Agenda
Municipality of West Grey
Committee of the Whole (Planning) Meeting
Monday, December 10th, 2018, 1:30 p.m.,
West Grey Municipal Office

Items of Business:

1. Disclosure of Pecuniary Interest

2. Public Meetings
   a. 1:30 p.m. – Zoning By-law Amendment Application ZA-18-18 – Lot 3, Concession 15, former Township of Normanby (Francis & Elaine Walter) (attachment)
   b. 1:45 p.m. – Zoning By-law Amendment Application ZA-17-18 – Plan 80, Part Lots 8 & 9, Queen St. (6 Queen Street East, Elmwood), former Township of Bentinck (Scott Beckenhauer) (attachment)
   c. 2:00 p.m. – Grey County Official Plan Amendment 42-05-280-OPA-144/West Grey Zoning By-law Amendment Application ZA-16-18 – Lots 5-7, Concession 3 SDR, former Township of Bentinck (Wally David Schaus – owner; Ben Rier – applicant; Cuesta Planning Consultants Inc. - agent) (attachment)

3. Other
   a. 2:15 p.m. – Lee Hilliard – re: enforcement issue relating to a trailer, shed and deck on Part Lot 10, Concession 4, former Township of Glenelg (attachment)
   b. 2:30 p.m. – John Welton Custom Home Building Ltd. (Sunvale Homes/Don Tremble – re: financial securities for draft plan of subdivision at Pt. Div. 2&3, Lot 24, Concession 1 EGR, Geographic Township of Glenelg (attachment)

4. Next Meeting – January 15, 2019, 1:30 p.m., West Grey Municipal Office

5. Adjournment
The Corporation of the Municipality of West Grey

By-law Number - 2018

Being, a By-law to amend Zoning By-law No. 37-2006, for the Municipality of West Grey;

Whereas, the Council of the Corporation of the Municipality of West Grey deems it in the public interest to pass a By-law to amend By-law No. 37-2006;

And whereas, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities;

Now Therefore the Council of the Corporation of the Municipality of West Grey enacts as follows:

1. Schedule “34C” to By-law No. 37-2006, is hereby amended by changing the zone symbol of Lot 3, Concession 15, Geographic Township of Normanby, Municipality of West Grey from the “A1” (Agricultural) Zone to the “A1-400” (Agricultural Exception) Zone for the severed parcel (Parcel 1), and from the “A1” (Agricultural) Zone and “A3” (Restricted Rural) Zone to the “A1-401” (Agricultural Exception) Zone for the retained parcel (Parcel 2), as shown as Schedule “34C”.

2. **A1-400** (see Schedule “34C”)

   Notwithstanding Sections 8.2.1 & 8.2.2 of By-law No. 37-2006, as amended, those lands zoned as A1-400 shall be used in accordance with the A1 zone provisions except however that:

   (a) the minimum lot area shall be 0.43 hectares; and,  
   (b) the minimum lot frontage shall be 12.1 metres.

3. **A1-401** (see Schedule “34C”)

   Notwithstanding Section 8.2.1 of By-law No. 37-2006, as amended, those lands zoned as A1-401 shall be used in accordance with the A1 zone provisions except however that:

   (a) the minimum lot area shall be 37.8 hectares; and,  

   Notwithstanding Section 8.1 of By-law No. 37-2006, as amended, those lands zoned as A1-401 shall be used in accordance with the A1 zone provisions except however that no detached dwelling shall be permitted.

4. Schedule “34C” and all other notations thereon is hereby declared to form part of this By-law.

5. THAT THIS By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.

Read a first and second time this 17th day of December, 2018.

Read a third time and finally passed this 17th day of December, 2018.

Christine Robinson, Mayor

Mark Turner, Clerk
Key Map (not to scale)

Lot 3, Concession 15,
Geographic Township of Normanby,
Municipality of West Grey

This map is a user generated static output from an Internet mapping site and is a data layer that appears on this map may or may not be accurate, current, or complete.

Printed: November 2, 2018
THIS MAP IS NOT TO BE USED FOR...
Planning Report
for the Municipality of West Grey
Planning Advisory Committee

Date: December 10, 2018
File No: ZA-18-18
Applicant: Francis and Elaine Walter
Legal Description: Part Lot 3, Concession 15, Geographic Township of Normanby, Municipality of West Grey

Purpose of Application:

The purpose of the rezoning application is to reduce the 'minimum lot area' and 'minimum lot frontage' requirements of the 'A1' zone to 0.43 hectares and 12.3 metres respectively as required to facilitate the severance of a lot containing a farmhouse that is surplus to a bona fide farmer. The Amendment also reduces the lot area requirement of the retained farm parcel to 37.8 hectares and places a restriction on this parcel prohibiting a detached dwelling on this parcel.

The severance application is being considered by the Committee of Adjustment on December 10, 2018.

Subject Lands:

The subject property is located at the southeast corner of the Grey Road 10 / Concession 16 intersection. The urban boundary of Neustadt abuts the southerly limit of the subject property.

The site comprises 38.23 hectares of land and contains the aforementioned house and shed in addition to two other barns and another shed that are to be removed. A large portion of the property is cash-cropped. The lands in the southeast corner of the site are forested.
Adjacent Lands:

The lands in the general vicinity of the subject property are represented primarily by agricultural uses. To the south, within Neustadt, the adjacent lands appear to be use agricultural and residential purposes.

Official Plan Conformity:

The subject lands are designated ‘Agricultural’ on Schedule A to the County of Grey Official Plan.

Lot creation within the ‘Agricultural’ land use designation is generally prohibited according to the policies of the Official Plan except: (1) where a large farm is being split into smaller farms and both the severed and retained parcels are at least 40 hectares in size; or (2) where a farmhouse is deemed surplus to a farming operation as a result of the bona farmer acquiring additional farm properties. With regard to the latter, the proposed lot must be limited in area and only of sufficient size accommodate the dwelling, accessory buildings, septic system and well; and, the remnant farm parcel shall be rezoned to prohibit the future erection of a dwelling.

The owners, Francis and Elaine Walter, are bona fide farmers (owning three other farm parcels in Grey and Bruce Counties) and the proposed severance appears to comply with the aforementioned policies. The Walters have chosen to remove three existing buildings in order to limit the size of the severed parcel. The proposed Zoning By-law Amendment not only reduces the lot area and frontage requirements for the severed parcel, but it also places a “no dwelling” clause on the farm lands being retained by the Walters as required in the above-noted Official Plan policies.

With regard to the requirement for the subject property to comprise 40 hectares minimum in order to qualify for a severance of this nature, please note that the subject lands comprise only 38.23 hectares but have not been subject to a previous severance. Several years ago, the County acquired land for road widening purposes, which reduced the lot size to 38.23 hectares. It is not the intent of the Official Plan to prohibit the proposed severance based on the previous land acquisition by the County.

It should be noted that the general lot creation criteria of the Official Plan does not permit development, including the creation of non-farm lots, within 500 metres of a ‘Primary Settlement Area’. The intent of this policy is to ensure that development outside of an urban boundary does not interfere with the proper expansion of the settlement area in the future, should it occur. The urban centre of Neustadt is considered to be a ‘Primary Settlement Area’ in the County Official Plan. Although the subject property abuts the urban limit of Neustadt, the
proposed lot is situated approximately 800 metres from the urban boundary and therefore the intended severance conforms to this policy of the Official Plan.

Schedule B of the Official Plan identifies the forested area in the southeast corner of the property as being part of a larger 'Significant Woodland'. The policies of the Official Plan prohibit development or site alteration in a 'Significant Woodland' or within the 50 metre adjacent lands unless it has been demonstrated that such development or site alteration would not negatively impact this natural heritage feature or its function. Given the location of this forested area and the fact that no development is proposed on any of property, there will be no impact on the woodland feature.

Based on the foregoing, the proposed severance and associated rezoning conform to the County Official Plan.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) protects prime agricultural land by limiting lot creation and the types of land use activities that can occur in this area.

