

Township of Chatsworth Land Division/Planning Agenda

Wednesday October 7, 2015, 9:00 AM

1) Call to Order

2) Disclosure of Pecuniary Interest

3) Minutes of July 8, 2015

4) Consent Hearings:

9:00 a.m. B4/2015 Carmichael

9:10 a.m. B3/2015 McAleese

5) Other Business

6) Adjournment:

Township of Chatsworth Land Division Committee Minutes

Township of Chatsworth

Wednesday July 8, 2015

9:00 A.M.

Members Present:

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

Staff Present:

Secretary Treasurer Dianne Oldrieve

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. **Minutes of March 4th 2015.**

**04-15 Moved by Member Mackey
Seconded by Member Thompson**

That the minutes of the Township of Chatsworth Land Division Committee of March 4, 2015 be approved as circulated. Carried

4. Public Hearings:

- 1) **Application for Severance Part Lot 1, Concession 11 EGR, Geographic Township of Holland: B2/2015 – Hallman/Bruce Trail Conservancy**

Public in Attendance

Antoin Diamond

The Secretary read the statutory requirements for the Public Meeting as well as the comments received.

County of Grey Planning and Development Department commented in their letter dated June 26, 2015;
Schedule A of the OP designates the subject lands as 'Niagara Escarpment Plan Area'.
Section 2.5.1 of the OP states,
The Niagara Escarpment Plan must be referred to for determination as to whether or not lands are affected by the various designations and policies under that planning document.
Schedule B of the OP indicates that the subject lands are located within an 'Aggregate Resource Area'. Section 2.7.3(6) of the OP states,
Non-farm lot creation shall not be permitted within lands identified as Aggregate

Resource Area on Schedule B.

The proposed severance would result in a 6.67 hectare parcel of land, which is considered a non-farm lot. The subject application does not conform to the above policy.

County planning staff recommend refusal of the subject application as it does not conform to Section 2.7.3(6) of the OP.

Grey Sauble Conservation stated in their letter dated July 2, 2015 that they have no objection to the proposed consent application as the severed property is to be conveyed to the Bruce Trail Conservancy for passive recreation use and no development is proposed.

Niagara Escarpment Commission replied on June 12, 2015.

The Commission supports the efforts to secure lands for a continuous route for the Bruce Trail and for the acquisition of suitable conservation lands as part of the Niagara Escarpment Parks and Open Space System (NEPOSS). The acquisition of the bulk of the natural wooded (land) along Walters Creek on this property for trail and conservation purposes would further the Objectives under Part 3 (NEPOSS) of the NEP. No new building lots are being created by this application.

The Historic Saugeen Metis Lands, Resources, and Consultation Department commented in their e-mail dated June 8, 2015 that they have reviewed the relevant documents and have no objection or opposition to the proposed development.

John Acres, Septic Inspector has no concerns.

Carolyn Vlieland-Marx, Water Service Co-ordinator has no concerns as property is not serviced by municipal water.

Mike Givens, Fire Chief has no concerns.

Township Planner, Ron Davidson noted in his Planning Report dated May 27th 2015 that the proposed severance appears to conform with the Niagara Escarpment Plan and is consistent with the PPS. The proposal has considerable merit and should be approved.

The subject lands fall within the Development Control Area of the NEC and therefore the Township's Zoning By-law does not apply to the subject lands.

Ron Davidson wrote an addendum to address the County's concerns.

The lands subject to this severance application are designated 'Escarpment Protection Area' in the Niagara Escarpment Plan. Neither of these land use designations would allow an aggregate extraction operation on this property.

It would appear the County Official Plan and the Niagara Escarpment Plan are promoting entirely different land use activities for the subject property. In this regard, it is important to understand that the policies of the Niagara Escarpment Plan take precedent over those of the County Official Plan. As such, an aggregate operation could not be considered for this site, and therefore it is not reasonable to apply Section 2.7.3(6) of the County OP.



