

Township of Chatsworth

Planning Committee Agenda

Wednesday August 5, 2015 9:00 AM

1) Call to Order

2) Disclosure of Pecuniary Interest

3) Zoning Meetings:

9:00 a.m. 2015-56 Archer

4) Other Business:

Ferraro Deferred from September 17, 2014

5) Adjournment



Chatsworth

Township of Chatsworth
316837 Highway 6, RR 1, Chatsworth, Ontario, N0H 1G0

Telephone 519-794-3232

Will Moore, CAO/Clerk

Fax 519-794-4499

Grace Nayler, Treasurer / Assist CAO/Cerk

July 15, 2015

Township of Chatsworth
R.R. 1
CHATSWORTH, Ontario
N0H 1G0

Dear Mayor Pringle and Members of Council

**Re: Application for Zoning By-law Amendment
Part Lot 38, Concession 3 E.G.R.,
Geographic Township of Holland
Township of Chatsworth
Owner: Keith and June Archer
Applicant: E.R. Norton**

The following has been drafted to provide Council with planning comments concerning the above-noted rezoning application:

The subject property is located along the east side of Concession Road 2, northeast of Williamsford.

The site comprises 25.5 hectares of land, the majority of which is forested. A driveway exists on the property and crosses the Sydenham River, leading to a cleared area that includes a trailer, two accessory structures and a septic system. Cleared areas also exist near the front of the property.

Under the current Zoning By-law, the majority of the site is zoned 'EP' (Environmental Protection). The lands along the front of the property are zoned 'A1' (Rural).

Updated mapping from the Grey Sauble Conservation Authority indicates that additional land on the property could be removed from the 'EP' zone and changed to 'A1'. The new Zoning By-law for the Township (currently being circulated for agency comments) will make this change.

The owners of the property, however, are anxious to sell, and do not wish to wait for the new Zoning By-law to be approved, and therefore they have filed an application to amend the current Zoning By-law. The proposed amendment would establish a larger amount of 'A1' zoning on this site.

The subject lands are designated 'Hazard Land' and 'Rural' on Schedule A to the County of Grey Official Plan. The boundaries of these land use designations are consistent with the proposed boundaries of the 'EP and 'A1' zones.

The Grey Sauble Conservation Authority and the Saugeen Valley Conservation Authority are responsible for providing the recommended 'EP' mapping to the Township of Chatsworth for all lands within the Municipality. The Grey Sauble Conservation Authority has advised in a letter dated June 15, 2015 that the new 'EP' mapping proposed for the subject lands is appropriate. In this regard and in keeping with the Township's standard practice of implementing the recommendations of the Conservation Authorities with regard to 'EP' mapping, changing the By-law as proposed appears to represent proper land use planning.

Notwithstanding the support of the requested rezoning, the GSCA is not satisfied that development (i.e. a detached dwelling) can occur within the proposed 'A1' zoned area located east of the river due to potential flooding concerns, and is therefore recommending that an engineer be retained on behalf of the owner before development could be considered within that area. The engineer would need to determine:

1. The extent, depth, velocity and approximate duration of flooding on the subject property during a regional storm event;
2. A review of this flood event in relation to safe access criteria;
3. The suitability of the existing river crossing to handle the regional flood event.

Given this concern of the GSCA, the draft By-law proposes to affix an "h" (holding) suffix on some of the lands to be rezoned to 'A1'. The "h" suffix could be removed once the above-noted conditions have been addressed.

Appendix B to the County Official Plan shows a large percentage of the property as 'Significant Woodland'. Development and site alteration within such an area, or within the adjacent lands, is generally prohibited unless it can be demonstrated that the proposed development or site alteration can occur without negatively impacting the features or its function. In this regard, the GSCA has stated in their letter that there are sufficient areas on the property for development to occur without requiring the support of an Environmental Impact Study.

The County Official Plan also serves to protect fish habitat and provides policies in this regard similar to the Significant Woodland policies, although no mapping is provided. The GSCA is satisfied that sufficient area exists on the property for development without requiring an Environmental Impact Study addressing impact on the fish habitat.

Based on the foregoing, it would appear that the proposed Zoning By-law Amendment would conform with the County of Grey Official Plan.

The Provincial Policy Statement (PPS) is identical to the County Official Plan with regard to natural hazards, natural heritage features (e.g. woodlands and fish habitat), flooding, etc. It is evident that the Zoning By-law Amendment, as proposed, would be consistent with the PPS.