The PPS does, however, give consideration to the severance of a surplus farmhouse, subject to certain criteria including the need to limit the amount of land being severed with the farmhouse and placing a "no dwelling" clause on the zoning of the farm lands.

The PPS also contains policies aimed at protecting natural heritage features such as 'Significant Woodlands'. As stated above, the proposed lot creation should have no impact on the woodland feature located in the southwest corner of the property.

Based on the foregoing, the proposed lot creation and associated Zoning By-law Amendment is deemed to be consistent with the PPS.

**Discussion and Recommendation:**

The proposed lot creation meets the Official Plan and PPS criteria for severing a surplus farmhouse. In this regard, favourable consideration of the severance application can be given.

Please note that this Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.
Respectfully submitted,

Ron Davidson, BES, RPP, MCIP
November 28th, 2018

Mark Turner, Clerk
Municipality of West Grey
402813 Grey Road 4, RR2
Durham, Ontario
N0G 1R0
*Sent via E-mail

RE: Consent Application B12.2018 and Zoning By-law Amendment ZA-18-18
Lot 3, Concession 15
Municipality of West Grey
Applicant/Owner: Francis and Elaine Walter

Dear Mr. Turner,

This correspondence is in response to the above noted applications. We have had an opportunity to review the applications in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the consent application B12.2018 is to sever a non-farm lot and retain an Agricultural Exception lot.

The purpose of the Zoning By-law Amendment ZA-18-18 is to rezone the subject lands described as Lot 3, Concession 15, Geographic Township of Normanby, Municipality of West Grey from the “A1” (Agricultural) Zone to the “A1- 400” (Agricultural Exception) Zone for the severed parcel, and from the “A1” (Agricultural) Zone and “A3” (Restricted Rural) Zone to the “A1-401” (Agricultural Exception) Zone for the retained parcel. The Amendment would the effect of recognizing the deficient lot frontage and area of the severed parcel, and prohibit the construction of a dwelling on the retained parcel.

Schedule A of the County OP designates the subject property as ‘Agriculture’. Section 2.1.4 of the OP states

1) A consent for one lot may be permitted provided the original farm parcel is a minimum of 40 hectares and no lot creation has been provided for in the past.

(b) Where a residence is deemed a surplus to a farm operation as a result of farm consolidation provided that:

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(i) The owner of the lands to be severed is a 'bona fide farmer'. For the purpose of this policy, the 'bona fide farmer' must have a Farm Business Registration number. 'A bona fide farmer' shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms;

(ii) The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large), a well and sewage disposal system, while ensuring that as little land as possible is removed from the agriculture lands;

(iii) The remnant parcel shall be rezoned to prohibit the future erection of a residential dwelling or any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance;

(iv) The severance of a residence surplus to a farming operation must comply with Provincial MDS Formulae. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining Provincial MDS Formulae compliance;

(v) Given that no new residence can be erected as a result of the residence surplus to a farm operation being severed from the land holding, the requirements identified in Section 2.8 or Section 5.4.2(2) do not apply; and

(vi) The existing residence is habitable at the time of the application.

The severed lands contains is limited to the surplus farm dwelling and the remnant parcel will be rezoned to prohibit future residential development. It shall be ensured that MDS can be complied with. County planning staff have no further concerns.

Section 2.1.3(6) of the OP states,

New non-farm development within 500 metres of a Primary Settlement Area boundary or within 300 metres of a Secondary Settlement Area boundary shall be limited to existing lots, where minor infilling and rounding out of existing development may be considered. Prior to development the applicant must demonstrate that the development is compatible with adjacent uses and would not create or contribute to hard servicing problems or would not prejudice future development. Non-farm lot creation within 500 metres of a Primary Settlement Area boundary or within 300 metres of a Secondary Settlement Area boundary shall not be considered.
The new non-farm lot will be further than 500 metres away from the Primary Settlement Area.

Appendix B indicates that the subject property is adjacent to ‘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 (EIS), as per section 2.8.7 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

It does not appear there are any proposed changes to the woodlands at this time; therefore County planning staff have no concerns.

County Transportation Services has reviewed the above noted file and has no concerns or objections with this proposal. A 50 foot or 15.24 metre Daylight at the corner of Concession 16 will be required to be conveyed to the county for future improvements. Please see the attached Engineering Field Report for further information.

Provided that MDS can be met and all County Transportation Services requirements are met, County Planning staff have no further concerns.

The County requests notice of any decision rendered with respect to these applications.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1241
hiba.hussain@grey.ca
www.grey.ca
SRM Number: 

Severance Application ☑
Zoning Amendment ☑
Rezoning Application ☐
Minor Variance ☐
Red Line Revisions ☐

Application File Number: B12/2013 ZA-13-18

Applicant: Same As Below

Owner: Francis L Elaine WaIton

Location

Municipality: West Grey Former Township: Normalcy

Grey Road Number: 10 Section Number: B16

Part: — Lot: 3 Concession: 15 Plan: —

Site Report

Speed Limit: 80 km/h Terrain: Rolling

Road Alignment: Tangent Urban: — Rural: ☑

% Grade of Road W - E — S - N Various

Existing Road Allowance (ROW) 100’ or 30.48

Widening Required:

Retained Parcel: Yes ☑ No ☐ Width ____________

Severed Parcel: Yes ☑ No ☐ Width ____________

Corner Lot Day Lighting: Yes ☑ No ☐ Length 50’ or 15.24m

Existing Entrance: Commercial ☐ Residential ☐ Farm ☑ Field/Bush ☑

Proposed Entrance Marked: Yes ☑ No ☐ Permit Required ☑

Visibility: Good

Lot Drainage: Good

Please be informed that in providing our comments on the Application for Severance referred to above, we have assumed that the Applicant is not proposing to change any natural watercourse or to direct any surface water on to the adjoining lands owned by the Corporation of the County of Grey. If that is not the case, we request that in the event the Committee grants consent to severance, it be granted subject to a condition that the Applicant provide a drainage plan that is satisfactory to the Corporation of the County of Grey.

Grey County: Colour It Your Way
Originals Required To Be Submitted To Grey County:

Widening Deed: Yes ☐ No ☐
Registered Plan: Yes ☐ No ☐

Comments

No Concerns or Objections

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Approval Recommended: Yes ☐ No ☐
Reviewed By: Jim Stedman Date: Nov 13, 2018
Saugeen Valley Conservation Authority (SVCA) staff has reviewed these applications in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Municipality of West Grey relating to plan review. The purpose of the Application for Consent is to sever a non-farm lot and retain an Agricultural Exception lot. The purpose of the Zoning By-law Amendment is to rezone the subject lands from the “A1” (Agricultural) zone to the “A1-400” (Agricultural Exception) zone for the severed parcel, and from the “A1” zone and “A3” (Restricted Rural) zone to the “A1-401” (Agricultural Exception) zone for the retained parcel. The Amendment would have the effect of recognizing the deficient lot frontage and area of the severed parcel, and prohibit the construction of a dwelling on the retained parcel. These applications are acceptable to SVCA staff, and the following comments are offered.

Natural Hazards

In the opinion of SVCA staff, the property is not affected by any natural hazards.

Natural Heritage

In the opinion of SVCA staff, the Natural Heritage features affecting the subject property are Significant Woodlands and potentially the Habitat of Endangered Species and Threatened Species.
**Significant Woodlands**

The woodlands located in the southeast portion of the property and adjacent lands are shown as Significant Woodlands in the Grey County Official Plan (OP) Constraint Mapping. The Grey County OP states that no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions. In the opinion of SVCA staff, the impacts to the Significant Woodlands as a result of this proposal will be negligible, and we are not recommending the completion of an EIS to address potential Significant Woodlands as part of this proposal.

**Habitat of Endangered Species and Threatened Species**

It has come to the attention of SVCA staff that the habitat of endangered and threatened 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 and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened 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. MNRF inquiries in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: jody.scheifley@ontario.ca.

**SVCA Regulation**

The property is not subject to the SVCA’s Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended).