Chatsworth

Township of Chatsworth
RR 1, Chatsworth, Ontario, N0H 1G0

Will Moore, CAO / Clerk Grace Nayler, Treasurer and Assistant CAO/Clerk
Telephone 519-794-3232 Fax 519-794-4499

August 26, 2015

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

Dear Committee of Adjustment members:

Re: Application for Consent (B4/2015)
Part Lot 7, Concession 1,
Geographic Township of Sullivan
Township of Chatsworth
(Ada Carmichael)

The following has been drafted to provide the Committee of Adjustment with planning comments concerning the above-noted severance application.

The subject property is located immediately south of the settlement area of Chatsworth, and has frontages along Provincial Highway 6 and County Road 40. The site comprises 23.82 hectares, contains a detached dwelling and is predominantly cash-cropped.

Located on the abutting property is a farm implement sales and services establishment (Huron Tractor). The gravel parking lot associated with that business was recently expanded (during a recent building addition) and encroached onto the Carmichael property. Mrs. Carmichael is proposing to convey these lands to the commercial property in order to rectify this problem. She is also proposing to sever a small swath of land along the west side of the commercial property in order to have the lot line follow a small berm. The total amount of land to be conveyed in this lot addition proposal would be 0.32 hectares.

Please note that an error exists on the County's GIS mapping with regard to the two properties in question. The western boundary of the commercial lot does NOT extend into the cropped field as suggested in the aerial photograph. The survey for the commercial lot shows the property boundary being approximately 21 metres narrower

in width than shown on the GIS mapping.

According to Schedule A (Land Use) to the County of Grey Official Plan, the Carmichael property and the commercial lot are both designated 'Rural'. The 'Rural' policies give consideration to the creation of two lots per original 40 hectare Crown lot, provided each lot comprises approximately 0.8 hectares. In no instance, shall the number of lots created from the original 40 hectare farm parcel exceed three (3) including the retained parcel. In this particular instance, the lot addition will not increase the number of lots that have been established from the original Crown parcel known as Lot 7, Concession 1, Sullivan Township, and therefore the proposal would not conflict with this lot density policy.

Permitted uses within the 'Rural' designation include small-scale commercial and industrial operations. On 'Rural' lots comprising 20 hectares of land or less, a small-scale operation may have a maximum floor area of 250 square metres and an outdoor storage and display area not exceeding 500 square metres. If the building(s) is less than 250 square metres, the outdoor storage and display area may be increased provided the combined floor area and outdoor storage and display area does not exceed 750 square metres. In this regard, the farm implement dealership would qualify as a small-scale commercial operation, although it is apparent that the existing business has already exceeded the maximum floor area and outdoor storage and display area provisions listed above. Restrictions should be placed in the Zoning By-law to ensure that no additional development occurs on this site.

Provided the above-noted rezoning occurs, the proposed severance would be in conformity with the 'Rural' policies of the Official Plan.

With regard to the Provincial Policy Statement (PPS), limited non-farm development is permitted in the rural areas of the Township subject to MDS compliance and conformity with the aggregate and natural heritage policies. The proposed development would appear to be consistent with the PPS.

With regard to the Township's Zoning By-law, the Carmichael property is zoned 'A1' (Rural) and the commercial lot is zoned 'C2-1' (Rural Commercial Exception). The 'C2-1' zone permits a farm equipment sales establishment. The 0.32 hectares of land to be added to the commercial property must be rezoned to 'C2-1'; and, because the 'C2-1' zone does not carry out the policies of the Official Plan with regard to the floor area and display area, the 'C2-1' provisions must be amended to permit no additional floor area or display area beyond what exists today.

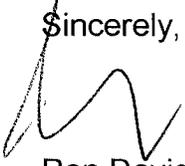
Based on the foregoing, approval of this application is recommended.

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, the Committee of Adjustment 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, cursive script.

