1. Call to Order

2. Disclosure of Pecuniary Interest

3. Minutes of Previous Meetings
   3.1 Planning Committee Minutes from July 3, 2019

4. Committee of Adjustment Public Meeting
   4.1 Minor Variance
       A02/2019 Lot 16, Plan 646 Sullivan - Fischer
   4.2 Minor Variance
       A03/2019 Part Lots 86 and 87, Concession 1 Holland - Deveau
   4.3 Consent
       B04/2019 Part Lots 4, 5 and 6 Concession 3 Holland – Solinger for Thurston/Sutton
   4.4 Consent
       B06/2019 Lot 22, Concession 4 EGR Holland - Beirnes

5. Adjournment
Township of Chatsworth Planning Committee
Minutes
Wednesday July 3, 2019
9:00 A.M.

Members Present:
Chair   Mayor Scott Mackey
Member Brian Gamble
Member Shawn Greig
Member Elizabeth Thompson
Member Diana Rae

Members Absent:
None

Staff Present:
Township Planner:      Ron Davidson
Secretary-Treasurer:  Nicole Martin

1. Call to Order
Chair Mackey called the meeting to order at 9:00 a.m.

None.

3. Planning Committee/Committee of Adjustment
It was:
Moved by Shawn Greig
Seconded by Elizabeth Thompson

That the Planning Committee of the Township of Chatsworth adopts the Minutes of April 3, 2019. Carried

4. Planning Committee Public Meeting:

4.1 Consent application B02/2019
Part Lot 19, Concession 1 EGR, Geographic Township of Holland, Township of Chatsworth – McCracken

Public in Attendance
Rebecca Hunter

Township Planner Ron Davidson gave an overview of the application and explained that the purpose of the proposed severance was to create a new residential building lot in the settlement area of Williamsford. He advised that the proposal conforms with the County Official Plan, is consistent with the Provincial Policy Statement and has raised no concerns with any commenting agency or neighbouring land owner. Mr. Davidson subsequently recommended approval of the application.
After a brief discussion, it was:
Moved by Brian Gamble
Seconded by Diana Rae

*Be it resolved that Consent Application B02/2019 for Part Lot 19, Concession 1 EGR Holland be granted subject to the conditions on the decision sheet. Carried*

4.2 **Consent application B03/2019**
Part Lot 10, Concession 7, Geographic Township of Sullivan, Township of Chatsworth – Keeling

**Public in Attendance**
Doug Keeling – Applicant
Maria Wood - Agent

Township Planner Ron Davidson gave an overview of the application and explained that the purpose of the proposed severance was to adjust an existing lot line separating a farm parcel from the adjacent residential lot. The intent was to enlarge the size of the residential lot to include two accessory buildings and a cellular tower. The Planner advised that the proposal conforms to the Official Plan and is consistent with the Provincial Policy Statement. Mr. Davidson added that all agencies were in support of the lot line adjustment, but that the County was requesting that the most northerly of the two entrances/driveways servicing the existing residential lot be closed.

Maria Wood, representing the owners, provided a brief overview of the proposal.

Doug Keeling, one of the owners, spoke with regard to the County’s recommendation of closing one of the entrances and advised that the norther entrance provides access to his residence and closing that entrance would cause hardship.

The Committee discussed this entrance issue and collectively decided not to include a condition on the Decision Sheet requiring the entrance to be removed. At that time, it was:

Moved by Shawn Greig
Seconded by Elizabeth Thompson

*Be it resolved that Consent Application B03/2019 for Part Lot 10, Concession 7 Sullivan be granted subject to the conditions on the decision sheet. Carried*

5. **Closure of Planning Committee Meeting**
It was:
Moved by Diana Rae
Seconded by Brian Gamble

*Be it resolved that the Planning Committee adjourn at 9:42 a.m. Carried*

_________________________   ____________________________________
Scott Mackey, Chair     Nicole Martin, Secretary-Treasurer
NOTICE OF A PUBLIC MEETING
CONCERNING AN APPLICATION FOR MINOR VARIANCE