**Conclusion**

All of the plan review functions listed in the Agreement have been assessed with respect to these applications. The Application for Consent and proposed Zoning By-law Amendment are acceptable to SVCA staff.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Emily Payton
Environmental Planning Technician
Saugeen Conservation

EP/
cc: John Bell, Authority Member, SVCA (via email)
    Kevin Eccles, Authority Member, SVCA (via email)
Mark Turner

From: Chris Hachey <hsmasstlrcc@bmts.com>
Sent: Thursday, November 08, 2018 12:47 PM
To: mturner@westgrey.com
Subject: Request for Comments - West Grey (Francis & Elaine Walter) - Proposed Zoning By-law Amendment

Your File: ZA-18-18
Our File: West Grey Municipality

Mr. Turner,

The Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, NOH 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrcc@bmts.com

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Notice of Complete Application
and
Notice of Public Meeting
Concerning a Proposed Zoning By-law Amendment

Take notice that the Municipality of West Grey is in receipt of a complete application to amend the Municipality of West Grey Comprehensive Zoning By-law.

And take further notice that the Council of the Corporation of the Municipality of West Grey will hold a Public Meeting on Monday, December 10, 2018 @1:45 p.m., in the Municipal Council Chambers at 402813 Grey Rd. #4 to consider the proposed Zoning By-law Amendment under Section 34 of the Planning Act, R.S.O. 1990, as amended.

The purpose of the Zoning By-law Amendment is to rezone the subject lands described as Plan 80, Part Lots 8 & 9, Queen St. (6 Queen Street East, Elmwood), Geographic Township of Bentinck, Municipality of West Grey from the "R1A" (Unserviced Residential) Zone to the "C2" (Highway Commercial) Zone. The Amendment would have the effect of permitting the expansion of the existing C2 (Highway Commercial) Zone use (Beckenauer Garage) on the abutting property to the immediate west owned by the applicant.

The lands are designated as a “Secondary Settlement Area” on Schedule A to the County of Grey Official Plan.

Any person may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the bylaw is passed, the person or public body is not entitled to appeal the decision of the Municipality of West Grey Council to the Local Planning Appeal Tribunal. If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of West Grey before the bylaw is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. A complete application has been received by the Municipality.

Additional information relating to the proposed Zoning By-law Amendment may be obtained by contacting the undersigned during regular business hours. A Key Map is provided to show the location of the lands to which this By-law pertains. A complete application has been received by the municipality.

Dated at the Municipality of West Grey
This 5th day of November, 2018.

Mark Turner, Hons. B.A., AMCT, Clerk
Municipality of West Grey, 402813 Grey Rd. 4, RR 2, Durham, Ontario, N0G 1R0
Ph: (519) 369-2200; Fax: (519) 369-5962; email: mturner@westgrey.com
Key Map (not to scale)

Plan 80, Part Lots 8 & 9, Queen St.,
(6 Queen Street East, Elmwood),
Geographic Township of Bentinck
Municipality of West Grey
Planning Report
for the Municipality of West Grey
Committee of the Whole (Planning)

Date: December 10, 2018

File No: ZA-17-18

Owner: Scott Beckenhauer

Legal Description: Part Lots 8 and 9, Plan 80, Geographic Township of Bentinck, Municipality of West Grey

Address: 6 Queen Street East, Elmwood

Purpose of Application:

The purpose of this rezoning application is to change the zoning of a property in Elmwood from 'R1A' (Unserviced Residential) to 'C2' (Highway Commercial). The amendment would allow for the expansion of the existing automobile repair establishment that is currently located on property to the immediate west.

Subject Lands:

The subject property is located along the south side of Queen Street in Elmwood, one lot east of Main Street. The site comprises 1021 square metres of land and is currently occupied by a detached dwelling. This house is to be removed. It is staff's understanding that the property will be used for parking. A few vehicles and a trailer from a transport truck are situated in the rear yard at the present time.

Adjacent Lands:

This area of Elmwood is generally represented by a mixture of residential and commercial uses. Adjacent land uses include detached dwellings and an empty store to the north, the applicant's automobile repair establishment to the west, a multiple residential building to the south and a detached dwelling to the east.
Official Plan Conformity:

The subject lands are designated ‘Secondary Settlement Area’ on Schedule A to the County of Grey Official Plan. The Official Plan recognizes the ‘Secondary Settlement Areas’ as urban communities in which limited residential growth should be accommodated as well as new community facilities and employment uses.

The policies in Section 2.6.4 Secondary Settlement Areas include the following:

6. **New commercial or dry industrial uses in Secondary Settlement Areas shall only be permitted if it can be shown that the proposed uses can be accommodated by individual on-site private services with no adverse environmental effects.** For Secondary Settlement Areas that are partially serviced by a municipal water system, it must be demonstrated that the system has capacity to accommodate the development and the site is capable of accommodating an on-site private sewage system.

7. **Adequate buffering shall be maintained between commercial and industrial uses and any residential, open space, recreational or institutional use within the Secondary Settlement Areas designation.**

With regard to the servicing policy above, the rezoning of this site to allow for extra parking of vehicles or storage in conjunction with the garage located on the adjacent property should not affect the garage’s existing septic system.

The buffering policy above, however, needs to be followed closely given the residential uses on the properties to the south, east and on the north side of Queen Street. Appropriate fencing and landscaping, among other things, should be required and identified on a Site Plan, which should be registered on title.

Provided appropriate measures can be taken to make the garage expansion compatible with the adjacent residential uses, the proposed rezoning of this site could be deemed to be in conformity with the County Official Plan.

Provincial Policy Statement Conformity:

The Provincial Policy Statement (PPS) directs urban type development to the designated settlement areas of the County and Municipality. The PPS also encourages new economic and employment opportunities. The proposed Zoning By-law Amendment would be consistent with the PPS.
Conclusion and Recommendation:

The proposal to rezone the subject lands to ‘C2’ in order to facilitate the expansion of the Beckenhauer garage can conform to the Official Plan provided the applicant can demonstrate through a Site Plan Agreement that the garage’s expansion is compatible with the surrounding lands uses. The Site Plan should also deal with the applicant’s existing operation to the west.

The proposed rezoning is consistent with the Provincial Policy Statement.

Based on the foregoing, the proposed Zoning By-law Amendment can be given favourable consideration. Council, however, should not approve the By-law until a proper Site Plan has been prepared and the Site Plan Agreement has been registered on title.

This Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.

Respectfully submitted,

Ron Davidson, BES, RPP, MCIP
November 28th, 2018

Mark Turner, Clerk
Municipality of West Grey
402813 Grey Road 4, RR2
Durham, Ontario
N0G 1R0
*Sent via E-mail

RE: Zoning By-law Amendment ZA-17-18
Plan 80, Part Lots 8 and 9 (6 Queen Street East)
Municipality of West Grey
Applicant/Owner: Scott Beckenhauer

Dear Mr. Turner,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the subject application is to rezone the subject lands described as Plan 80, Part Lots 8 and 9, Queen Street (6 Queen Street East, Elmwood), Geographic Township of Bentinck, Municipality of West Grey from the ‘R1A’ (Unserviced Residential) Zone to the ‘C2’ (Highway Commercial) Zone. The Amendment would have the effect of permitting the expansion of existing C2 (Highway Commercial) Zone use (Beckenhauer Garage) on the abutting property to the immediate west owned by the applicant.

Schedule A of the OP designates a portion of the subject property as ‘Secondary Settlement Area’. Section 2.6.4 of the County OP states,

6) New Commercial or dry industrial uses in Secondary Settlement Areas shall only be permitted if it can be shown that the proposed uses can be accommodated by individual on-site private services with no adverse environmental effects. For Secondary Settlement Areas that are partially services by a municipal water system, it must be demonstrated that the system has capacity to accommodate the development and the site is capable of accommodating an on-site private sewage system.

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7) Adequate buffering shall be maintained between commercial and industrial uses and any residential, open space, recreational or institutional use within the Secondary Settlement Areas Designation.