Ron Davidson, BES, RPP, MCIP
Planner

**Township of Chatsworth
Land Division Committee
Notice of Application for Consent
The Planning Act, RSO 1990, as amended**

Take Notice that the Township of Chatsworth Land Division Committee has appointed **October 7, 2015 at 9:00 a.m.** for the purpose of a public hearing into this matter. The Hearing will be held at the Township of Chatsworth Council Chambers at 316837 Highway 6, R.R.#1, Chatsworth, Ontario.

CONSENT APPLICATION: File No: B4-2015

PURPOSE AND EFFECT: To sever .32 hectares and convey this land to the abutting commercial property; and to retain a 23.5 hectare parcel.

LEGAL DESCRIPTION: Part Lot 7, Concession 1 WGR (former Sullivan Twp)

SEVERED PARCEL: AREA 0.32 hectares (0.79 acres)
FRONTAGE 7 metres (23 feet)

AMALGAMATED PARCEL: AREA 2.17 hectares (5.37 acres) approx.
FRONTAGE 152.46 metres (500 feet)

RETAINED PARCEL: AREA 23.5 hectares (58.1 acres) approx.
FRONTAGE 450 metres (1476.4 feet)

HAVING ACCESS ON: Amalgamated parcel – Grey Road 40
Retained – Highway 6

SEE SKETCH ATTACHED

Property owners within 120 metres (legislation requires 60 metres) of subject land are hereby notified of the above application for consent.

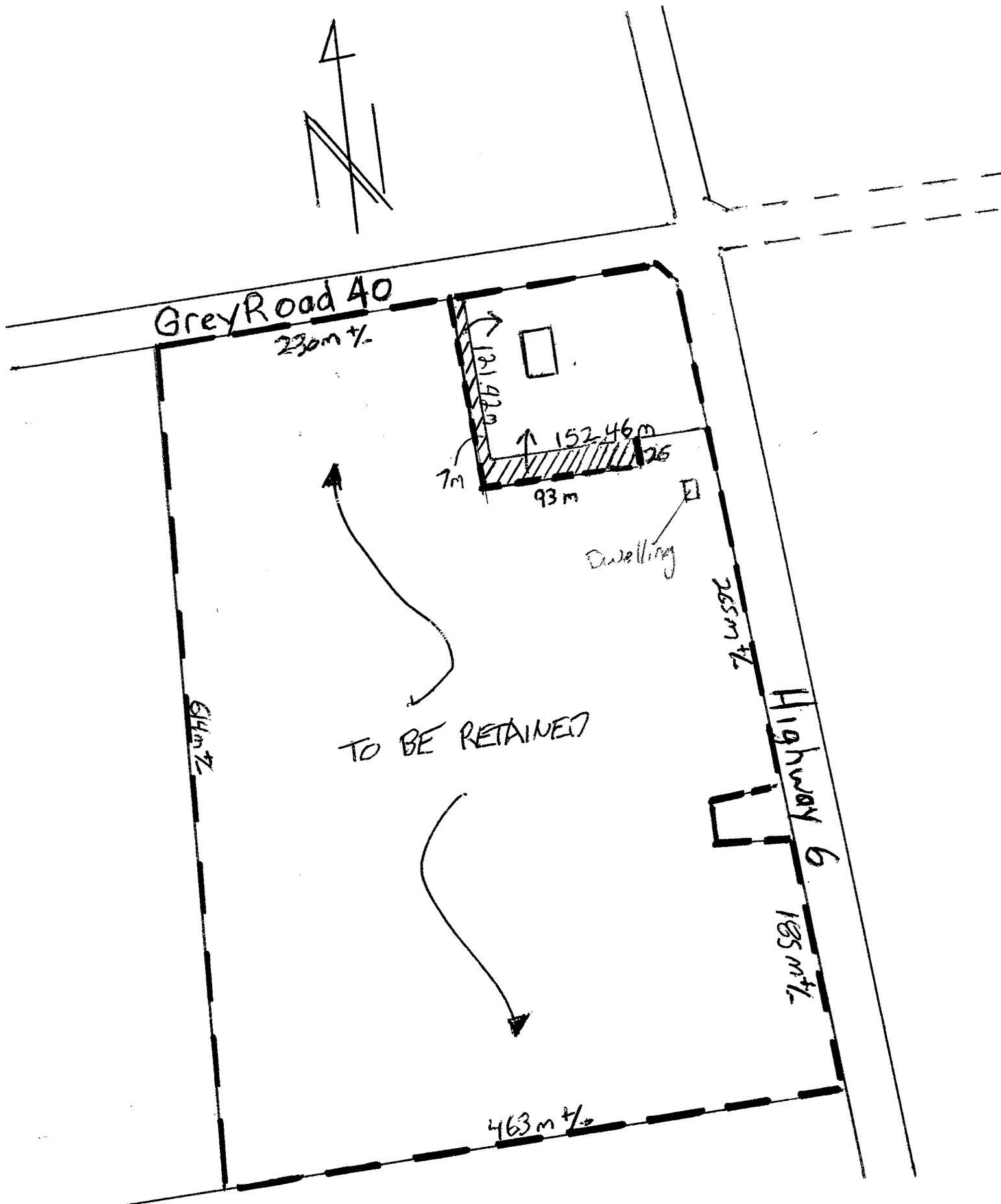
If a person or public body does not make oral submissions at the meeting or make written submissions to the Township of Chatsworth Land Division Committee with regard to the proposed severance before the severance is granted, the person or public body is not entitled to appeal the decision of the Land Division Committee. Also, if a person or public body does not make oral submissions at the meeting or make written submissions to the Township of Chatsworth Land Division Committee before the severance is granted, the person or public body may not 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.

