 Committee Minutes

# Planning and Community Development CommitteeFebruary 19, 2013 – 10:00 a.m.

The Planning and Community Development Committee met on the above date at the County Administration Building with the following members in attendance:

**Present: Chair Arlene Wright; Councillors John Bell, Terry McKay, Wayne Fitzgerald, Norman Jack, Alan Barfoot, Francis Richardson, Kathi Maskell; and Warden Duncan McKinlay**

**Staff**

**Present: Lance Thurston, Chief Administrative Officer; Sharon Vokes, County Clerk / Director of Council Services; Randy Scherzer, Director of Planning; Heather Morrison, Deputy Clerk / Records Manager; Scott Taylor, Senior Planner; Sarah Morrison, Intermediate Planner; Jordan Lee, Planner and Tara Warder, Recording Secretary**

## Call to Order

Chair Wright called the meeting to order at 10:00 a.m. It was noted that the Deputations from the Georgian Bay Shoreline Initiative Steering Committee and Mr. Delton Martin have cancelled their presentations due to weather.

## Declaration of Pecuniary Interest

There were none.

## Minutes of Meetings

*Public Meeting minutes dated January 7, 2013 – Minniehill Farms*

The public meeting minutes were reviewed.

*PCD20-13* Moved by: Councillor Richardson Seconded by: Councillor McKay

 **THAT the public meeting minutes of the Municipality of Meaford regarding Minniehill Farms dated January 7, 2013 be received.**

 Carried

## Business Arising from the Minutes

*Planning and Community Development Committee minutes dated January 22, 2013*

These minutes are for information only as they were adopted by Grey County Council on February 5, 2013.

## Deputations

*Linda Reader, Consultant, Michael Stadtlander, Chef and Hugh Simpson, Beekeeper*

Linda Reader, Consultant with Linda Reader Consulting, addressed the Committee on the county-wide Chefs’ Forum, noting that the purpose of their presentation was to inform the Committee of their initiative and stated that they wish to partner with Grey County to take advantage of future funding opportunities, such as the recent Ontario Trillium Foundation grant applied for with the Grey Highlands Chamber of Commerce.

Ms. Reader stated that the group is a non-profit organization, which aims to introduce farmers to chefs and provide opportunities for local farmers to sell food to commercial businesses.

Ms. Reader introduced Michael Stadtlander, chef, and Hugh Simpson, beekeeper, both members of the Steering Committee. It was noted that there are benefits in having buyers and producers collaborate and build relationships. An initiative such as the Chefs’ Forum has something unique and distinctive to offer the public, locally as well as within the Greater Toronto Area and other large markets.

The committee noted its support for the initiative in the way of a new staff member specializing in the local food sector.

## Committee Review of Land Use Planning Appeals / Potential Appeals

*File No. B1/13, Lots 21 and 22, Concession 13, Township of Southgate*

Jordan Lee presented the Committee with Mr. Delton Martin’s (the applicant) comments with regard to File No. B1/13 which proposes to create a lot within the agricultural designation for a parochial school. Mr. Lee, on behalf of Mr. Martin, noted that the proposed location for the parochial school is centralized which is necessary for the children who will be attending the school.

Mr. Lee further provided information on the location of the subject lands and noted the planning issues, including conformity with the County Official Plan, the application of Minimum Distance Separation, and the provincially significant wetlands designation. It was noted that the Committee has the option of withdrawing the appeal or continuing.

The Committee noted that this is a unique situation and it is important to consider the safety of the children walking to the school. If the school ceases to exist, a rezoning would be required for another use. Further discussion occurred regarding provisions for the long term leasing of the property and appeal dates. Staff noted that they would research long term leasing options for future discussion as part of a future housekeeping amendment to the County Official Plan.

*PCD21-13* Moved by: Councillor Barfoot Seconded by: Councillor Maskell

**THAT the County of Grey withdraw the appeal on file B1/13 on the lands described as Lots 21 & 22, Concession 13, Township of Southgate, geographic Township of Egremont, proposing to create a lot for a parochial school.**

 Carried

*Sutherland Appeal*

Scott Taylor noted that the Ontario Municipal Board’s decision was received and that the Board approved the pit application and Zoning By-law Amendment. A request has been received from the neighbours respecting costs and the lawyer is now in discussion about why the County should not be subject to the costs.

*Matesa Appeal*

Randy Scherzer noted that this Plan of Subdivision, to create seventeen townhouses within the limits of Thornbury, was appealed by the applicant based on the County’s non-decision within the prescribed timeframe.

The Minutes of Settlement have been signed between the Town, Grey County and the applicant. A pre-hearing will be scheduled, and requests to be a party or participant to the hearing will be heard by the board at that time.