The subject application meets the above noted policies.

Section 5.3 of the OP, along with section 1.6.6 of the PPS speak to ensuring new development can be adequately serviced with water and sewer, or on-site private services.

County Transportation Services has reviewed the subject file and have no concerns with this application.

Provided that adequate servicing can be provided to the expanding commercial zone, County planning staff have no further concerns.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1241
hiba.hussain@grey.ca
www.grey.ca
December 4, 2018

Municipality of West Grey
402813 Grey Road 4, RR#2
Durham, ON,
N0G 1R0

ATTENTION: Mark Turner, Clerk

Dear Mr. Turner,

RE: Proposed Zoning By-law Amendment ZA-17-18
6 Queen Street East
Part Lots 8 and 9, Plan 80
Roll No. 420528000805300
Geographic Township of Bentinck
Municipality of West Grey

(Suckenauer)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed this proposed Zoning By-law Amendment in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Municipality of West Grey relating to plan review. The purpose of this proposed Zoning By-law Amendment is to rezone the subject lands from “RLA” (Unserviced Residential) zone to the “C2” (Highway Commercial) zone. The Amendment would have the effect of permitting the expansion of the existing C2 zone use (Beckenauer Garage) on the abutting property to the immediate west owned by the applicant. This proposed Zoning By-law Amendment is acceptable to SVCA staff, and the following comments are offered.

**Natural Hazards**

In the opinion of SVCA staff, the property is not affected by any natural hazards.

**Natural Heritage**

In the opinion of SVCA staff, the Natural Heritage feature affecting the subject property is potentially the Habitat of Endangered Species and Threatened Species.

**Habitat of Endangered Species and Threatened Species**

It has come to the attention of SVCA staff that the habitat of endangered and threatened 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 and...
threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened 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. MNRF inquires in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: jody.scheifley@ontario.ca.

SVCA Regulation

The property is not subject to the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). Permission from the SVCA is not required for the proposed demolition of the existing dwelling and the proposed new parking area.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. The proposed Zoning By-law Amendment is acceptable to SVCA staff.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Emily Payton
Environmental Planning Technician
Saugeen Conservation

cc: John Bell, Authority Member, SVCA (via email)
    Kevin Eccles, Authority Member, SVCA (via email)
Mark Turner

From: Chris Hachey <hsmasstlrcc@bmts.com>
Sent: Monday, November 05, 2018 3:36 PM
To: mturner@westgrey.com
Subject: Request for Comments - West Grey (Scott Beckenhauer) - Proposed Zoning By-law Amendment

Your File: ZA-17-18
Our File: West Grey Municipality

Mr. Turner,

The Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
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Email: hsmasstlrcc@bmts.com

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The Corporation of the Municipality of West Grey
By-law Number xx - 2018

Being, a By-law to amend Zoning By-law No. 37-2006, for the Municipality of West Grey;

Whereas, the Council of the Corporation of the Municipality of West Grey deems it in the public interest to pass a By-law to amend By-law No. 37-2006;

And whereas, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities;

Now Therefore the Council of the Corporation of the Municipality of West Grey enacts as follows:

1. Schedule "25" to By-law No. 37-2006, is hereby amended by changing the zone symbol of Part Lots 5, 6 and 7, Concession 3 SDR, Geographic Township of Normanby, Municipality of West Grey from the "A1" (Agricultural) zone and "NE" (Natural Environment) zone to the "A1-398" (Agricultural Exception) zone, "A1-399" (Agricultural Exception) zone and "NE" (Natural Environment) zone as shown as shown on Schedule "25E" attached to and forming part of this by-law.

2. Section 35 to By-law No. 37-2006 is hereby further amended by adding the following subsections:

A1-398 (see Schedule "25E")

Notwithstanding Section 8.2 of By-law No. 37-2006, as amended, those lands zoned as A1-398 shall be used in accordance with the A1 zone provisions exception however that:

(a) the minimum lot area shall be 1.2 hectares; and,

(b) the minimum lot frontage shall be 118 metres.

A1-399 (see Schedule "25E")

Notwithstanding Section 8.1 of By-law No. 37-2006, as amended, those lands zoned as A1-399 shall be used in accordance with the A1 zone provisions exception however that no detached dwelling shall be permitted.

3. Schedule "25E" and all other notations thereon are hereby declared to form part of this By-law.

4. That this By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended and subject to Amendment No. 144 to the County of Grey Official Plan coming into effect.

Read a first and second time this ___th day of ____________, 2019.

Read a third time and finally passed this ___th day of ____________, 2019.

Christine Robinson, Mayor

Mark Turner, Clerk
**ZONING SCHEDULE 25E**

By-Law Number:________

Date Passed:________

Mayor:________

Clerk:________

**ZONES**

- A1 Agricultural
- A2 Rural
- A3 Restricted Rural
- R1A Unserviced Residential
- R1B Residential
- R2 Residential
- R3 Residential
- ER Estate Residential
- MH Mobile Home Park
- C1 General Commercial
- C2 Highway Commercial
- C3 Neighbourhood Commercial
- C4 Space Extensive Commercial
- C5 Hamlet Commercial
- C6 Rural Commercial
- MU1 Mixed Use
- M1 Industrial
- M2 Restricted Industrial
- M3 Rural Industrial
- M4 Extractive Industrial
- I Institutional
- OS Open Space
- FD Future Development
- NE1 Natural Environment
- NE2 Natural Environment 2
- FL Flood Way
- FLF Flood Fringe Overlay
- T Regional Storm Floodline
- T-1 Zone Exception

*NOTE: Virtually all of the property is subject to the Saugeen Valley Conservation Authority’s Development, Interference With Wetlands and Alterations to Shoreline and Watercourses Regulation (Ontario Regulation 169/06). Written Permission from the SVCA is required prior to any “development” or “alteration” within the Regulation Area, as defined in the Conservation Authority Act and in the Regulation, if development or alteration including construction, conversion, grading, filling or excavation is proposed on this property, the SVCA should be contacted as permission may be required.*

SEE SCHEDULE 24

SEE SCHEDULE 33
Planning Report
for the Municipality of West Grey
Planning Advisory Committee

Date: December 10, 2018
File No: ZA-16-18
Owner: Wally David Schaus
Applicant: Ben Rier
Agent: Cuesta Planning Consultants Inc.
Legal Description: Part Lots 3, 4 and 5, Concession 3 SDR, Geographic Township of Bentinck, Municipality of West Grey

Purpose of Application:

The purpose of the rezoning application is to reduce the 'minimum lot area' and 'minimum lot frontage' requirements of the 'A1' zone to 1.2 hectares and 118 metres respectively as required to facilitate the severance of a lot containing a farmhouse that is surplus to a bona fide farmer. The Amendment also places a restriction on the retained farm parcel prohibiting a detached dwelling on this parcel.

The lot creation proposal also involves an amendment to the County of Grey Official Plan. In this regard, this meeting is a joint Public Meeting to discuss both the Zoning By-law Amendment and the Official Plan Amendment. The County Planner will be dealing with the Official Plan Amendment.

Also note that the severance application is being considered by the Committee of Adjustment on December 10, 2018.

Subject Lands:

The subject property is located along the south side of Knapp Road, approximately 380 south of the southerly limits of the Town of Hanover. The site comprises 46.8 hectares of land, of which approximately 31 hectares appear to be cash-cropped. Situated on the property are a detached dwelling, five
storage buildings and a barn. Two pockets of forested lands consume the remainder of the site.

The proposed severance would involve an irregular-shaped parcel containing the buildings and a minimal amount of farmland.

**Adjacent Lands:**

The lands in the general vicinity of the subject property are represented primarily by agricultural uses. Some non-farm residential lots also exist in the general area. The business park in Hanover is located about 380 metres north of the subject lands.

**Official Plan Conformity:**

The subject lands are designated almost exclusively 'Agricultural' on Schedule A to the County of Grey Official Plan, with a very small area along the westerly boundary being designated 'Hazard Lands'.

