their property. Ms. Frind is requesting that a survey be done to show the property line as the fence has now been destroyed.

Kevin Tremble, applicant, confirmed he will replace the fence and put it back in its original placement, as they have a copy of the survey from 1963. Mr. Tremble stated that the grading will be completed in a manner that is appropriate for both properties.

Planner Spencer stated that the issues can be resolved between the landowners, and if a resolution cannot be made, it will be a bylaw complaint.

CBO Schipprack shared that the building code and property standards don’t require a grader permit if the work is being done on
the landowner's property, and doesn't affect surrounding property owners. If abutting property owners feel that their property of affected they can submit a complaint to the municipal office and a bylaw officer will investigate.

Dave Lang, West Grey resident, asked in relation to the entrance off Concession 10 with there being a substantial entrance off Sideroad 30 will the entrance provide access to farmers of the new lot.

Planner Spencer reiterated that Concession 10 NDR is where the entrance will be not Sideroad 30.

7.5 Decision

Resolution: COA 16-20

Moved by: Member Hamilton
Seconded by: Member Hutchinson

That with respect to application B03-2020 described as part lot 30, Concession 11 NDR in the geographic township of Bentinck committee provide provisional consent subject to the following conditions:

- Payment of the Zoning Bylaw Amendment Fee to the Municipality of West Grey
- Passing of a Zoning Bylaw Amendment
- Payment of Parkland Dedication Fee
- Payment and receipt of an Entrance Permit

Disposition: Carried

8. Consent to sever no. B05-2020 and B06-2020 – Shamadon Resorts Ltd. – 231764 Concession 2 WGR

8.1 Application

8.2 Planner L. Spencer - report

8.3 Written comments received

8.3.1 Grey County comments

The County of Grey had no objections to application B05-2020 and B06-2020 – Shamadon Resorts Ltd., with the County planning staff recommending consideration of a separate access being created and provided for Part 1 and Part 2. The County requested notice of any decision rendered.

8.3.2 Saugeen Valley Conservation Authority comments
The Saugeen Valley Conservation Authority found application B05-2020 and B06-2020 – Shamadon Resorts Ltd. acceptable and requested that notice of any decision or appeal rendered.

8.4 Verbal comments

8.4.1 Committee members

None.

8.4.2 Members of the public

Margaret Keller, West Grey resident, asked how the parcels would be zoned.

Mary Lou Weiser-Hamilton, West Grey resident, asked if the zoning for open space would remain the same.

Planner Spencer explained there would be no change in zoning to current residential-commercial, and that if it is the committee’s will the open space zoning could be a condition of the consent.

Mary Lou Weiser-Hamilton, West Grey Resident, asked for clarification on what Bylaw No. 06-2020 would accomplish.

Planner Spencer responded that Bylaw No. 05-2020 will sever the lands and Bylaw No. 06-2020 provides a right of way to allow access to several parcels.

Mary Lou Weiser-Hamilton, West Grey resident, raised concerns about the reduction of wilderness space.

Planner Spencer shared that the number of sites is not changing and advised of the zoning amendment notification.

Mary Lou Weiser-Hamilton, West Grey resident, asked about the future business plan of Shamadon Resorts Ltd.

Neither Planner Spencer or the applicant representative had additional information regarding the business plan.

Margaret Keller, West Grey resident, asked if the residential zoning needed to be residential.

Planner Spencer identified that the Official Plan states 20 hectares in the minimum for a rural lot.

Planner Spencer confirmed that the future planning process would deal with zoning changes and environmental impacts.
Member Hamilton asked if there was enough buffer between the two parcels.

Planner Spencer identified that it is not part of this process to identify that.

8.5 Decision

Resolution: COA 17-20

Moved by: Member Hutchinson
Seconded by: Member Shea

That Committee of Adjustment hereby approve consent of application number B05-2020 with the condition of parkland dedication and a zoning amendment applicant fee.

Disposition: Carried

Resolution: COA 18-20

Moved by: Member Shea
Seconded by: Member Hutchinson

That Committee of Adjustment hereby approve consent application number B06-2020 with conditions as set out in the decision sheet.

Disposition: Carried


9.1 Application

9.2 Planner L. Spencer – report

9.3 Written comments received

9.3.1 Grey County comments

The County of Grey had no objections to application B07-2020 – Ward, Neil and request notice of any decision rendered.

9.3.2 Saugeen Valley Conservation Authority comments

The Saugeen Valley Conservation Authority supported the application B07-2020 – Ward, Neil acceptable and requested that notice of any decision or appeals rendered.
9.4 Verbal comments

9.4.1 Committee members
None.

9.4.2 Members of the public
None.

9.5 Decision

Resolution: COA 19-20

Moved by: Member Hergert
Seconded by: Member Hamilton

That Committee of Adjustment provide provisional consent application no. B07-2020 with conditions as set out in the decision sheet.

Disposition: Carried

10. Adjournment

Resolution: COA 20-20

Moved by: Member Hergert
Seconded by: Member Hutchinson

That Committee of Adjustment hereby adjourns at 3:11 p.m.

Disposition: Carried

Chair Tom Hutchinson

Secretary-Treasurer, Genevieve Scharback