Based on the foregoing, the proposed amendment should be given favourable consideration by Township Council.

This opinion is provided without the benefit of having received comments from any other agency or any adjacent land owners. Should new information arise regarding this proposal, Council is advised to take such information into account when considering the application.

I trust this information will be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Davidson', with a long horizontal flourish extending to the right.

Ron Davidson, BES, RPP, MCIP

Attachments: GSCA letter dated June 15, 2015

**NOTICE OF A COMPLETE APPLICATION
AND NOTICE OF A PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Corporation of the Township of Chatsworth is in receipt of a complete application for a Zoning By-law Amendment under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE FURTHER NOTICE that Council of the Corporation of the Township of Chatsworth will hold a Public Meeting on

August 5th, 2015 @ 9:00 a.m.
(date and time)

in the Municipal Council Chambers to consider the proposed Zoning By-law Amendment, as per the requirements of Section 34 of the Planning Act, R.S.O. 1990, as amended.

The proposed By-law will affect the lands described as,

Part Lot 38, Concession 3 E.G.R.
Geographic Township of Holland
in the Township of Chatsworth
(please refer to the sketch on the reverse of this form)

The purpose of the Amendment is to adjust the boundary between the 'A1' (Rural) and the 'EP' (Environmental Protection) zones on the subject property to reflect the latest mapping provided by the Grey Sauble Conservation Authority.

Please be advised that these changes would have occurred without this amendment during the next update of the Township's Zoning By-law.

The subject lands are designated 'Rural' and 'Hazard Lands' on Schedule A to the County of Grey Official Plan.

ANY individuals, corporations and public bodies 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. An individual, corporation or public body that does not make an oral submission at the public meeting or make a written submission to the Township of Chatsworth with regard to the Zoning By-law Amendment prior to the amendment being adopted is not entitled to appeal the Zoning By-law Amendment, nor is such person entitled to be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

ADDITIONAL information relating to the proposed Zoning By-law Amendment may be obtained by contacting the undersigned.