Lot creation within the 'Agricultural' land use designation is generally prohibited according to the policies of the Official Plan except: (1) where a large farm is being split into smaller farms and both the severed and retained parcels are at least 40 hectares in size; or (2) where a farmhouse is deemed surplus to a farming operation as a result of the bona farmer acquiring additional farm properties. With regard to the latter, the proposed lot must be limited in area and only of sufficient size accommodate the dwelling, accessory buildings, septic system and well; and, the remnant farm parcel shall be rezoned to prohibit the erection of a dwelling.

The owner, Wally Schaus, is a bona fide farmer (owns several farm properties in Bruce and Grey Counties) and the proposed severance does appear to comply with the aforementioned policies. The proposed Zoning By-law Amendment not only reduces the lot area and frontage requirements for the severed parcel, but it also places a "no dwelling" clause on the farm lands being retained by Mr. Schaus as required in the above-noted Official Plan policies.

This notwithstanding, the general lot creation criteria of the Official Plan do not permit development, including the creation of non-farm lots, within 500 metres of a 'Primary Settlement Area'. The intent of this policy is to ensure that development outside of an urban boundary does not interfere with the proper expansion of the settlement area in the future, should it occur. As stated above, the subject property is only approximately 380 metres from Hanover, which is a 'Primary Settlement Area' in the County Official Plan, and therefore the proposed lot creation does not conform to this policy. In this regard, the applicant has also
filed an application with the County of Grey to amend the Official Plan. Should the amendment be approved, then consideration can be given to approving this Zoning By-law Amendment request.

Schedule B of the Official Plan identifies the forested area in the southwest corner of the property as being part of a larger 'Significant Woodland'. The policies of the Official Plan prohibit development or site alteration in a 'Significant Woodland' or within the 50 metre adjacent lands unless it has been demonstrated that such development or site alteration would not negatively impact this natural heritage feature or its function. Given the location of this forested area and the fact that no development is proposed on any of property, there will be no impact on the woodland feature.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) protects prime agricultural land by limiting lot creation and the types of land use activities that can occur in this area.

The PPS does, however, gives consideration to the severance of a surplus farmhouse, subject to certain criteria including the need to limit the amount of land being severed with the farmhouse and placing a "no dwelling" clause in the zoning of the farm lands.

The PPS does not include a statement that specifically limits lot creation or development within a certain distance of a settlement area.

The PPS also contains policies aimed at protecting natural heritage features such as 'Significant Woodlands'. As stated above, the proposed lot creation should have no impact on the woodland feature located in the southwest corner of the property.

Based on the foregoing, the proposed lot creation and associated Zoning By-law Amendment is deemed to be consistent with the PPS.

**Discussion and Recommendation:**

Whereas the proposed lot creation meets the criteria for severing a surplus farmhouse, it does not conform to the Official Plan policy dealing with development within 500 metres of a 'Primary Settlement Area'. In this regard, an application to amend this particular policy has been filed with the County of Grey. Should the proposed Official Plan Amendment be approved, then the severance and associated Zoning By-law Amendment can be given favourable consideration by the Municipality of West Grey. For now, the applications should be deferred.
Please note that this Report was prepared before all of the agency comments had been received and prior to the Public Meeting. It is possible that comments received after the writing of this Planning Report could warrant a reconsideration of the aforementioned recommendation.

Respectfully submitted,

Ron Davidson, BES, RPP, MCIP
NOTICE OF COMPLETE APPLICATIONS AND PUBLIC MEETING

What: The County and Municipality are seeking input on development applications within 120 metres of your property. The applications to the County and Municipality would consider exceptions to the agriculture development criteria policies, to allow for a surplus farm dwelling severance within 500 metres of the Primary Settlement Area boundary of the Town of Hanover.

Site: Lot 5, Lot 6 & 7, SDR, Concession 3, Municipality of West Grey (Township of Normanby)

Public Meeting: December 10th at 2:00 p.m., Council Chambers, 402813 Grey Road 4, RR2, Durham, Ontario

What if I can’t attend the future Public Meeting? You can learn more about the proposed development by contacting the County or Municipal offices, or by reading the materials on their websites at the below links. You may choose to submit comments via letter or email after taking the time to learn about the proposed development. See contact information below:

www.grey.ca/planning-development/planning-applications

County of Grey Contact Information:
Stephanie Lacey-Avon (Planner)
County of Grey Planning Department
595 9th Avenue East
Owen Sound, Ontario, N4K 3E3
Phone: 519-372-0219 ext. 1296
Email: Stephanie.Lacey-Avon@grey.ca

Municipality of West Grey Contact Information:
Mark Turner (Clerk)
Municipality of West Grey
402813 Grey Road 4, RR2
Durham, Ontario, N0G 1R0
Phone: 519-369-2200 ext. 229
Email: mturner@westgrey.ca

(Official Plan Amendment #42-05-280-OPA-144 & Zoning By-law Amendment)
What can I expect at the Public Meeting?
The public meeting is an opportunity for members of the public to learn more about the proposed development. Attendees have the opportunity to hear a brief presentation about the development, ask questions, and/or make statements either in favour of, or in opposition to the development. The public meeting will take place at a Council meeting and the moderator will keep the meeting in order and allow the applicant (or their development team), the public, and Council to speak and ask questions. No decisions are made at this meeting, it is an opportunity to learn and provide feedback.

What is being proposed through the applications?
The lands are designated as 'Agriculture' and 'Hazard Lands' in the County Official Plan, which also reflect the land use designation at the municipal level because the Municipality of West Grey Official Plan defers to the County Official Plan for lands outside of Durham and Neustadt settlement areas. The proposed County Official Plan Amendment would consider exceptions to the policy restricting new non-farm development to existing lots within 500 metres of a Primary Settlement Area boundary. The subject property is approximately 46.8 hectares, and located within 500 metres of the Primary Settlement Area boundary of the Town of Hanover. A surplus farm dwelling severance is proposed, where the severed parcel created would +/- 1.2 ha (+/- 2.8 ac) and the retained parcel would be +/- 45.67 ha (+/- 112.8 ac).

The lands are zoned 'A1' (Agricultural) and 'NE' (Natural Environment) in the West Grey Zoning By-law. The 'A1' zone requires a 'minimum lot area' of 40 hectares (100 acres) and a 'minimum lot frontage' of 122 metres (400 feet). The proposed Zoning By-law Amendment would reduce the 'minimum lot area' and 'minimum lot frontage' requirements of the 'A1' zone to 1.2 hectares (2.8 acres) and 118 metres (387 feet) respectively as required to facilitate the severance. The Zoning By-law Amendment would also place a restriction on the retained farm parcel prohibiting a detached dwelling on this parcel.

Why is this Public Meeting being held and what are your rights?
Within Ontario, the planning and development process is open and transparent, where opinions from all individuals and groups are welcomed. By law a municipality must hold a public meeting. This meeting is one of your chances to learn about the development proposal and offer your opinions. Under the legislation governing this development process, which is section 22 of the Planning Act, you have the following rights:

1. Any persons may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan Amendment or Zoning By-law Amendment.
2. If a person or public body would otherwise have an ability to appeal the decision of the Municipality of West Grey and/or the County of Grey to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning By-law Amendment is approved or to the County of Grey before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision.
3. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of West Grey before the Zoning By-law Amendment is approved, or to the County of Grey before the proposed Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
4. If you wish to be notified of the decision of the Municipality of West Grey regarding the approval of the Zoning By-law Amendment, or the County of Grey in respect to the passing of the Official Plan Amendment, you must make a written request to the Municipality or the County, at the addresses noted on the previous page. Please note the Zoning By-law Amendment file pertaining to the

(Official Plan Amendment #42-05-280-OPA-144 & Zoning By-law Amendment)
Schaus file when directing correspondence to the Municipality, and County Official Plan Amendment file number 42-05-280-OPA-144 in your correspondence to the County.