## Reports – Planning

*PDR-PCD-08-13 – Ontario Municipal Board Attendance*

Randy Scherzer provided information on the above report regarding Ontario Municipal Board (OMB) attendance, noting that the County has historically participated in OMB hearings when an appeal has been launched against a private development application which has been approved by the County. Mr. Scherzer indicated that this can lead to considerable legal costs, and attendance as a party to such an appeal is not required in all instances.

Staff are recommending that, where a private development application is appealed and has been approved by the County, County staff will not be a party at hearings. Mr. Scherzer further noted staff are recommending that where modifications respecting local official plans and amendments approved by the County are appealed, the County would consider participating in the OMB hearing.

Discussion occurred regarding the potential for cost sharing with the lower tier municipalities if they are participating in the same Board hearing.

*PCD22-13* Moved by: Councillor Richardson Seconded by: Councillor Barfoot

**WHEREAS the County has historically participated in Ontario Municipal Board Hearings when an appeal has been launched against a private development application that has been approved by the County;**

**AND WHEREAS attending Ontario Municipal Board hearings can consume considerable staff resources and can result in considerable legal expenses;**

**AND WHEREAS there are matters where the County must participate in Board Hearings as well as matters where County participation is not required;**

**NOW THEREFORE BE IT RESOLVED that Report PDR-PCD-08-13 be received;**

**AND THAT when an appeal has been launched against a private development application that has been approved by the County, the County will not be a party to the Board hearing unless otherwise directed by Council;**

**AND FURTHER THAT the County will not be a party to a Board hearing related to an appeal against a local official plan or local official plan amendment unless the appeal relates to modifications approved by the County or if the policies that were appealed were triggered as a result of County Official Plan policies, or unless otherwise directed by Council;**

**AND FURTHER THAT the County will continue to be a party at Board hearings as it relates to County Official Plan amendments and plan of subdivision applications in the following circumstances,**

* **When the applicant has appealed a non-decision and the outstanding issues have not been resolved through mediation/negotiations,**
* **When the County refuses or approves a private development application and the applicant appeals the decision,**
* **When the County refuses or approves a municipally initiated County Official Plan amendment and the municipality appeals the decision,**
* **When an appeal is made against a County initiated official plan amendment, and**
* **When an applicant makes a motion to the Board regarding whether or not the County has deemed an application complete or incomplete;**

**AND FURTHER THAT when the County participates in a Board Hearing, and the local municipality is also participating and is of the same opinion as the County on the issues at hand, the County will seek opportunities to cost share legal expenses when appropriate.**

 Carried

*PDR-PCD-09-13 – County Official Plan Amendment – Kemroc Farms Inc. Merit Report Municipality of Meaford*

Jordan Lee addressed the above noted report regarding a County Official Plan Amendment within the Municipality of Meaford. It was stated that the subject lands, located approximately 5.65 kilometres northeast of Annan, contain a dwelling unit, barn, garage and shed and are mostly farmed. The County has received an application for a County Official Plan amendment to permit a severance within the Agricultural designation where a severance has already taken place. Staff are recommending that the proposal proceed to the Public Meeting stage.

*PCD23-13* Moved by: Councillor Fitzgerald Seconded by: Councillor Bell

**THAT the Report PDR-PCD-09-13 regarding a proposed County Official Plan Amendment be received;**

**AND THAT the proposal proceed to a Public Meeting to consider the Amendment to the County of Grey Official Plan to re-designate the subject lands from ‘Agricultural’ to ‘Agricultural with Exceptions’ for the lands described as Part Lot 28, Concession 3 (Geographic Township of Sydenham), Municipality of Meaford, provided the Municipality of Meaford is prepared to hold a joint public meeting in consideration of the necessary Zoning By-law Amendment requirements.**

 Carried

*PDR-PCD-11-13 –Joint Property Acquisition – City of Owen Sound*

Randy Scherzer addressed the Committee on a report regarding a joint property acquisition with the City of Owen Sound. It was noted that staff were directed to collaborate with the Grey Sauble Conservation Authority (GSCA), the City of Owen Sound and the Bruce Trail Conservancy to acquire the seventeen hectares of property directly east of the Derby County Forest Tract. The costs to purchase the property will be split equally amongst the parties as per the signed agreement. Ongoing management costs will be assumed by the GSCA.