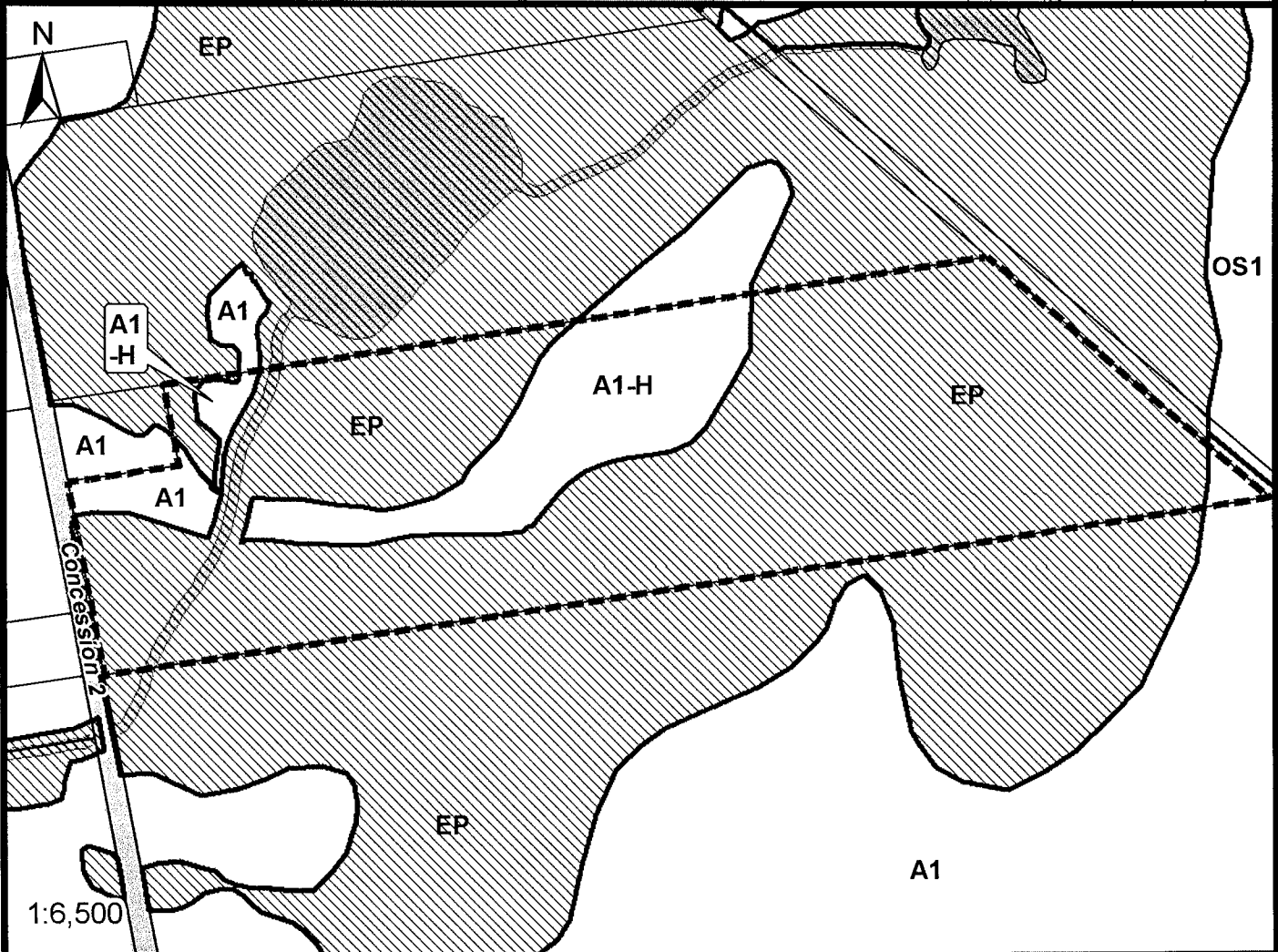
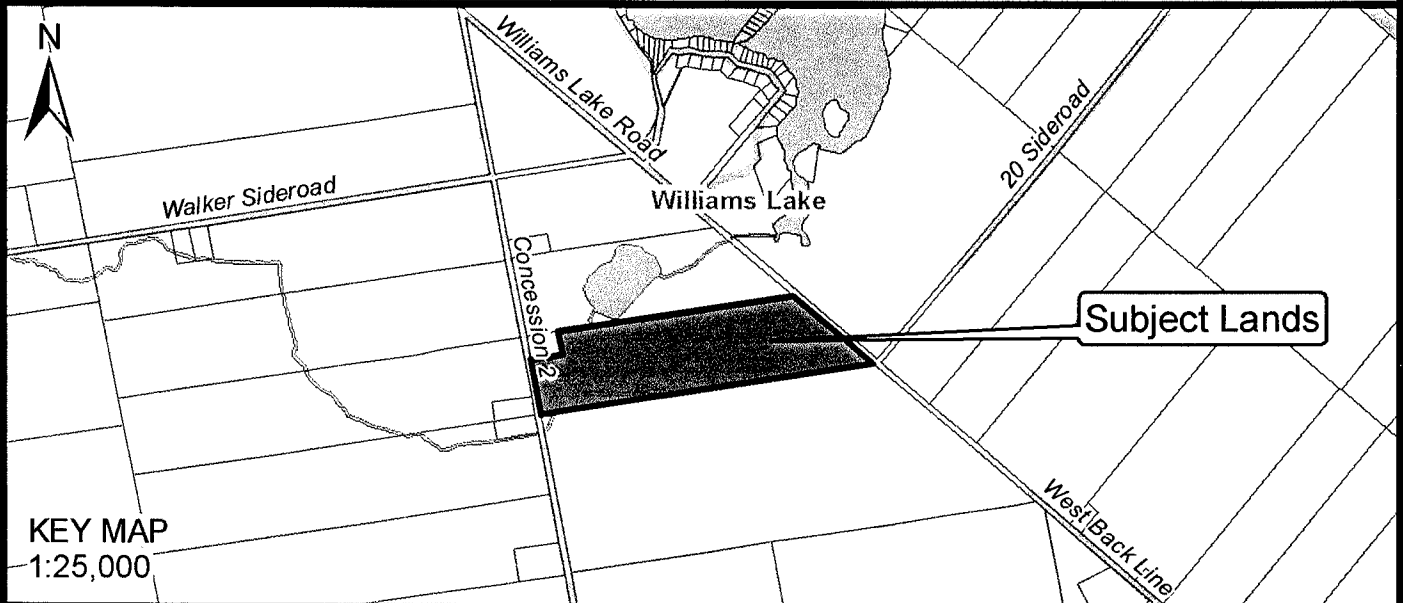
DATED at Chatsworth this 16th day of July, 2015.