If you have any questions please do not hesitate to contact County or Municipal staff, who would be happy to answer any questions on these applications, or the planning process.

Dated this 2nd day of November, 2018, in Owen Sound.
Grey County

Proposed County Official Plan

Amendment 42-05-280-OPA-144

Lots 5, 6, 7, Concession SDR (301138 Knappville Road)
(geographic Township of Bentinck)

Municipality of West Grey
Proposed Official Plan Amendment 144

- The subject property is designated ‘Agricultural’ and ‘Hazard Lands’.
- Proposed surplus farm dwelling severance within 500 metres of the Primary Settlement Area boundary of the Town of Hanover.
- The County Agricultural development policies do not permit this type of lot severance as it may create conflict should the primary settlement area expand, but consideration for this type of application is identified at the Provincial level.
- An amendment is needed to the County Official Plan development policy 2.1.3(6), and a zoning by-law amendment and consent application to the Municipality of West Grey.
The subject lands are approximately 46.8 ha (115.7 acres) in size.

The proposed severed parcel will be approximately 1.2 ha (2.9 acres) in size.

There are no natural ecological or natural heritage features situated within 120 metres of the proposed severed parcel.

*No detailed analysis or recommendation has been created yet.

County planning staff will provide a recommendation following the public process and agency circulation.
November 23, 2018

County of Grey Planning Department
595 9th Avenue
Owen Sound, ON
N4K 3E3

ATTENTION: Stephanie Lacey-Avon, Planner

AND TO

Municipality of West Grey
402813 Grey Road 4, RR#2
Durham, ON
NOG 1R0

ATTENTION: Mark Turner, Clerk

Dear Ms. Lacey-Avon and Mr. Turner,

RE: Proposed County Official Plan Amendment 42-05-280-OPA-144; and
Proposed Zoning By-law Amendment ZA-15-18
301138 Knappville Road
Lots 5, 6 and 7, Concession 3 SDR
Roll No. 420528000501600 and 420528000501700
Geographic Township of Bentinck
Municipality of West Grey

(Schaus and Rier c/o Cuesta Planning Consultants Inc.)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the proposed County of Grey Official Plan (OP) Amendment and proposed Zoning by-law Amendment in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Municipality of West Grey relating to plan review. The proposed County OP Amendment would consider exceptions to the agriculture development criteria policies, to allow for a surplus farm dwelling severance within 500 metres of the Primary Settlement Area boundary of the Town of Hanover. The proposed Zoning by-law Amendment would reduce the ‘minimum lot area’ and ‘minimum lot frontage’ requirements of the Agricultural (A1) zone to 1.2 hectares (2.8 acres) and 118 metres respectively as required to facilitate the severance. The proposed Zoning by-law Amendment would also place a restriction on the retained farm parcel prohibiting a detached dwelling on this parcel. The proposed County OP Amendment and the proposed Zoning by-law Amendment are acceptable to SVCA staff, and the following comments are offered.

Watershed Member Municipalities
Municipality of Arran-Elderslie, Municipality of Brockton, Township of Chatsworth, Municipality of Grey Highlands, Town of Hanover, Township of Howick, Municipality of Morris-Turnberry, Municipality of South Bruce, Township of Huron-Kinloss, Municipality of Kincardine, Town of Minto, Township of Wellington North, Town of Saugeen Shores, Township of Southgate, Municipality of West Grey
Natural Hazards

Portions of the proposed retained parcel of the subject property are designated as Hazard Lands in the County OP, and zoned Natural Environment (NE) in the Municipality of West Grey Zoning By-law No. 37-2006, as amended. In the opinion of SVCA staff, the proposed parcel to be severed is not affected by any natural hazards.

Natural Heritage

In the opinion of SVCA staff, the Significant Natural Heritage features affecting the subject property are Significant Woodlands, potentially Fish Habitat, and potentially the Habitat of Endangered Species and Threatened Species.

Significant Woodlands

Woodlands on the proposed retained portion of the subject property and on lands adjacent to the proposed retained portion of the property are shown as Significant Woodlands in Appendix B of the County OP Constraint Mapping. The County OP states that no development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an Environmental Impact Study (EIS) that there will be no negative impacts on the natural features or their ecological functions. In the opinion of SVCA staff, the impacts to the Significant Woodlands as a result of this proposal will be negligible, and we are not recommending the completion of an EIS to address potential Significant Woodlands as part of this proposal.

Fish Habitat

The floodplain on the property and on lands adjacent to the property may be fish habitat. 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. SVCA staff is of the opinion that the negative impacts to the lands adjacent to fish habitat as a result of this proposal will be negligible, and we are not recommending the preparation of an EIS to address the adjacent lands of fish habitat.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that the habitat of endangered and threatened 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 and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened 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. MNRF inquires in Grey County can be directed to Jody Scheifley, Management Biologist, phone: 519-371-8471, email: jody.scheifley@ontario.ca.
SVCA Regulation

Please be advised that portions of the proposed retained parcel of the property are subject to the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). The proposed severed parcel of the property is not subject to the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or,
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

In order to determine where the SVCA’s areas of interest are located associated with our Regulation on the subject property please refer the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed within the Approximate Regulated Area and/or the Approximate Screening Area on the proposed retained portion of the property, the SVCA should be contacted as permission may be required.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. The proposed County OP Amendment and proposed Zoning By-law Amendment are acceptable to SVCA staff.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.
Sincerely,

Emily Payton
Environmental Planning Technician
Saugeen Conservation

EP/

cc: John Bell, Authority Member, SVCA (via email)
    Kevin Eccles, Authority Member, SVCA (via email)
Your File: 42-05-280-OPA-144
Our File: West Grey Municipality

Mr. Turner & Ms. Lacey-Avon,

The Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Grey County Official Plan Amendment 42-05-280-OPA-144, located in West Grey.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrcc@bmts.com

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The Corporation of the Municipality of West Grey

By-law Number 8 - 2018

Being, a By-law to amend By-law Number 73-2016, being a By-law to license trailers located in the Municipality of West Grey, except those located in an established trailer park;

Whereas, Section 164 (1) of the Municipal Act, S.O. 2001, Chapter 25, Section 9, as amended, provides that a local municipality may prohibit or licence trailers located in the municipality;

Now therefore the Council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That Part 4 Exemptions, clause 4, is hereby amended as follows:

   "4. A single Trailer shall not require a license on A1, A2 or A3 Zones of 2 acres or more where an established single detached dwelling exists on the property."

2. That this By-law shall take full force and effect upon the date of passing thereof.

Read a first and second time this 15th day of January, 2018.

Read a third time and finally passed this 15th day of January, 2018.

(Signed) ____________________________________ (Signed) ____________________________________
Kevin Eccles, Mayor                           Mark Turner, Clerk
The Corporation of the Municipality of West Grey

By-law Number 73 - 2016

Being a By-law to license trailers located in the Municipality of West Grey, except those located in an established trailer park in the Municipality of West Grey;

Whereas Section 164 (1) of the Municipal Act 2001, S.O. 2001, c.25, as amended, provides that a local municipality may prohibit or licence trailers located in the municipality;

And whereas the Municipality of West Grey desires to license trailers lawfully located within the boundaries of the Municipality of West Grey, other than those in an established Trailer Park, located in the Municipality of West Grey;

Now therefore, the Council of the Corporation of the Municipality of West Grey hereby enacts as follows:

Part 1 Administration

1.1 Short Title

This By-law may be cited as “The Trailer License By-law”

Part 2 Definitions

For the purposes of this By-law, the following definitions shall apply:

“Trailer” means any vehicle constructed to be attached and propelled by a motor vehicle and that is capable of being used by persons for living, sleeping or eating, even if the vehicle is jacked-up or its running gear is removed.

“Stored Trailer” means any trailer located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping, or eating accommodations of persons while located on the property.

“Trailer Park” means a trailer park or camp and/or an establishment comprising land as designated for such use as defined in the Municipality of West Grey Consolidated Zoning By-Law.