If you wish to be notified of the decision of the Land Division Committee in respect of the proposed consent, you must make a written request to the Township of Chatsworth.

Additional information regarding the application is available for public inspection from Monday to Friday 8:00 a.m. to 4:00 p.m. at the Township of Chatsworth Office. When requesting information please quote File No. B4-2015

Secretary-Treasurer
Township of Chatsworth Land Division Committee
R.R.# 1, Chatsworth, Ont
N0H 1G0
Phone: 519-794-3232

Fax: 519-794-4499



Grey Road 40
230m +/-

64m +/-

265m +/-

Highway 6

185m +/-

463m +/-

121.92m

152.46m

93m

Dwelling

TO BE RETAINED



LANDS TO BE SEVERED AND
ADDED TO COMMERCIAL LOT



Chatsworth

Township of Chatsworth
RR 1, Chatsworth, Ontario, N0H 1G0

Will Moore, CAO / Clerk Grace Nayler, Treasurer and Assistant CAO/Clerk
Telephone 519-794-3232 Fax 519-794-4499

August 24, 2015

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

Dear Committee of Adjustment members:

Re: Application for Consent (B3/2015)
Lots 16 and 17, Range 3E
Geographic Township of Holland
Township of Chatsworth
(James David Neil McAleese)

The following has been drafted to provide the Committee of Adjustment with planning comments concerning the above-noted severance application.

The subject property is located along the north/northeast side of East Back Line, approximately ten kilometres southeast of Chatsworth.

The site comprises 46.8 hectares of land. A dwelling and two sheds exist in the property's southeast corner. Approximately 32 hectares of land are cash-cropped, while the remainder of the property is either forested or scrub land.

It should be noted that whereas the subject lands appear on the County's GIS mapping to comprise two distinct parcels of land (i.e. small residential lot and a larger farm parcel), the applicant's solicitor has advised in writing that these former parcels have merged.

The owner is proposing to sever the 46.8 hectare holding into two equal parcels. The severance would have the effect of re-establishing the original Crown parcels known as Lot 16, Range 3E (severed) and Lot 17, Range 3E (retained).