Will Moore, CAO / Clerk
Township of Chatsworth
R.R. #1
CHATSWORTH, Ontario
N0H 1G0
Tel. (519) 794-3232
Fax (519) 794-4499

SCHEDULE "A"
BY-LAW No. 2015 - 56
 AMENDING BY-LAW No. 2007-39
TOWNSHIP OF CHATSWORTH

DATE PASSED: _____, 2015

SIGNED: _____
 BOB PRINGLE, MAYOR WILL MOORE, CLERK



LEGEND

Lands subject to amendment

Environmental Protection

Rural

Open Space 1

**NOTICE OF THE PASSING OF A ZONING BY-LAW
BY THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH**

TAKE NOTICE that the Council of the Corporation of the Township of Chatsworth passed By-law No. 2015-56 on the _____ day of _____, 2015 under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Chatsworth not later than the _____ day of _____, 2015 a notice of appeal setting out the objection to the By-law and the reasons in support of the objection.

ONLY individuals, corporations and public bodies may appeal a Zoning By-law Amendment to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group; however, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. An individual, corporation or public body that did not make an oral submission at the public meeting or make a written submission to the Township of Chatsworth with regard to the Zoning By-law Amendment prior to the amendment being adopted is not entitled to appeal the Zoning By-law Amendment, nor is such person entitled to be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

AN EXPLANATION of the purpose and effect of the By-law, describing the lands to which the By-law applies and a Map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in my office during regular business hours.

DATED at the Township of Chatsworth
this _____ of _____, 2015

Will Moore, CAO / Clerk
Township of Chatsworth
R.R.1
CHATSWORTH, Ontario N0H 1G0
Tel. (519) 794-3232 Fax (519) 794-4499

EXPLANATORY NOTE

The Zoning By-law Amendment affects the lands described as Part Lot 38, Concession 3 E.G.R., Geographic Township of Holland, Township of Chatsworth, as shown on the drawing on the reverse of this form.

The purpose of the Amendment is to adjust the boundary between the 'A1' (Rural) and the 'EP' (Environmental Protection) zones on the subject property to reflect the latest mapping provided by the Grey Sauble Conservation Authority.

Please be advised that these changes would have occurred without this amendment during the next update of the Township's Zoning By-law.

The subject lands are designated 'Rural' and 'Hazard Lands' on Schedule A to the County of Grey Official Plan.

The Council of the Township of Chatsworth has adopted this By-law and is now circulating it in accordance with Provincial Regulations.

THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH
BY-LAW NUMBER 2015-56

BEING a By-law to amend Zoning By-law No. 2006-45, entitled the "Township of Chatsworth Comprehensive Zoning By-law";

WHEREAS the Council of the Corporation of the Township of Chatsworth deems it in the public interest to pass a By-law to amend Zoning By-law No. 2006-45;

AND WHEREAS pursuant to the provisions of Sections 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 TOWNSHIP OF CHATSWORTH ENACTS AS FOLLOWS:

1. Schedule "5" to Zoning By-law No. 2006-45 is hereby amended by changing the zone symbols affecting the lands described as Part Lot 38, Concession 3 E.G.R., Geographic Township of Holland, Township of Chatsworth, as shown more particularly on Schedule "A" attached hereto.
2. The "h" symbol attached to the 'A1' zone on Part Lot 38, Concession 3 E.G.R., Geographic Township of Holland, Township of Chatsworth shall not be removed until potential flooding concerns have been addressed by a qualified engineer to the satisfaction of the Township and the Grey Sauble Conservation Authority.
3. This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act, R.S.O. 1990, as amended.

Read a first time this _____ day of _____, 2015;

Read a second time this _____ day of _____, 2015;

Read a third time and finally passed this _____ day of _____, 2015.

Mayor

Clerk

* * * * *

I hereby certify that the foregoing is a true copy of By-law No. _____ as enacted by the Council of the Corporation of the Township of Chatsworth this _____ day of _____, 2015.

Date

Clerk



Chatsworth

Township of Chatsworth

316837 Highway 6, RR 1, Chatsworth, Ontario, N0H 1G0

Telephone 519-794-3232

Fax 519-794-4499

Will Moore, CAO/Clerk

Grace Nayler, Treasurer / Assist CAO/Cerk

August 27, 2014

Township of Chatsworth
R.R. 1
CHATSWORTH, Ontario
N0H 1G0

Dear Mayor Pringle and Members of Council

**Re: Application for Zoning By-law Amendment
Lot 12, Plan 16M-11 (Part Lots 20 and 21, Concession 4)
Geographic Township of Sullivan, Township of Chatsworth
(Paul Ferraro)**

The following has been drafted to provide Council with planning comments concerning the above-noted rezoning application.