Part 3 Scope

1. The owner of land on which a Trailer situated within the Municipality of West Grey shall be responsible for obtaining a license from the Municipality unless an exemption under this By-law is applicable. No license shall be issued unless the prescribed fee has been paid.

Part 4 Exemptions

1. A Stored Trailer shall not require a license.

2. Trailers situated within a Trailer Park shall not require a license.
3. Where a building permit for a single family dwelling unit has been issued by the Municipal Chief Building Official, and where the Zoning By-law permits such, the permit holder may enter into an agreement for the placement of a Trailer on the property where the unit is being constructed or reconstructed solely for the period of the construction and only if any applicable fees are paid and the Trailer is promptly removed prior to the expiration of the said building permit.

4. A single Trailer shall not require a license on A1, A2 or A3 Zones of 5 acres or more where an established single family residence exists on the property.

Part 5 License Fee

1. The annual license fee for each Trailer shall be $1,000.00. The license fee shall be applicable for a period of not more than 364 days (the 'term').

2. The license fee is payable in advance for the term.

3. The license fee is imposed upon the owner of the property on which the Trailer is located. If the owner fails to make payment of the license fee in any year the fee shall be deemed overdue and such license fees shall be collected in like manner as municipal taxes.

Part 6 Penalty

1. Any person who contravenes any of the provisions of this by-law, is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offenses Act.

2. Upon registering a conviction for a contravention of any provision of this by-law, the Ontario Court, Provincial Division, may in addition to any penalty imposed by this by-law make an order prohibiting the continuation or repetition of the offence by the person convicted.

Part 7 Validity

1. If any section, clause, or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the by-law as a whole or any part thereof other than the section, clause, or provision so declared to be invalid and it is hereby declared to be the intention that all the remaining sections, clauses, or provisions of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

Part 8 Repeal of Previous By-law

1. By-law Number 33-2012 is hereby repealed.

Part 9 Effective Date

1. This by-law shall come into force and effect on the date of passing thereof.
Read a first and second time this 18th day of August, 2016.

Read a third time and finally passed this 18th day of August, 2016.

Mayor – Kevin Eccles

CAO/Deputy Clerk – Larry C. Adams
the closed landfill site's perimeter. No development shall be permitted on lands zoned with the "h" suffix. The "h" suffix may be removed from a property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner's expense, as recommended in the evaluation. In addition, given that a surface watercourse traverses the subject property, the potential or access to, or use of, surface water should be considered when evaluating proposals for new developments or changes in land use for the property situated downstream of the watercourse, which is located to the southwest of the former landfill site. Where there is no intended use of, or potential access to, surface water associated with the proposed change in land use, no further assessment will be necessary. If there is a potential of use of or access to, surface water, then an additional assessment is necessary. The requirement for such an assessment would depend on the nature of the proposed development or change in land use. In this regard, an "h" (holding) suffix has been applied to the zoning of lands located downstream of the watercourse, to the southwest of the landfill site. The "h" suffix may be removed from the property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner’s expense, as recommended in the evaluation and to the satisfaction of the Municipality.

The evaluation of the closed landfill site on David Winkler Parkway in Neustadt involved test pitting only on the property and concluded that the close site is not impacting on adjacent properties with regard to groundwater contamination, surface water contamination or the generation of landfill gases (particularly methane). An "h" (holding) suffix has been applied to the zoning of lands within 30 metres of easterly and southeasterly perimeter of the closed landfill site. No development shall be permitted on lands zoned with the "h" suffix. The "h" suffix may be removed from a property or portion thereof provided a further evaluation has been conducted for said property in accordance with Section D7.11 of the Official Plan at the property owner's expense, as recommended in the evaluation and to the satisfaction of the Municipality.

6.39 RECREATIONAL TRAILERS

A maximum of one recreational trailer is permitted for seasonal human occupation for temporary use and on lands zoned ‘A1’, ‘A2’ or ‘A3’ where the lot area is 0.7 hectares in size or greater and where the lot fronts onto an open and maintained municipal road and contains an approved entrance and posted civic address signage. The recreational trailer shall also be subject to the "Trailer License By-law". The placement of a recreational trailer shall not constitute a principal use for the purposes of allowing an accessory use, building or structure to be erected on the property.
6.20 NATURAL ENVIRONMENT AND MUNICIPAL DRAIN SETBACKS

6.20.1 NATURAL ENVIRONMENT ZONE SETBACKS

a) No building or structure, including a private sewage treatment system and any associated tile weeping bed, shall be constructed closer than a setback distance approved by the Conservation Authority from the limit of a Natural Environment NE zone.

b) Notwithstanding the required setbacks in subsection (a) above:

i) Accessory buildings/structures to existing residential dwellings, enlargements of existing buildings/structures and reconstruction of existing buildings/structures including improvements to manure storage systems associated with an existing livestock facility but not a hobby barn are permitted, provided that a setback of 3 m (9.8 ft) from the NE zone boundary is maintained.

ii) Where a vacant building lot was existing on the date of passage of this By-law, a building permit may be issued for permitted buildings or structures provided:

- That there is no other suitable location on the lot outside of the determined setback in (a) above, and
- That a setback of at least 3 m (9.8 ft) from the NE zone boundary is maintained.

c) Interpretation of the limits of the NE zone boundaries is governed by regulations contained in Section 2.6 of this By-law. The location of the NE "setback" boundaries shall be adjusted accordingly in the event that the NE "zone" boundary is re-interpreted.

6.20.2 NATURAL ENVIRONMENT ZONE AND LOT AREA CALCULATION

Where any lot is zoned in part in a Natural Environment (NE) zone, no person shall erect any buildings or structures within the area zoned Natural Environment (NE) zone except as otherwise permitted in the Natural Environment (NE) zone. Lands zoned Natural Environment (NE) shall not be used in the calculation of the lot area, but may be used for lot frontage, required yard, and lot coverage as is required for the development occurring on that portion of a lot not zoned Natural Environment (NE).

6.20.3 MUNICIPAL DRAIN SETBACK AND WATERCOURSE SETBACK

No building or structure shall be constructed closer than 30 m (98.4 ft) from the edge of an open municipal drain or 15 m (49.2 ft) from the edge of an enclosed municipal drain. Notwithstanding this section, in the case of a vacant building lot existing on the date of passage of this By-law, no building or structure shall be constructed closer than 15 m (49.2 ft) from the edge of an opened municipal drain. No building or structure shall be constructed closer than 15 metres (49.2 ft) to top
Elmwood Public Library building location to serve as the new Elmwood Public Library branch. As a possible option, the letter also requested the Board or Municipality of Brockton to consider contributing towards the establishment of a "remoteLocker" self-service device for patrons to access books.

I received a response from the Bruce County Public Library Board indicating the Board does not contribute any capital funding toward its own branches, therefore, it is not in a position to contribute capital funding in another municipality. Perhaps, a letter should have been forwarded to the County of Bruce? The Board's letter indicated that they are in the process of creating a bookmobile service to be implemented in 2019, and the Board would consider including Elmwood as a bookmobile stop when the new service commences. This may be a viable option for Council (and the West Grey Public Library Board) to consider. I have not received a response to date from the Municipality of Brockton. (attachment)

**COW#7 Recommendation: Seek Council direction.**

**West Grey/Hanover Police Steering Committee**
Mayor Eccles will provide Committee of the Whole members with an update respecting the West Grey/Hanover Police Steering Committee.

**COW#8 Recommendation: Council information purposes.**

**Financial Securities for Plan of Subdivision Agreements**
I received quite a few responses from municipal colleagues throughout Ontario in answer to my question regarding the issue of financial securities for plan of subdivision agreements.

The majority of the responses indicate their respective municipalities require 100% of the estimated cost of works in the form of an irrevocable letter of credit for the most expensive phase, which is in turn retained for each phase, until the works for the final phase are substantially completed.

If Council is satisfied with this option, I recommend the existing template that West Grey uses for subdivision agreements be provided to the municipal solicitor, and the municipal solicitor in turn be
requested to amend the subdivision agreement template to reflect the proposed required financial securities.