TAKE NOTICE that the Corporation of the Township of Chatsworth is in receipt of a complete application for Minor Variance under Section 45 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE FURTHER NOTICE that the Committee of Adjustment for the Corporation of the Township of Chatsworth will hold a Public Meeting on Wednesday, September 4, 2019 at 9:00 a.m., in the Municipal Council Chambers to consider the proposed Minor Variance, as per the requirements of Section 45 of the Planning Act, R.S.O. 1990, as amended.

The proposed Minor Variance will affect the lands described as Lot 16, Plan 646, Geographic Township of Sullivan, Township of Chatsworth, otherwise known as 113 Anderson Lane.

The purpose of the application is to reduce the ‘minimum side yard’ requirement for a detached dwelling in the ‘A1’ (Rural) zone from 3.0 metres to 1.5 metres to allow for the expansion of an existing dwelling in the form of an attached garage.

A map showing the location of the property and the proposed development is provided on the reverse of this form.

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 proposal. An individual, corporation or public body that does not make an oral submission at the public meeting or make a written submission to the Committee of Adjustment with regard to the application prior to the request being approved is not entitled to appeal the decision, nor is such person entitled to be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

ADDITIONAL information relating to this application may be obtained by contacting the undersigned.

DATED at Chatsworth this 15th day of August, 2019.

Secretary-Treasurer
Township of Chatsworth
316837 Highway 6
R.R. #1
CHATSWORTH, Ontario
N0H 1G0
Tel. (519) 794-3232
Fax (519) 794-4499
August 14, 2019

Township of Chatsworth
316837 Highway 6
R.R. 1
CHATSWORTH, Ontario
N0H 1G0

Chair Mackey and Members of the Committee of Adjustment:

Re: Lot 16, Plan 646
Geographic Township of Sullivan, Township of Chatsworth
113 Anderson Lane
Owner: Jason and Lucy Fischer
File: A02/2019

The following has been prepared to provide the Committee of Adjustment with planning comments concerning the above-noted matter.

**Background:**

The owners of the subject property are proposing to construct an addition onto their existing dwelling in the form of an attached garage. The addition would leave a 1.5 metre interior side yard along the westerly boundary. The Zoning By-law requires a 3.0 metre yard and therefore the owners have filed a Minor Variance application seeking this relief.

**Subject Lands:**

The subject property is located along the south side of Paisley Drive. The lot comprises 1652 square metres of land. Access to the site is gained from a driveway that has been constructed along the Anderson Lane road allowance. Situated on the property is a detached dwelling.

**Adjacent Lands:**

Approximately sixteen residential lots exist within this small development along Anderson Lane and Paisley Drive.
Planning Act:

When dealing with Minor Variances, the Committee of Adjustment must be satisfied that the request passes all four tests for Minor Variances set out in The Planning Act. Failure to meet any of the tests should result in the application being refused. In this regard, please consider the following:

1. Does the variance maintain the intent and purpose of the Grey County Official Plan?

   Schedule A to the County Official Plan designates the subject property as ‘Agricultural’. The ‘Agricultural’ designation generally permits detached dwellings but does not contain development standards such as side yard requirements.

   The subject property is situated within the ‘Aggregate Resource Area’ constraint on Schedule B to the Official plan. Development or site alteration that would hinder future aggregate extraction on these lands is generally prohibited. Given that a house already exists on the property, a small addition should have no impact on the ability or inability to extract aggregate from these lands in the future.

   Based on the foregoing, the proposed variance would appear to maintain the intent and purpose of the Official Plan.