Paul Ferraro was the developer of the new subdivision located along the north end of McCullough Lake, and today still possesses most of the lots. Only a few dwellings have been erected in this subdivision. Mr. Ferraro has constructed his own dwelling on Lot 11 and is now hoping to erect a garage on the abutting, vacant Lot 12. The Zoning By-law, however, does not allow for an accessory building prior to the principal building, and therefore the owner is requesting an amendment to the Zoning By-law.

The subject property is designated 'Inland Lakes and Shoreline', a land use designation that permits residential dwellings and accessory uses such as a garage. Allowing a garage to locate on the property prior to the principal building would not conflict with this section of the County Official Plan.

Through the Plan of Subdivision approval process a few years ago, a number of natural features in need of protection were identified within this development, and therefore building envelopes were established for each of the new properties as part of the Subdivision Agreement. In this regard, it is important to note that the proposed garage would be located within the building area established for Lot 12. As such, the proposed garage should not conflict with the natural heritage policies of the County Official Plan.

This proposal to build a garage in advance of the detached dwelling would be consistent with the Provincial Policy Statement. Whether or not the garage or the principal dwelling is constructed first is irrelevant from the Province's perspective.

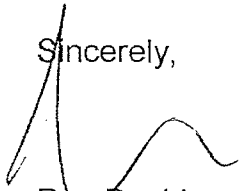
From a general land use perspective, allowing for an accessory use on the property first is typically not desirable, especially on a lot within a residential subdivision. Other land owners in the neighbourhood would purchase their homes on the understanding that all lots would have a house constructed upon them, as opposed to just a garage. Without the dwelling on the property, a lot might not be maintained to the same standard, and it's conceivable that other non-residential uses could locate within an accessory building. That notwithstanding, in this particular case the building envelope on Lot 12 is located at a considerable distance from the road and is very well screened with extensive tree vegetation, and therefore the only neighbor that would actually see the garage would be the owner of Lot 11, who, as mentioned, is the applicant. If Mr. Ferraro decides to sell Lot 11 in the future, the new land owner would purchase the property knowing very well that a garage is located by itself on the abutting property. As such, there shouldn't be a negative impact by allowing the garage to be erected on the property without the main dwelling.

In view of the foregoing, the proposed Zoning By-law Amendment can be given favourable consideration.

This opinion is provided without the benefit of having received comments from any other agency or any adjacent land owners. Should new information arise regarding this proposal, Council is advised to take such information into account when considering the applications.

I trust this information will be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Davidson', with a stylized, flowing script.

Ron Davidson, BES, RPP, MCIP

Township of Chatsworth Planning Committee Minutes

Township of Chatsworth

9:30 A.M.

Wednesday September 17, 2014

Members Present:

Chair Mayor Bob Pringle
Member Terry McKay
Member Scott Mackey
Member Cornelius Vlieland

Staff Present:

Township Planner Ron Davidson
Secretary Treasurer Dianne Oldrieve

1. Call to Order

Chair Pringle called the meeting to order at 9:30 a.m.

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

None

3. Public Hearings:

- 1) Application for a Zoning By-law Amendment for Lot 12, Plan 16M-11 (Part Lots 20 and 21, Concession 4) Geographic Township of Sullivan 2014-45 Ferraro**

Public in Attendance

Paul Ferraro, Lisa Ruddy, Kuri Kurita, Richard Bickley, Joanne Bickley.

The Secretary read the statutory requirements for the Public Meeting, and noted the purpose of the proposed Zoning By-Law Amendment.

The purpose of the Zoning By-Law Amendment is to:
Amend the 'R3-151' zone in order to permit the construction and use of an accessory building without the principal structure on the property. The garage would be used in conjunction with the detached dwelling situated on the abutting Lot 11.

Township Planner, Ron Davidson noted in his Planning Report dated August 27, 2014 that because the subject property is designated 'Inland Lakes and Shoreline'. Allowing a garage to be located on the property prior to the principal building would not conflict with the County OP.

The proposed garage would be located within the building envelope established for Lot 12. As such, the proposed garage should not conflict with the natural heritage policies of the County OP.

The proposal is consistent with the PPS. Whether or not the garage or the principal dwelling is constructed first is irrelevant from the Province's perspective.

The proposed Zoning By-law Amendment can be given favourable consideration.

