

Township of Chatsworth Planning Committee Agenda

Wednesday March 2, 2016 at 9:30 AM

1) Call to order

2) Disclosure of Pecuniary Interest

3) Public meetings:

9:30 a.m. Consolidated Zoning By-law –housekeeping
amendment for Second Residence on property

4) Adjournment:



**NOTICE OF A PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT
IN THE TOWNSHIP OF CHATSWORTH**

Take notice that the Council of the Corporation of the Township of Chatsworth will hold a Public Meeting on Wednesday, March 2, 2016 at 9:30 a.m. in the Municipal Council Chambers to consider a proposed Zoning By-law Amendment under Section 34 of the Planning Act, R.S.O. 1990, as amended.

The proposed Zoning By-law Amendment is intended to amend the provisions for secondary residential dwelling units located within a separate structure. The proposed amendment would eliminate the maximum floor area provision for the second detached dwelling unit and also allow for such dwelling unit to be more than one storey in height. These changes apply to lots zoned A1 and A2 that are 0.8 hectares in size or larger.

ANY PERSON may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed amendment. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Chatsworth with regard to the Zoning By-law Amendment before the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision of the Township of Chatsworth to the Ontario Municipal Board and 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.

ADDITIONAL information relating to the proposed Zoning By-law Amendment may be obtained by contacting the undersigned during regular business hours. The complete By-law is available for viewing at the Township office.

**DATED AT THE TOWNSHIP OF CHATSWORTH
this 11th day of February, 2016.**

Will Moore, CAO / Clerk
Township of Chatsworth
316837 Highway 6
R.R. #1
CHATSWORTH, Ontario
N0H 1G0
Tel. (519) 794-3232
Fax (519) 794-4499



Chatsworth

Township of Chatsworth

316837 Highway 6 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

February 11, 2016

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

Dear Mayor Pringle and Members of Council:

**Re: Amendment to Comprehensive Zoning By-law
 (Housekeeping By-law re: Secondary Detached Dwellings)**

The following has been drafted to provide Council with planning comments concerning the above-noted draft By-law.

The Comprehensive Zoning By-law for the Township of Chatsworth permits a second detached dwelling on properties zoned 'A1' or 'A2' which have at least 0.8 hectares of lot area. This provision was added to the previous Comprehensive Zoning By-law approximately 18 months ago to reflect the Province's Bill 140 and was subsequently carried forward into the new By-law through its adoption in November, 2015.

The provisions for the second dwelling unit are:

5.3 Accessory Dwelling Unit Within Detached Accessory Structure

Where specifically permitted by this By-law, an accessory dwelling unit shall be allowed in a detached accessory structure in the following instance:

- a) *The lot shall have an area of at least 0.8 hectares;*
- b) *The accessory dwelling unit shall not be permitted if any other dwelling, other than the principal detached dwelling, exists on the subject property;*
- c) *The accessory dwelling unit shall be designed to be permanent, and is not a mobile home or any other type of dwelling that is designed to be portable;*

- d) *The accessory dwelling unit is located within 50 metres of the principle detached dwelling and utilizes the same driveway entrance as the principle detached dwelling.*
- e) *The minimum gross floor area of the accessory dwelling unit shall be 55.7 square metres, and the maximum gross floor area of the accessory dwelling unit shall be 93 square metres or equivalent to 50% of the gross floor area of the principal detached dwelling, whichever is greater; and,*
- f) *The accessory dwelling unit is located in accordance with the yard setbacks applicable to a main dwelling in the applicable zone;*
- g) *The accessory dwelling unit does not result in the maximum lot coverage for accessory buildings being exceeded;*
- h) *The building in which the accessory dwelling unit is located does not exceed one storey;*
- i) *The accessory dwelling unit complies with the Minimum Distance Separation requirements.*
- j) *A minimum of one extra parking space shall be provided in accordance with Section 5.11 in addition to the parking requirements associated with the principal detached dwelling.*

As a result of recent discussions with some members of the general public, Council has requested that a draft Zoning By-law Amendment be prepared for consideration that would have the effect of eliminating the maximum floor area requirement and the provision which limits the second dwelling to one storey.

In consideration of this proposed changed, it should be understood that Bill 140 did not attempt to impose restrictions on the size of the secondary dwelling unit. The current provisions dealing with the size of the dwelling were included in an attempt to ensure that the second home was secondary to the main dwelling on the property and to limit the impact of a second dwelling on adjacent land uses, particularly farming operations.

Notwithstanding this intent, it is opinion of Township Planning staff that the limitations on the size of the second dwelling unit could be removed without causing any significant concerns provided the other provisions remain in effect, particularly the provision that requires the two dwellings to be located within 50 metres of each other and the sharing of a driveway.

With regard to Official Plan conformity, it should be noted that the County of Grey Official Plan has not been updated, as of yet, to specifically reflect Bill 140. That notwithstanding, the 'Agricultural' and 'Rural' policies would not prohibit two dwellings on a lot located in either of these land use designations, as confirmed during previous discussions with the County regarding secondary dwelling units. Also, it should be noted that the Official Plan does not regulate the size of detached dwellings. In this regard, the proposed By-law would conform with the County Official Plan.

The proposed By-law would not conflict with any policy of the Provincial Policy Statement.

Based on the foregoing, Council may wish to approve the Zoning By-law Amendment.

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 flourish at the end.

Ron Davidson, BES, RPP, MCIP
Township Planner

THE CORPORATION OF THE TOWNSHIP OF CHATSWORTH
BY-LAW NUMBER 2016-

BEING a By-law to amend Zoning By-law No. 2015-61, 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. 2015-61;

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. Zoning By-law No. 2015-61 is hereby amended by deleting Section 5.3 and replacing it with the following:

5.3 *Accessory Dwelling Unit Within Detached Accessory Structure*

Where specifically permitted by this By-law, an accessory dwelling unit shall be allowed in a detached accessory structure in the following instance:

- a) *The lot shall have an area of at least 0.8 hectares;*
 - b) *The accessory dwelling unit shall not be permitted if any other dwelling, other than the principal detached dwelling, exists on the subject property;*
 - c) *The accessory dwelling unit shall be designed to be permanent, and is not a mobile home or any other type of dwelling that is designed to be portable;*
 - d) *The accessory dwelling unit is located within 50 metres of the principle detached dwelling and utilizes the same driveway entrance as the principle detached dwelling;*
 - e) *The minimum gross floor area of the accessory dwelling unit shall be 55.7 square metres;*
 - f) *The accessory dwelling unit is located in accordance with the yard setbacks applicable to a main dwelling in the applicable zone;*
 - g) *The accessory dwelling unit does not result in the maximum lot coverage for accessory buildings being exceeded;*
 - h) *The accessory dwelling unit complies with the Minimum Distance Separation requirements.*
 - i) *A minimum of one extra parking space shall be provided in accordance with Section 5.11 in addition to the parking requirements associated with the principal 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 and second time this ___ day of _____, 2016;

Read a third time and finally passed this ___ day of _____, 2016.

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 _____, 2016.

Date

CAO/Clerk