2. Does the variance maintain the intent and purpose of the Township of Chatsworth Zoning By-law?

   The purpose of the 'minimum side yard' requirement is to ensure that buildings do not create an overcrowding effect on the subject property and/or adjacent lands and to also ensure that sufficient area is provided along the lot line to provide maintenance to the building without trespassing onto the neighbour’s property. In this regard, a 1.5 metre side yard is generally considered to still be a reasonable area and should not result in an overcrowding situation. As well, 1.5 metres leaves ample room to provide exterior maintenance to the building. As such, the proposed variance should not undermine the intent and purpose of this particular zoning provision.

3. Is the variance is minor in nature?

   This test has traditionally been interpreted as meaning “what impact will the variance have on the neighbours?” Providing a 1.5 metre yard as opposed to a 3.0 metre yard would likely have no negative impact on the neighbouring property owner. It is worth noting that the house on the property to the east appears to have a large side yard which should offset the reduced side yard proposed by the applicant. Based on the foregoing, the variance should be considered minor in nature.

4. Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?

   Given the interior layout of the existing house, it is necessary to construct the attached garage along the east side of the dwelling. In order to do so, however, relief from the
side yard requirement is necessary. It’s worth noting that the size of the proposed garage is not excessively large. It is also worth noting that if the owners chose to erect a detached garage as opposed to an attached garage, as proposed, the Zoning By-law would allow that detached structure to be constructed within 1.5 metres of the side lot line. Based on this information and that fact that no negative impact should result from the proposed variance, the variance should be considered desirable for the appropriate and orderly development and use of the lands and buildings.

**Provincial Policy Statement:**

The variance would appear to be consistent with the Provincial Policy Statement. The PPS does contain policies designed to protect possible, future aggregate extraction; however, as noted above, the variance should have no impact on this matter.

**Conclusion and Recommendation:**

The proposed Minor Variance passes the four texts identified in Section 45 of the Planning Act and is consistent with the PPS. As such, the application can be approved.

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 is advised to take such information into account when considering this application.

I trust this information will be of assistance.

Sincerely,

Ron Davidson, BES, RPP, MCIP
August 28th, 2019

Patty Sinnamon, CAO/Clerk
Township of Chatsworth
316837 Highway 6 R.R. #1
Chatsworth, Ontario
N0H 1G0
*Sent via E-mail

RE: Minor Variance Application A02/2019
113 Anderson Lane
Township of Chatsworth
Applicant/Owner: Jason Fischer

Dear Ms. Sinnamon,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP), Recolour Grey. We offer the following comments.

The purpose of the application is to reduce the 'minimum side yard' requirement for a detached dwelling in the '41' (Rural) zone from 3.0 metres to 1.5 metres to allow for the expansion of an existing dwelling in the form of an attached garage.

Schedule A of Recolour Grey designates the subject lands as 'Agriculture'. Section 5.2.1 of the OP states,

4) Residential dwellings are generally permitted on existing lots of record, unless otherwise restricted by a zoning by-law amendment in the case of a surplus farmhouse severance.

The subject application conforms to the above noted policy. County planning staff have no concerns.

Schedule B indicates that the subject property contains 'Aggregate Resource Areas'. Section 5.6.2 of Recolour Grey states,

7) In Aggregate Resource Areas shown on Schedule B, new non-agricultural uses that require a zoning by-law amendment on existing lots of record, or new

Grey County: Colour It Your Way
non-farm sized lot creation, which would prevent or hinder new extraction operations, and may only be permitted if:

a) The extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns. The quality and quantity of the material will be determined by having a qualified individual dig test pits within the area proposed for the non-agricultural development as well as the adjacent lands within 300 metres of the aggregate resource area; or that

The subject property is smaller than farm-sized and contains a dwelling which would hinder the future extraction of the site; therefore, County planning staff have no concerns with the above noted policy.

Appendix B of Recolour Grey indicates that the subject property contains ‘Significant Valleylands’. Section 7.7 states,

1) No development or site alteration may occur within Significant Valleylands or their adjacent lands unless it has been demonstrated through an environmental impact study that there will be no negative impacts on the natural features or their ecological functions. The adjacent lands are defined in Section 9.18 of this Plan.