*PCD24-13* Moved by: Councillor McKay Seconded by: Councillor Fitzgerald

**WHEREAS staff were directed to work with the Grey Sauble Conservation Authority, the City of Owen Sound and the Bruce Trail Conservancy to secure joint acquisition of a 17 hectare property in the City of Owen Sound identified as Park Lot 6 and Lot 7, 9th Avenue West, as per Confidential Committee Report CCR-PCD-34-11 and its addendum;**

**AND WHEREAS a collaborative agreement dated February 7, 2012 was signed between the parties on April 2, 2012 to agree to purchase the subject lands and to equally divide all fees related to the land evaluation, purchase, transfer and survey subject to the conditions identified in the agreement;**

**AND WHEREAS an offer to purchase the subject lands has been accepted for a total price of $104,500 which represents the mid-range appraisal value as identified in the Land Appraisal Report accepted by all parties;**

**AND WHEREAS the Grey Sauble Conservation Authority has agreed to oversee the management of this property;**

**NOW THEREFORE BE IT RESOLVED that Report PDR-PCD-11-13 be received;**

 **AND THAT the County provide payment to the Grey Sauble Conservation Authority in the amount of $26,700 which represents one quarter of the purchase price for the subject lands and the related transfer fees, plus provide payment of one quarter of the survey fees upon receipt of the invoice, all to be funded from the Forestry Reserve.**

Carried

*PDR-PCD-10-13 –Harkaway Forest Tract*

Sarah Morrison presented the above report regarding a request from the Dufferin Grey All-Terrain Vehicle (ATV) Club to ride within Grey County’s Harkaway Forest Tract on a permanent basis. A trial period was held in 2012 with no issues arising. Staff are recommending that the County sign a Memorandum of Understanding with the Club which outlines conditions the Club must adhere to.

*PCD25-13* Moved by: Councillor Barfoot Seconded by: Councillor McKinlay

**WHEREAS a request has been received from the Dufferin Grey All-Terrain Vehicle (ATV) Club for permission to ride in the County’s Harkaway Forest Tract;**

**AND WHEREAS currently ATVs are not permitted in any County Forest property;**

**AND WHEREAS a trial period has occurred from 2010-2012 which identified and addressed any issues regarding the proposed use of ATVs on the trail;**

**NOW THEREFORE BE IT RESOLVED THAT Report PDR-PCD-10-13 be received;**

**AND THAT staff be directed to prepare a memorandum of understanding with the Club for the Harkaway Tract;**

**AND THAT Grey County Council permit the Dufferin grey ATV Club to use the Harkaway Tract with approval remaining in place subject to the requirements in the memorandum of understanding being adhered to.**

 Carried

## Deputations

*Miriam Vasni and Joerg Weller – County Official Plan Amendment 113 - Proposed Priceville Pit, Cedarwell Excavating Ltd.*

Miriam Vasni of D.C. Slade Consultants, presented the Committee with an overview of the process to date respecting an application for a proposed pit as noted in Addendum to Report PDR-PCD-05-12. Ms. Vasni noted that the application for the pit was submitted prior to County of Grey Official Plan Amendment 80 taking effect. Notifications were provided to the appropriate parties and a public meeting was held April 16, 2012. Further, the applicant had hoped that the report would be coming forth in the summer 2012.

Ms. Vasni indicated that a letter was received from the Saugeen Ojibway Nation (SON) stating they were just becoming aware of the application and had concerns regarding receiving applications at the last minute, when in fact there had been previous notification. Additionally, a draft budget and agreement were received in excess of what had been originally discussed. Ms. Vasni is requesting approval of the Official Plan Amendment on behalf of the applicant.

Ms. Vasni introduced Joerg Weller, who spoke to the importance of consistency.

*Addendum to Report PDR-PCD-05-12 – County Official Plan Amendment 113 –Municipality of West Grey – Cedarwell Excavating Ltd.*

Scott Taylor provided an overview of the above noted report. Mr. Taylor indicated that the County has received an application proposing to re-designate a portion of land from “Rural” and “Hazard Lands” to “Mineral Resource Extraction” and “Hazard Lands” for a gravel pit. The subject property is located approximately 1.5 kilometres west of Priceville on Grey Road 4 within the Municipality of West Grey.

Mr. Taylor noted that no comments were received from the public during the commenting period, however the County has received comments from the SON requesting further consultation on the application. Staff and the proponent have met to review their concerns. It was further noted that County staff have been circulating county planning applications to the SON, the Metis Nation of Ontario (MNO) and the Historic Saugreen Metis (HSM) for comment along with other required agencies.

Additional information on this matter respecting advice that is subject to solicitor – client privilege may be provided in closed session.

The Committee briefly recessed then reconvened.

## Closed Meeting Matters

The Chair advised that the Committee will go into closed session at 11:47 a.m. for consideration of a certain matter.