**COW#9 Recommendation: Seek Council direction.**

**West Grey 2020 Action Plan**
Decisions respecting this report should support the following Strategic Priorities and Goals identified in the approved West Grey 2020 Action Plan:

- **Strategic Priorities**
- Ensure the Financial Sustainability of the Municipality.
- Pursue Economic Development in West Grey.
- Enhance Efforts to Inform and Communicate.

Respectfully submitted:
Mark Turner, Clerk
October 30, 2017

Director of Infrastructure and Public Works will contact the MTO regarding the proposed OCIF project and possible repair work that can be completed on the Garafraxa street bridge at the same time to minimize disruption to downtown businesses. Councillor Cutting, with Council input, will prepare a list to provide to Grey County and lower tier member municipalities to submit to the Association of Municipalities of Ontario (AMO) Board detailing their expectations when requesting delegations to various Ministers, such as anticipated responses times, and more timely confirmation of delegation approvals.)

Durham Murals (The West Grey Economic Development Committee has expressed interest in assuming the responsibility for preserving existing murals and possibly proposing new murals, and will discuss this item at their next meeting. Steve Ayerhart, West Grey Utilities Supervisor, indicated by email he is obtaining a few more quotes from individuals for mural repairs.)

Mandatory Drug Testing for New Employees (The Clerk will update Council when new policies and best practices are developed upon the implementation of cannabis legislation.)

Proposed Elmwood Public Library Building (The Committee of the Whole expressed an openness to considering the proposal from the Bruce County Public Library Board to provide a bookmobile in Elmwood, and requested this item be further discussed with West Grey Public Library Board representatives during the November 2, 2017 Special Committee of the Whole (2018 Preliminary Budget) meeting.)

West Grey/Hanover Police Steering Committee (Councillor Cutting reported the steering committee is meeting this Wednesday, and will be reviewing revised financial spreadsheets, as well as discussing the location of a proposed police building. There may be a recommendation presented during the November 6, 2017 Council meeting from West Grey representatives on the steering committee. Mayor Eccles noted an ad was placed in The Post by the Town of Hanover seeking a new police constable due to the resignation of a Hanover constable that has accepted a position with the West Grey Police Service.)

Financial Securities for Plan of Subdivision Agreements (The Committee of the Whole requested the Clerk to forward the subdivision agreement template to solicitor, Erroll Treslan, to incorporate appropriate clauses respecting the requirement for financial securities in the amount of 100% of the estimated cost of works of the most expensive phase of the subdivision, in the form of an Irrevocable Letter of Credit, with these securities to be held by the municipality until completion of the final phase.)

Reports/Minutes from Committees/Committee Chairs/Council Representatives
December 6, 2018

Securities for Subdivisions

Responses received circa October 2017 from a broadcast email sent by the Clerk regarding securities for subdivisions:

Town of Collingwood – Letter of Credit (LOC) or cash only (100%); phasing
Huron County – LOC or cash (100%), phasing
City of Brockville – LOC or cash (100%), phasing
Town of Renfrew – LOC or cash (100%), phasing
City of Brantford – LOC or cash (100%), phasing
Loyalist Township – LOC or cash (100%), phasing
Township of Carling – LOC or cash (100% - normally), phasing
City of Strathroy-Caradoc – LOC, cash, or performance bond (100%), phasing
Township of Severn – LOC or cash (100%), phasing
Town of South Bruce Peninsula – LOC or cash (100%), phasing
Township of Champlain – LOC or cash/certified cheque (100%), phasing
Municipality of Brighton – LOC or cash (100%), phasing
Town of Parry Sound – LOC or cash/guaranteed investment certificate in name of municipality (100%), phasing
Town of Richmond Hill – LOC or cash (100%), phasing
Township of Asphodel-Norwood – LOC or cash (115%), phasing
Township of Russell – LOC or cash (100%), phasing
City of Hamilton – 110%, type of security not indicated
Town of Midland – LOC or cash (100% - 110%), phasing
City of Ottawa – prior to construction – 100% underground; underground complete – 25% underground; 100% surface, 100% other; completion of surface – 25% underground, 25% surface, 25% other incl. fencing, 100% incomplete work (surface, asphalt, sidewalk)
Town of Perth – see attachment from Town of Perth – “Schedule M – Terms and Forms of Securities” – the Director in his email indicated normally require cash even instead of a LofC, and cautioned about taking lots as security!
Town of Innisfil – LOC or cash (100%), phasing, only accepted performance bond once to date

*A discussion regarding Pre-Servicing Agreements and securities would be appropriate.
Schedule ‘M’ - Terms and Form of Securities

To the subdivision agreement between

TWEEDSMUIR LAND DEVELOPMENTS LTD. and the Municipality

Prior to commencing site preparation or the construction or installation of any Works provided for herein and prior to the issuance of any building permits for any lot or block, the Owner shall deliver to the Municipality, and maintain in good standing, securities calculated on the basis of the estimated cost of road allowance improvements and Required Services as estimated by the Owner's Engineer pursuant to Schedule ‘C’ attached hereto to the satisfaction of the Municipality's Director of Corporate Services in consultation with the Director of Planning and the Director of Environmental Services. Said securities may be in the form of:

i. an irrevocable letter of credit or alternate financial security in a form satisfactory to the Director of Corporate Services for 100% of the works cost estimate where the estimate is $300,000 or less; or

ii. a combination of financial securities and lots conveyed to the Municipality may be proposed if the works cost estimate exceeds $300,000 and the value of the securities shall be:

   a) Where the works cost estimate is valued at between $300,000 to $500,000 the minimum value of securities required shall be the greater of $300,000 or 90% of the works cost estimate;
   
   b) Where the works cost estimate exceeds a value of $500,000 but is less than $1,000,000 the minimum value of securities required shall be the greater of $450,000 or 70% of the works cost estimate;
   
   c) Where the works cost estimate is $1,000,000 or greater the minimum value of securities shall be the greater of $700,000 or 50% of the works cost estimate.

iii. When the works cost estimate exceeds a value of $300,000, securities shall be provided as an irrevocable letter of credit, or alternate financial security in a form satisfactory to the Municipality, for not less than two-thirds of the required security; or a minimum of $275,000, whichever is greater, and the remaining value may be addressed through the conveyance of one and up to a maximum of three lots in the subdivision to the Municipality with the value of the lots to be mutually agreed upon by the parties or determined through consultation with an accredited real estate appraiser in the absence of such agreement.
iv. If the Owner elects to provide securities that include the conveyance of lots to the Municipality the following provisions shall also apply:

a) The lot(s) conveyed for security shall be free of any encumbrance or claim on title and shall be mutually selected by the Municipality and the Owner, and at least one lot shall be within the first 10 lots from Sheppard Avenue - Drummond Street intersection.

b) The conveyance of the lots to the Municipality shall not result in any additional costs to the Municipality. The Owner shall pay any property taxes or charges by third parties against the lots and all legal and administrative fees necessary to affect the transfer of title either to or from the Municipality.

c) In the event of any default of the Owner with respect to charges against lots held for security by the Municipality such costs will be deductible from the financial securities held by the Municipality.

v. A Letter of Credit or any non-cash financial security shall be issued by a chartered Canadian Bank or such other financial institution as may be acceptable to the Director of Corporate Services. The Letter of Credit or financial security shall be valid up to the end of the warranty period referred to herein, or ten years following the commencement of construction, whichever is the longer period and the issuing financial institution shall commit to holding the funds in good standing and accessible to the Municipality in the absence of a letter from the Municipality agreeing to its discontinuance. Any and all such security shall include a clause stating that notwithstanding any specified expiry date, the security shall not expire or in any way be terminated without a minimum of 30 days prior written notice to the Director of Corporate Services and the Clerk of the Municipality.

vi. It is understood that no portion of the security provided herein shall be released or returned to the Owner until the Municipality is satisfied that the value of outstanding works is less than the redeemable financial securities held by the Municipality.