County of Grey Planning and Development Department stated in their letter dated September 15, 2014 that County planning staff recommend refusal of the subject application as the County does not support the construction of accessory structures on lands without a primary structure. Alternatively, a temporary use by-law could be enacted until such time as a dwelling is constructed.

Saugeen Valley Conservation stated in their letter dated September 16, 2014 that they are awaiting additional information from the proponent in order to review the relevant natural heritage policies and to determine if a permit is required from the SVCA. The SVCA is currently investigating a Violation of Ontario Regulation 169/06, as amended, associated with alterations to a watercourse completed by the owner, on or adjacent to the subject property. They will be prepared to provide comments to this proposal upon further review of the existing site conditions, and upon resolution of the above noted Violation.

Water Services Coordinator, Carolyn Vlieland-Marx: This property is not serviced by municipal drinking water.

Septic Inspector, Dan Swedlo: I am generally satisfied that soil and drainage conditions are suitable to permit the proper siting of buildings and that conditions are suitable for sewage system construction. I would prefer to see approved treatment units installed on all lake front properties.

Fire Chief, Mike Givens: No issues.

Township Planner, Ron Davidson gave an overview of the application, and explained that a building envelope was established eight or nine years ago on this lot. The Committee could defer the file until further information is received from SVCA.

He said that typically, a secondary building without a principal dwelling is not encouraged. In this case, the applicant also owns the adjacent property and the garage will be located at a considerable distance from the road.

Mr. Ferraro addressed the Committee stating that this is the best place for the garage and that no one will be living in it.

Ron Davidson asked Mr. Ferraro if there had been a violation regarding a watercourse on his property.

Mr. Ferraro responded that there has been no violation. He asked if the By-law could be passed, so it wouldn't have to be brought forward again, since he would need a permit from SVCA in order to proceed.

Ron Davidson recommended deferral.