According to Schedule A (Land Use) to the County of Grey Official Plan, the entire subject property is designated 'Rural'. The 'Rural' policies give consideration to the

creation of two lots per original 40 hectare Crown lot, provided each lot comprises approximately 0.8 hectares. In no instance, shall the number of lots created from the original 40 hectare farm parcel exceed three (3) including the retained parcel. In this particular instance, the original Crown lots were approximately 23.4 hectares in size. Since these original parcels remain intact today (i.e. no lots have been severed), re-establishing the original lots 16 and 17 would be consistent with the intent of the above-stated density policy.

The Official Plan policies attempt to discourage long, narrow lots by establishing a maximum frontage-to-depth ratio of 1:3. Justification to go beyond this ratio must be justified. With regard to this policy, the proposed lots would have a frontage-to-depth ratio of just under 1:6. In this particular instance, this configuration should be acceptable since the new lots will be of the exact shape and size as originally created in the 1800's. Also, there are numerous lots in this area are of the same dimensions.

The 'Rural' consent policies also require new lot creation to comply with the Minimum Distance Separation Guidelines. In this regard, there is one livestock barn of reasonable repair within the general area. The barn located on the property to the immediate east is situated approximately 299 metres from the closest part of the retained parcel and 431 metres from the existing dwelling located on the retained parcel. As shown on the attached MDS Report, the required setback between the barn / manure storage facility and the one hectare building envelope associated with the existing house is 264 metres. As such, the proposal severance complies with the MDS Guidelines.

None of the Official Plan schedules and appendices shows any development constraints on the subject lands or adjacent properties that would cause concern with regard to this severance proposal.

In view of the foregoing, it would appear that the proposed severance conforms with the County Official Plan.

With regard to the Provincial Policy Statement (PPS), limited non-farm development is permitted in the rural areas, subject to MDS compliance and conformity with the aggregate and natural heritage policies. The proposed development would appear to be consistent with the PPS.

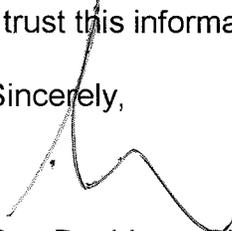
In terms of Zoning By-law compliance, the lands are zoned 'A1' (Rural). Both the severed and retained parcels comply with the minimum lot area (20 hectares) and lot frontage (180 metres) provisions. As such, no amendment to the Zoning By-law shall be required as a condition of consent.

Based on the foregoing, approval of this application is recommended.

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, the Committee of Adjustment 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', written over the word 'Sincerely,'.

Ron Davidson, BES, RPP, MCIP

Attachment: MDS report

Township of Chatsworth Land Division Committee Notice of Application for Consent The Planning Act, RSO 1990, as amended

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CONSENT APPLICATION: File No: B3-2015

PURPOSE AND EFFECT: To create a rural lot of 23.4 hectares and to retain a rural lot of 23.4 hectares.

LEGAL DESCRIPTION: Lots 16 and 17, Range 3E (former Holland Township)

SEVERED PARCEL: AREA 23.4 hectares (57.8 acres)
FRONTAGE 203 metres (666 feet)
DEPTH 1162 metres (3812.3 feet)

RETAINED PARCEL: AREA 23.4 hectares (57.8 acres)
FRONTAGE 203 metres (666 feet)
DEPTH 1162 metres (3812.3 feet)