*PCD26-13* Moved by: Councillor Richardson Seconded by: Councillor Barfoot

 **THAT the Planning and Community Development Committee do now go into closed session to discuss:**

1. **Advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding Addendum to Report PDR-PCD-05-12;**
2. **Adoption of the closed meeting minutes of June 19, 2012**

**AND THAT the following staff members remain in attendance: Lance Thurston, Sharon Vokes, Randy Scherzer, Sarah Morrison, Jordan Lee, Scott Taylor and Tara Warder.**

 Carried

*PCD27-13* Moved by: Councillor McKay Seconded by: Warden McKinlay

 **THAT the Planning and Community Development Committee do now return to open session at 12:11 p.m.**

Carried

The Committee returned to open meeting at 12:11 p.m.

*PCD28-13* Moved by: Councillor Bell Seconded by: Councillor McKay

**THAT the Planning and Community Development Committee supports the proposed County Official Plan Amendment to re-designate a portion of the lands described as Part Lots 43, 44, and 45, Concession 1 South of the Durham Road (SDR), (Geographic Township of Glenelg) Municipality of West Grey from “Rural” and “Hazard Lands” to “Mineral Resource Extraction” and “Hazard Lands”;**

**AND THAT the Addendum to Report PDR-PCD-05-12 be hereby received;**

**AND FURTHER THAT the appropriate by-law be prepared for consideration by County Council.**

 Carried

*Addendum to Report PDR-PCD-03-13 – County Official Plan Amendment –Municipality of Meaford – Minniehill Farms*

Sarah Morrison presented information on the above noted report regarding a County Official Plan Amendment within the Municipality of Meaford. Ms. Morrison indicated that the proposed amendment, if supported, would have the effect of re-designating the subject lands from “Agricultural to “Agricultural with Exceptions” allowing for two lots to be created where prior lot creation has occurred.

No comments were received from the public on the matter and there were no objections from the agencies who were circulated.

*PCD29-13* Moved by: Councillor Bell Seconded by: Councillor Jack

**THAT** **the proposed amendment to the County of Grey Official Plan to re-designate the subject lands from** **“Agricultural” to “Agricultural with Exceptions” for the lands described as Part of Lots 5 and 6, Concession 6 (Geographic Township of St. Vincent), Municipality of Meaford, to allow for the creation of two farm-sized parcels in the Agricultural Designation where previous lot creation has occurred be supported;**

**AND THAT the Addendum to Planning Report PDR-PCD-03-13 be received;**

**AND FURTHER THAT the appropriate by-law be prepared for consideration by County Council.**

 Carried

## Other Business

*Grey Roots Sawmill*

Sharon Vokes provided the Committee with an update on the Grey Roots sawmill, noting that the poured concrete foundation has shifted and will require repair. Staff hope to have piers inserted to stabilize the structure.

*PCD30-13* Moved by: Councillor McKay Seconded by: Councillor Maskell

**THAT the verbal report regarding structural issues with the foundation of the sawmill located at Grey Roots be received for information.**

Carried

*Quarterly Purchasing Report*

Chair Wright noted that there is no quarterly purchasing report to present for the fourth quarter of 2012.

*Transportation Master Plan Update*

Randy Scherzer provided an update with respect to the Transportation Master Plan. It was noted that a meeting on February 7, 2013 with trucking businesses took place and a number of issues were discussed. Half load restrictions, the inconsistency of speed limits on county roads and roads with numerous curves and bends were of concern.

The consultant will be incorporating the comments into the strategy. The next Transportation Master Plan Committee meeting is March 22, 2013 and the draft recommendations will be presented prior to proceeding to the Public Information Centres in April.

*Culvert 21*

Randy Scherzer addressed the Committee on Culvert 21, noting that RJ Burnsides has provided a preliminary brief which will form the tender document to be released in March. Burnsides has made a number of recommendations including that all bricks within the arch should be replaced, that the brick on the outside of the arch match the original brick and to use other suitable brick to construct the inner part of the arch, and that the mortar be a cement based mortar requiring less maintenance. Further, due to time restrictions, R.J. Burnsides recommended that the limestone capstones be ordered from Ledgerock in order to have the rock ready for the 2013 construction season. Based on the issue of timing, purchasing staff have agreed to single source this portion of the project in accordance with the purchasing policies. It is anticipated that the tender results will be provided to the Committee in April.

Warden McKinlay noted that Blue Mountain Resorts are adding six new trails and lift system.

## Next Meeting Dates

**March 19, 2013 at the Grey County Administration Building**

On motion by Councillor McKay, the meeting adjourned at 12:33 p.m.

 Arlene Wright, Chair