County planning staff recommend receiving comments from the Conservation Authority regarding the Significant Valleylands.

Provided that positive comments are received from the Conservation Authority regarding the Significant Valleylands, County planning staff have no further concern.

County planning staff have no further concerns regarding the subject application.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Hiba Hussain
Planner
(519) 372-0219 ext. 1233
hiba.hussain@grey.ca
www.grey.ca

Grey County: Colour It Your Way
August 29, 2019

Township of Chatsworth
316837 Highway 6
RR#1
Chatsworth, ON
N0H 1G0

ATTENTION: Patty Sinnamon, CAO/Clerk

Dear Ms. Sinnamon,

RE: Application for Minor Variance A02/2019

113 Anderson Lane
Roll No. 420432000402612
Plan 646 Lot 16
Geographic Township of Sullivan
Township of Chatsworth

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the application for consent in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018 and the Memorandum of Agreement between the Authority and the Township of Chatsworth relating to Plan Review. The purpose of the application is to reduce the ‘minimum side yard’ requirement for a detached dwelling in the ‘A1’ [Rural] zone from 3.0 metres to 1.5 metres to allow for the expansion of an existing dwelling in the form of an attached garage. The application is acceptable to SVCA staff, and the following comments are offered.

Natural Hazards

In the opinion of SVCA staff, the subject property is not affected by any natural hazards.

Natural Heritage

The significant natural heritage features affecting the property include Significant Valleylands, fish habitat and potentially Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species.

Significant Valleylands

Significant valleylands are identified on the property and on lands adjacent to the property, as per Appendix B Constraint Mapping, of the Grey County OP. Section 7.7(1) of the Grey County OP, states in part, that no development or site alteration may occur within significant valleylands, or their adjacent lands unless it has been
demonstrated through an Environmental Impact Study (EIS), that there will be no negative impacts on the natural features or their ecological functions. It is the opinion of SVCA staff that negative impacts to significant valleylands or their adjacent lands as part of the proposal would be negligible, provided any proposed development is not located within the significant valleylands. Based on the proposal, it is the opinion of SVCA staff that the preparation of an EIS could be waived, in accordance with Section 7.11.3(b) of the Grey County OP.

Fish Habitat

The North Saugeen River flows through lands adjacent to this property. The North Saugeen River is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological function. At this time, SVCA staff are not recommending the preparation of an Environmental Impact Statement (EIS) to address impacts to the adjacent lands to fish habitat, as SVCA staff does not anticipate any negative impacts to the adjacent lands to fish habitat as a result of this proposal.

Significant Wildlife Habitat

While there is no County-wide mapping of significant wildlife habitat, it has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. Section 7.10(1) of the Grey County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, unless it has been demonstrated that there will be no negative impacts to the habitat or its ecological functions. It is the opinion of SVCA staff that an EIS regarding Significant Wildlife Habitat is not required at this time.

Significant Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered or threatened species may be located on and adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species or threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy. MECP inquiries can be addressed to SAROntario@ontario.ca.

SVCA Regulation

Please be advised that portions of this property are subject to the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, 1990, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:

a) the construction, reconstruction, erection or placing of a building or structure of any kind,
b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,

c) site grading, or

d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the SVCA’s areas of interest are located associated with our Regulation for the subject property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, including agricultural tile drainage, is proposed within the Approximate Screening Area on the property, the SVCA should be contacted, as permission may be required.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The proposed minor variance is acceptable to SVCA staff. The proposed application for consent is acceptable to SVCA staff.