HAVING ACCESS ON: Severed parcel – East Back Line
Retained – East Back Line

SEE SKETCH ATTACHED

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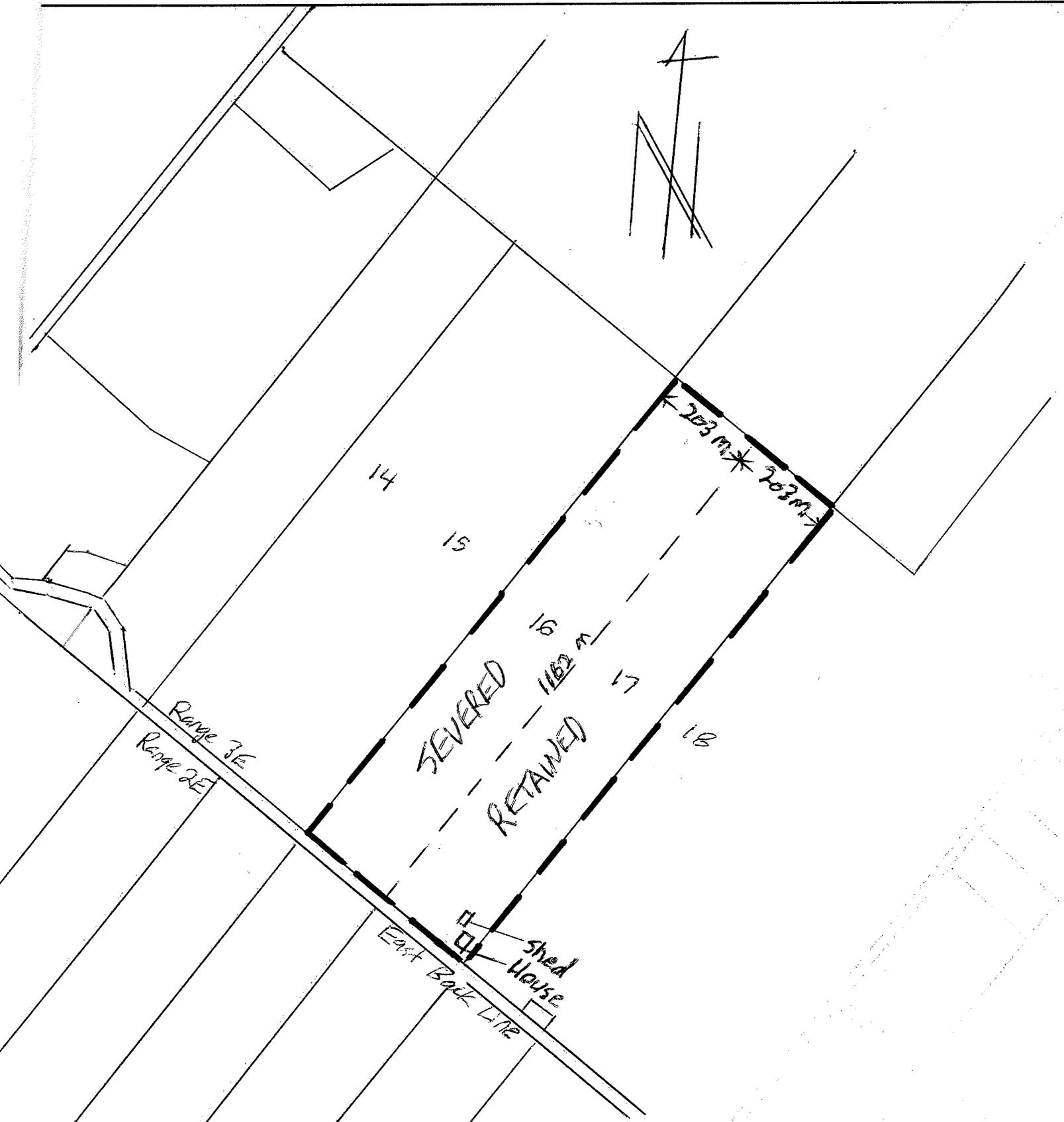
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Secretary-Treasurer
Township of Chatsworth Land Division Committee
R.R.# 1, Chatsworth, Ont
N0H 1G0

Phone: 519-794-3232

Fax: 519-794-4499



0 0.32 0.64 Kilometers

This map is a user generated static output from an Internet mapping site and
 Data layers that appear on this map may or may not be accurate, current

ator_Auxiliary_Sphere



Printed: August 12, 2015

THIS MAP IS NOT TO BE USED