Moved by: Member Terry McKay
Seconded by: Member Scott Mackey

That the proposed Zoning By-law Amendment 2014-45 be deferred Carried

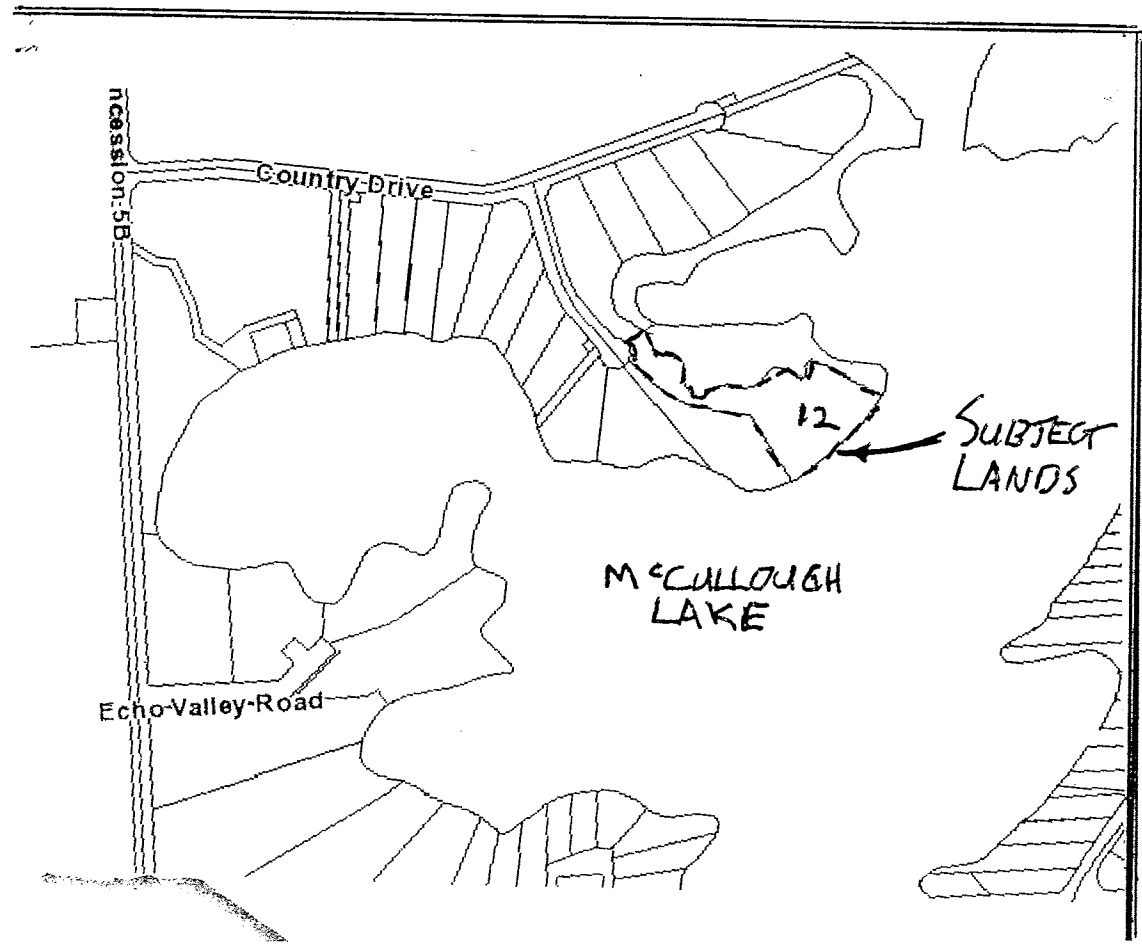
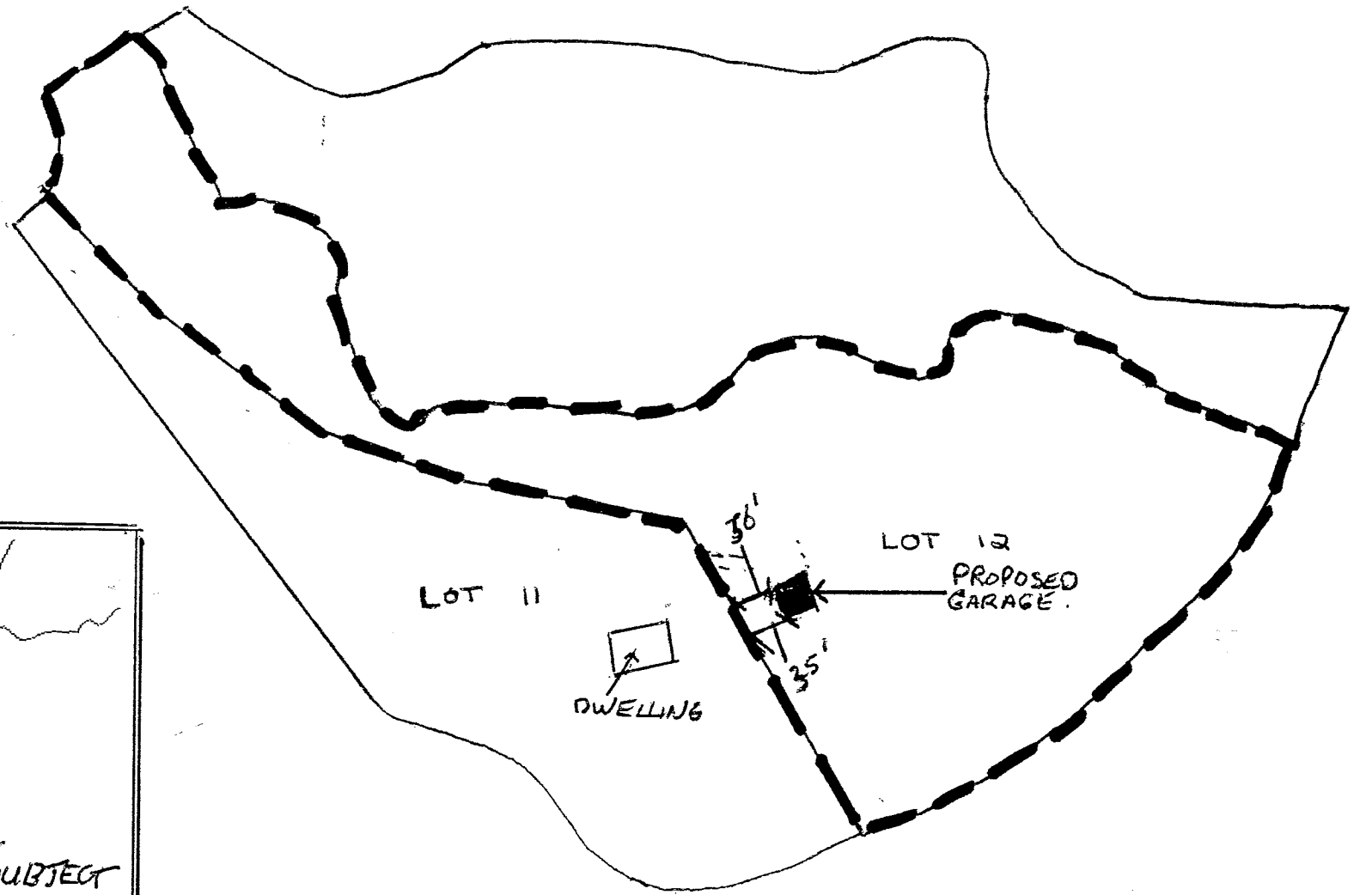
Moved by: Member Scott Mackey
Seconded by: Member Cornelius Vlieland