We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Megan Stansfield
Environmental Planning Technician
Saugeen Conservation

cc: Ron Davidson, Planner, Township of Chatsworth (via email)
    Diana Rae, Authority Member, SVCA (via email)
Heather Stirling

From: Chris Hachey <hsmasstlrcc@bmts.com>
Sent: August 15, 2019 10:59 AM
To: hstirling@chatsworth.ca
Subject: Request for Comments - Chatsworth (Fischer) - Proposed Minor Variance

Your File: A02/2019
Our File: Chatsworth Municipality

Ms. Stirling,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrcc@bmts.com

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Department Review

X Fire Department
___ Water Department
X Building/Septic Department
X Roads

Owner: Jason and Lucy Fischer
File No.: A02/2019
Description: Lot 16, Plan 646, Geographic Township of Sullivan, Township of Chatsworth
Address: 113 Anderson Lane

Comments: NO CONCERNS

MIKE GIVENS
Staff Name

Signature

19/03/19
Date
Department Review

X Fire Department
___ Water Department
X Building/Septic Department
X Roads

Owner: Jason and Lucy Fischer

File No.: A02/2019

Description: Lot 16, Plan 646, Geographic Township of Sullivan, Township of Chatsworth

Address: 113 Anderson Lane

Comments: [handwritten] NO OBJECTIONS

[signature]

Staff Name

[signature]

Signature

Date: Aug 2019
Department Review

X Fire Department  
X Water Department
X Building/Septic Department  
X Roads

Owner: Jason and Lucy Fischer

File No.: A02/2019

Description: Lot 16, Plan 646, Geographic Township of Sullivan, Township of Chatsworth

Address: 113 Anderson Lane

Comments: Existing entrance - will require permit if improvements are needed.

Staff Name: Jamie Morgan

Signature: [Signature]

Date: Aug 23/19
NOTICE OF A PUBLIC MEETING
CONCERNING AN APPLICATION FOR MINOR VARIANCE

TAKE NOTICE that the Corporation of the Township of Chatsworth is in receipt of a complete application for Minor Variance under Section 45 of the Planning Act, R.S.O. 1990, as amended.

AND TAKE FURTHER NOTICE that the Committee of Adjustment for the Corporation of the Township of Chatsworth will hold a Public Meeting on Wednesday, September 4, 2019 at 9:00 a.m. in the Municipal Council Chambers to consider the proposed Minor Variance, as per the requirements of Section 45 of the Planning Act, R.S.O. 1990, as amended.

The proposed Minor Variance will affect the lands described as Part Lots 86 and 87, Concession 1, Geographic Township of Holland, Township of Chatsworth, otherwise known as 775501 Highway 10.

The purpose of the application is to reduce the ‘minimum front yard’ requirement for a detached dwelling in the ‘A1’ zone from 15 metres to 14.45 meters and to reduce the ‘minimum rear yard’ requirement from 9 metres to 7.81 metres. The variance would for the construction of a new house on the property. The existing dwelling will be removed.

A map showing the location of the property and the proposed development is provided on the reverse of this form.

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 proposal. An individual, corporation or public body that does not make an oral submission at the public meeting or make a written submission to the Committee of Adjustment with regard to the application prior to the request being approved is not entitled to appeal the decision, nor is such person entitled to be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

ADDITIONAL information relating to this application may be obtained by contacting the undersigned.

DATED at Chatsworth this 21st day of August, 2019.

Secretary-Treasurer
Township of Chatsworth
316837 Highway 6
R.R. #1
CHATSWORTH, Ontario
N0H 1G0
Tel. (519) 794-3232
Fax (519) 794-4499
August 21, 2019

Township of Chatsworth
316837 Highway 6
R.R. 1
CHATSWORTH, Ontario
N0H 1G0

Chair Mackey and Members of the Committee of Adjustment:

Re: Part Lots 86 and 87, Concession 1, Geographic Township of Holland,
   Township of Chatsworth
   775501 Highway 10
   Owner: Duane Deveau
   File No.: A03/2019

The following has been prepared to provide the Committee of Adjustment with planning comments concerning the above-noted matter.

