

**Township of Chatsworth Planning Committee
Minutes
Wednesday August 1, 2018
9:00 A.M.**

Members Present:

Chair Mayor Bob Pringle
Member Scott Mackey
Member Shawn Greig
Member Elizabeth Thompson

Members Absent:

Member Brian Gamble

Staff Present:

Township Planner: Ron Davidson
Secretary-Treasurer: Nicole Martin

1. Call to Order

Chair Pringle called the meeting to order at 9:00 a.m.

2. Disclosure of Pecuniary Interest and the General Nature Thereof.

None.

3. Planning Committee/Committee of Adjustment

It was:

Moved by Shawn Greig
Seconded by Scott Mackey

That the Planning Committee of the Township of Chatsworth adopts the Minutes of May 2, 2018. Carried

4. Public Meetings for Planning Committee

4.1 Zoning Application Z04/2018

Parts of Lot 28, Concession 1, Geographic Township of Sullivan, Township of Chatsworth – Hugh Nuhn and James Nuhn

Public in Attendance

Timothy Nuhn
Michelle Whitmore
Calvin Nuhn

John Ghent
Carolyn Ghent
Ken Lagerquist

Township Planner Ron Davidson gave an overview of the application and explained that the purpose of the proposed Zoning By-law Amendment was to recognize the use of the subject lands that had been in existence since the 1960's. Mr. Davidson explained that one of the two properties subject to this application had never been zoned for an automobile wrecking yard despite being used for such purpose for decades. He also stated that errors had occurred in the last two Comprehensive Zoning By-laws with regard to carrying forward the correct zoning that had been placed on the larger of the two properties in the past, and that this Zoning By-law Amendment would correct those errors. The Planner further advised that the forested areas of the property, which are shown in the Official Plan as 'Significant Woodland' band not used in conjunction with the wrecking yard, would have their 'M2-7' zoning removed in order to protect this natural heritage feature. Mr. Davidson advised that the Ministry of Transportation was requesting to review the Site Plan Agreement before it was adopted and that permits may be required. The Planner stated that the proposed Zoning By-law Amendment had merit, but recommended that the By-law not be adopted by Council until the Site Plan Agreement had been registered.

Neighbouring property owner John Ghent spoke in opposition to the rezoning and presented Council and staff with a written submission. Mr. Ghent asked a series of questions pertaining to the history of the site's zoning, the absence of the rezoning sign on the property, whether or not an Official Plan deals with legal non-conforming uses, and compliance with the Provincial Policy Statement.

In response to Mr. Ghent's questions, Mr. Davidson advised that staff had spent a considerable amount of time searching through the property files and was satisfied that the errors had occurred when the zoning of the site had been carried forward in the Comprehensive Zoning By-laws over the years. Mr. Davidson also stated that the proposed rezoning would not trigger an Official Plan Amendment, given that the use had legally existed prior to the first County of Grey Official Plan coming into effect. He added that the rezoning application would require an Official Plan Amendment supported by a series of technical studies if the proposal involved a new wrecking yard or an expansion of the existing yard. Through this rezoning, the amount of land allowed to be used for the wrecking yard is actually decreasing, since the By-law would remove the recognized 'Significant Woodland' areas from the 'M2-7' zone. Mr. Davidson concluded by stating that the staff made an error in not circulating the Notice of Public Meeting to Mr. Ghent. He was not aware that Mr. Ghent had made a request in writing for notification.

Michelle Whitmore, the applicant, provided some comments about the history of the site. She added that her autowrecking established is examined annually by the Ministry of Environment and Climate Change for compliance with Provincial standards and that she hires a consultant to assist in this regard.

Committee member Liz Thomson stated that the By-law should be deferred, as per the Planner's recommendation, and this would afford Mr. Ghent further opportunity to review the proposed development.

Committee member Shawn Greig also supported the deferral requested, and added that the subject property needs to be cleaned up considerably, as it's an entrance way to the Township of Chatsworth.