That the Public Hearing regarding the proposed Zoning By-law Amendment for Part Lot 12, Plan 16M-11 (former Township of Sullivan) adjourn at 9:55 a.m. Carried

Moved by: Member Scott Mackey
Seconded by: Member Cornelius Vlieland

That the Township of Chatsworth Planning Committee adjourn at 9:56 a.m. Carried

■ --- GARAGE, ACCESSORY Bldg.
26' X 28'



**NOTICE OF THE PASSING OF A ZONING BY-LAW
BY THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH**

TAKE NOTICE that the Council of the Corporation of the Township of Chatsworth passed By-law No. _____ on the _____ day of _____, 2015 under Section 34 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Municipal Board in respect of the By-law by filing with the Clerk of the Corporation of the Township of Chatsworth not later than the _____ day of _____, 2014 a notice of appeal setting out the objection to the By-law and the reasons in support of the objection.

ONLY individuals, corporations and public bodies may appeal a Zoning By-law Amendment to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group; however, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. An individual, corporation or public body that did not make an oral submission at the public meeting or make a written submission to the Township of Chatsworth with regard to the Zoning By-law Amendment prior to the amendment being adopted is not entitled to appeal the Zoning By-law Amendment, nor is such person entitled to be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

AN EXPLANATION of the purpose and effect of the By-law, describing the lands to which the By-law applies and a Map showing the location of the lands to which the By-law applies are attached. The complete By-law is available for inspection in my office during regular business hours.

DATED at the Township of Chatsworth This _____ of _____, 2015.

Will Moore, CAO / Clerk
Township of Chatsworth
R.R.1
CHATSWORTH, ON N0H 1G0
Tel. (519) 794-3232 Fax (519) 794-4499

EXPLANATORY NOTE

The Zoning By-law Amendment affects the lands described as Lot 12, Plan 16M-11 (Part Lots 20 and 21), Geographic Township of Sullivan, in the Township of Chatsworth, as shown on the sketch on the reverse of this form.

The purpose of the Amendment is to amend the 'R3-151' zone as it applies to one particular lot (Lot 12) within the subdivision in order to permit the construction and use of an accessory building (garage) without the principal structure (detached dwelling) on the property. The garage would be used in conjunction with the detached dwelling situated on the abutting Lot 11. The drawing on the reverse of this form identifies the location of the proposed structure.

The lands subject to rezoning are located within the 'Rural' and 'Hazard' designations of the County of Grey Official Plan.

The Council of the Township of Chatsworth has adopted this By-law and is now circulating it in accordance with Provincial Regulations.

78

THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH
BY-LAW NUMBER

BEING a By-law to amend Zoning By-law No. 2006-45, entitled the "Township of Chatsworth Comprehensive Zoning By-law";

WHEREAS the Council of the Corporation of the Township of Chatsworth deems it in the public interest to pass a By-law to amend Zoning By-law No. 2006-45;

AND WHEREAS pursuant to the provisions of Sections 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 TOWNSHIP OF CHATSWORTH ENACTS AS FOLLOWS:

1. Section 27 of By-law No. 2006-45 is hereby amended by adding the following to Section 27.151:
 5. Notwithstanding Section 5.1 v, one accessory building shall be permitted on Lot 12 prior to a detached dwelling.

2. This By-law shall come into force and take effect upon being passed by Council subject to any approval necessary pursuant to the Planning Act, R.S.O. 1990, as amended.

Read a first time this _____ day of _____, 2015;

Read a second time this _____ day of _____, 2015;

Read a third time and finally passed this _____ day of _____, 2015.

Mayor

Clerk

* * * * *

I hereby certify that the foregoing is a true copy of By-law No. _____ as enacted by the Council of the Corporation of the Township of Chatsworth this _____ day of _____, 2015.

Date

Clerk