Background:

The owner of the subject property is proposing to remove the existing detached dwelling from the site and erect a new house. The property is only 29.86 metres deep and therefore erecting a detached dwelling in compliance with 15 metre front yard requirement and 9 metre rear yard requirement is difficult. In this regard, the owner is requesting permission to construct the house 14.45 metres from the front lot line and 7.81 metres from the rear lot line.

The new house will be constructed, in part, in the location of the existing dwelling.

Subject Lands:

The subject property is located along the northeast side of Provincial Highway 10. The site comprises 0.2 hectares and has 56.39 metres of frontage along the highway. Situated on the property is a detached dwelling, which is to be removed. Most of the site is treed.
**Adjacent Lands:**

This area is characterized by a mixture of agriculture, forested areas and parcels of various sizes. An automobile wrecking yard is located approximately 200 metres to the southeast.

**Planning Act:**

When dealing with Minor Variances, the Committee of Adjustment must be satisfied that the request passes all four tests for Minor Variances set out in The Planning Act. Failure to meet any of the tests should result in the application being refused. In this regard, please consider the following:

1. **Does the variance maintain the intent and purpose of the Grey County Official Plan?**

   Schedule A to the County Official Plan designates the subject property as ‘Agricultural’. The ‘Agricultural’ designation generally permits detached dwellings but does not contain development standards such as side yard requirements.

   The subject property is situated within the ‘Aggregate Resource Area’ constraint on Schedule B to the Official plan. Development or site alteration that would hinder future aggregate extraction on these lands is generally prohibited. Given that a house already exists on the property, the replacement of that dwelling with a new house should have no effect on the ability - or inability - to extract aggregate from these lands in the future.

   Appendix B to the Official Plan identifies the treed portion of the subject lands as ‘Significant Woodland’. A portion of the new house will be erected within this area. (Some of the new house will also be erected where the current house exists today.) During the preconsultation discussions, the Saugeen Valley Conservation Authority advised that an Environmental Impact Study would not be required if the dwelling was located in this precise location.

   Based on the foregoing, the proposed variance would appear to maintain the intent and purpose of the Official Plan.

2. **Does the variance maintain the intent and purpose of the Township of Chatsworth Zoning By-law?**

   The purpose of the ‘minimum front yard’ requirement is to ensure that buildings are setback a reasonable distance from the road allowance in order to ensure a harmonious streetscape along any given road. The purpose of the rear yard is generally to ensure that ample room exists behind the house to provide privacy for outdoor uses. Given the very minor nature of the proposed reductions, the variances should have no impact on the intent on the Zoning By-law. It should be noted that despite the reduced front yard, the house will still comply with the Zoning By-law requirement for setbacks from the centreline of a Provincial Highway.

3. **Is the variance is minor in nature?**
This test has traditionally been interpreted as meaning “what impact will the variance have on the neighbours?"

Based on the very slight relief being requested, the variance should not impact on the neighbours.

4. Is the variance requested desirable for the appropriate and orderly development and use of the lands and buildings?

The requested reductions are very minor and should not be noticeable. The development will be appropriate and orderly.

**Provincial Policy Statement:**

The variance would appear to be consistent with the Provincial Policy Statement. The PPS does contain policies designed to protect significant woodlands; however, as noted above, the variance should have no impact on this feature.

**Conclusion and Recommendation:**

The proposed Minor Variance passes the four texts identified in Section 45 of the Planning Act and is consistent with the PPS. As such, the application can be approved.

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 is advised to take such information into account when considering this application.

I trust this information will be of assistance.

Sincerely,

Ron Davidson, BES, RPP, MCIP
August 23rd, 2019

Heather Stirling
Township of Chatsworth
316837 Highway 6 R.R. #1
Chatsworth, Ontario N0H 1G0
*Sent via E-mail

RE: Minor Variance Application A03/2019
775501 Highway 10 (Part Lots 86 & 87, Concession 1)
Municipality of Chatsworth (geographic Township of Holland)
Owner/Applicant: Duane Deveau

Dear Ms. Stirling,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the application is to reduce the 'minimum front yard' requirement for a detached dwelling in the 'A1' zone from 15 metres to 14.45 metres and to reduce the 'minimum rear yard' requirement from 9 metres to 7.81 metres. The variance would be for the construction of a new house on the property. The existing dwelling will be removed.