Following further discussion, it was:

Moved by Elizabeth Thompson
Seconded by Scott Mackey

Be it resolved that the Zoning Application Z04/2018 for Parts of Lot 28, Concession 1 Sullivan be deferred to give an opportunity for the applicant to enter into a Site Plan Agreement.
Carried

4.2 Zoning Application Z05/2018

Part of Lot 19, Concession 12, Geographic Township of Holland, Township of Chatsworth – Keith Cornfield and Diane Cornfield

Public in Attendance

Keith Cornfield

Township Planner Ron Davidson gave an overview of the application and explained that the purpose of the proposed Zoning By-law Amendment was to reduce the lot area and frontage requirements of the 'A1' zone in order to facilitate the severance of a non-farm residential lot under the "surplus farmhouse" policies of the Grey County Official Plan. The severance was recently approved with conditions. The Zoning By-law Amendment was also necessary to place a "no dwelling" clause on the balance of the farmlands.

Mr. Davidson stated that the proposed amendment conforms with the County Official Plan and is consistent with the Provincial Policy Statement, and therefore should be approved.

Following further discussion, it was:

Moved by Shawn Greig
Seconded by Scott Mackey

Be it resolved that Zoning Application Z05/2018 for Part of Lot 19, Concession 12 Holland be approved. Carried

5. Public Meetings for Committee of Adjustment

5.1 Application for Permission to Enlarge a Legal Non-Conforming Use A02/2018

Part Lots 64 and 65, Concession 2 EGR, Geographic Township of Holland, Township of Chatsworth – Martin Scott and Beth Scott

Public in Attendance

Martin Scott

Al Shuh

Kim Nieman

Township Planner Ron Davidson gave an overview of the application and explained that the purpose of the Permission to Enlarge a Legal Non-Conforming Use was to allow for a cabin to be constructed on a property that does not have frontage along an open, public road. He explained that three cabins had existed on the property until 2014, at which time the owner removed one of the cottages and began building a new structure in the same location without a Building Permit or a permit from the Saugeen Valley Conservation Authority. Before the new cottage was completed, he was ordered to cease construction and obtain the necessary approvals. The owner has since submitted the application for Permission to Enlarge A Legal Non-conforming Use to permit the new cabin as well as a 10' x 10' outhouse with a compostable toilet.

Mr. Davidson advised that a Building Permit had been issued a long time ago for at least one of the original structures on the property, and perhaps all three. The contents of the property file made it difficult for staff to determine exactly what permits were issued at that time. In his presentation to the Committee, Mr. Davidson advised that allowing for development to occur on "land-locked" parcels is not ideal, given that such lands are typically not accessible by emergency service vehicles. He added that he would not be recommending approval if no development had existed on the site; however, given that the Township had issue a permit(s) in the past and the fact that the other two cabins on the property can remain regardless of the Committee's decision on the third cabin, he advised the Committee that the application had merit.

Martin Scott, co-owner of the property, stated that the cabins are solely for recreational uses. He stated that he is making renovations to the other two cabins which doesn't require permits.

Adjacent land owner Al Shuh spoke in opposition to the proposal. He stated that the owner's unlicensed vehicle should not be travelling on the unopened road allowance. He also stated that the bonfire pit was a concern. Furthermore, Mr. Shuh questioned why Mr. Scott required three cabins on the property. Lastly, Mr. Shuh stated that he hired a bulldozer to clear the road after the Scott property has blocked the road. He provided photographs of the site to the Committee.

The Committee discussed the application and stated some concerns regarding the fact that the lands were not accessible by emergency service vehicles.

Shawn Greig requested a recorded vote.

Chair Bob Pringle - refused

Member Scott Mackey - refused

Member Shawn Greig - refused

Member Elizabeth Thompson - refused

Following a brief discussion, it was:

Moved by Scott Mackey
Seconded by Shawn Greig

Be it resolved that the Minor Variance Application A02/2018 for Part Lots 64 and 65, Concession 2 EGR Holland be granted subject to the conditions on the decision sheet.

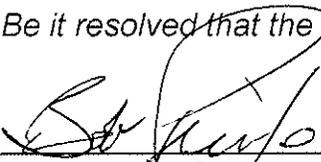
This motion was defeated. As such, the application was considered to be refused.

6. Closure of Planning Committee Meeting

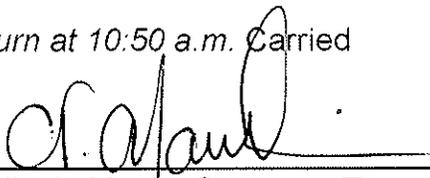
It was:

Moved by Shawn Greig
Seconded by Scott Mackey

Be it resolved that the Planning Committee adjourn at 10:50 a.m. Carried



Bob Pringle, Chair



Nicole Martin, Secretary-Treasurer