Schedule A of the County OP designates the subject property as 'Rural' lands. Residential uses are permitted within Rural designated lands. County planning staff have no concerns with the proposed use.

Schedule B of the County OP identifies an 'Aggregate Resource Area' on the entirety of the subject lands. The subject lands are already non-farm sized. As per section 5.6.2(7) of the County OP, the proposed development serves a greater long-term interest of the general public than the aggregate extraction since the lands were previously used for residential purposes and the proposal is to reconstruct a new house. County planning staff have no concerns with the proposed application.

Appendix B of the County OP identifies 'significant woodlands' on the subject property. Section 7.4(1) states,
No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

County planning staff recommend comments are received from the local conservation authority.

Provided positive comments are received from the local conservation authority, County planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca
August 29, 2018

Township of Chatsworth
316837 Highway 6
RR#1
Chatsworth, ON NOH 1G0

ATTENTION: Patty Sinnamon, CAO/Clerk

Dear Ms. Sinnamon,

RE: Proposed Minor Variance: A03-2019
775501 Highway 10
Roll No. 420436000319900
Part Lots 86 and 87, Concession 1
Geographic Township of Holland
Township of Chatsworth (Deveau)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed this application in accordance with the SVCA’s mandate, the Environmental Planning and Regulations Policies Manual, amended October 16, 2018, and the Memorandum of Agreement between the SVCA and the Township of Chatsworth relating to plan review. The purpose of this application is to reduce the ‘minimum front yard’ requirement for a detached dwelling in the ‘A1’ zone from 15 metres to 14.45 metres and to reduce the ‘minimum rear yard’ requirement from 9 metres to 7.81 metres. The variance would allow for the construction of a new house on the property. The existing dwelling will be removed. As part of our review of the proposed, SVCA staff (B. Walter) undertook a site visit to the property. Based on our review of site conditions and the application, SVCA staff finds the proposed minor variance acceptable. Please refer to the comments below for more information.

Natural Hazards

The subject property is not affected by any natural hazard feature.

Natural Heritage

In the opinion of SVCA staff, the significant natural heritage features affecting the subject property are Significant Woodlands and their adjacent lands, and the Habitat of Endangered Species and Threatened Species.
Significant Woodlands

Appendix B of the Grey County Official Plan (OP) shows the property features Significant Woodland plus adjacent lands. The Grey County OP, s. 7.4 states that no development or site alteration may occur within Significant Woodlands or their adjacent lands (120 meters) unless it has been demonstrated through an Environmental Impact Study (EIS), as per s. 7.11 of the OP, that there will be no negative impacts on the natural features or their ecological functions.

It is SVCA staff’s opinion that an EIS should not be required to support this application as the proposed development is a reconstruction of an existing dwelling and the area of disturbance will be minimized and should not have a net negative impact on the woodland. However, the landowner should be made aware that to minimize disturbance to the woodland, tree clearing around the new house must be minimized. Additionally, the new structure will be constructed into the adjacent hill within the treeline, as such, a landscape retaining wall may be required to achieve minimal tree clearing. Otherwise the area of disturbance will be increased to achieve a stable grade on the adjacent hill.

Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located in the area of the proposed development. Section 7.10.2) of the County OP states no development or site alteration will be permitted within the Habitat of Threatened / Endangered Species except in accordance with provincial and federal requirements. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the applicant to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. As such, please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy.

SVCA Regulation

The subject property is not affected by the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O., 1990, Chap. C.27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:

\( a \) the construction, reconstruction, erection or placing of a building or structure of any kind;
\( b \) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
\( c \) site grading; or,
\( d \) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.
And;

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to this application. The proposed minor variance is acceptable to SVCA staff, provided the above recommended mitigation is undertaken regarding tree clearing around the new dwelling.

We trust this information is helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

[Signature]

Brandi Walter
Environmental Planning Coordinator
Saugeen Conservation

cc: Ron Davidson, Planner, Township of Chatsworth (via email)
    Diana Rae, SVCA Member (via email)
    Karl Schipprack, CBO, Township of Chatsworth (via email)
Your File: A03-2019  
Our File: Chatsworth Municipality  

Good Afternoon Ms. Stirling,  

The Historic Saugeen Metis (HSM) Lands, Resources, and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, rezoning, land severance, Official Plan and/or Zoning By-law Amendments.  

I trust this may be helpful.  

Regards,  

George Govier  

Co-ordinator Lands, Resources, and Consultation  

Historic Saugeen Metis  
204 High Street  
Southampton, Ontario  
N0H 2L0  
Direct Line (519) 483-4001  
Fax (519) 483-4002  
Email HSMLRCC@bmts.com  

This message is intended for the addressees only. It may contain confidential or privileged information. No rights to privilege have been waived. Any copying, retransmittal, taking of action in reliance on, or other use of the information in this communication by persons other than the intended recipient(s) is prohibited. If you have received this message in error, please reply to the sender by e-mail and delete or destroy all copies of this message.
Department Review

X Fire Department
Water Department
X Building/Septic Department
X Roads

Owner: Duane Deveau
File No.: A03/2019
Description: Part Lots 86 and 87, Concession 1, Geographic Township of Holland, Township of Chatsworth
Address: 775501 Highway 10

Comments: 

NO CONCERNS

MKE CIEUS
Staff Name

Signature

22/08/19
Date
Department Review

X Fire Department
X Building/Septic Department
X Roads

Owner: Duane Deveau
File No.: A03/2019
Description: Part Lots 86 and 87, Concession 1, Geographic Township of Holland, Township of Chatsworth
Address: 775501 Highway 10

Comments: NO CONCERNS. A BUILDING AND SEPTIC PERMIT WILL BE REQUIRED FOR THE PROPOSED PROJECT.

Karl Schipperack
Staff Name

Signature

Date Aug 27/19
Morning,

No comment from Public Works. It is on Hwy. 10. Thanks

-----Original Message-----
From: Heather Stirling [mailto:hstirling@chatsworth.ca]
Sent: August 21, 2019 11:46 AM
To: jmorgan@chatsworth.ca; 'Chatsworth Building Dept'; mgivens@chatsworth.ca
Subject: Deveau A03/2019

Good afternoon,
Please find attached the Minor Variance Application for comment.
Thanks so much,
Heather Stirling
Administrative Assistant Building, Roads & Recreational Facilities Township of Chatsworth
316837 Highway 6, RR1
Chatsworth, ON
N0H 1G0

519-794-3232 Ext. 128
Fax: 519-794-4499

*CONFIDENTIALITY NOTE*: The information in this email is confidential and may be privileged. If you are not the intended recipient, please notify the sender you received it in error and delete it from your computer. Please consider the environment before printing this message.
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 will hold a Public Meeting on Wednesday, September 4, 2019 at 9:00 a.m. to consider an application for Consent (severance). The meeting will be held at the Township of Chatsworth Council Chambers at 316837 Highway 6, R.R.#1, Chatsworth, Ontario.

The following information describes the requested severance:

Owner: Donald Lee Thurston and Diana Lyn Sutton
Applicant: Frank Solinger
Legal Description: Part Lots 4, 5 and 6, Concession 3, Geographic Township of Holland, Township of Chatsworth
Address: 397033 Concession 2
Assessment Roll No.: 420436000123701

Purpose: To sever approximately 13.36 hectares of forested land and merge this parcel with the abutting 3.72 hectare lot, and, to retain a 69.6 hectare lot. No new lot would be created as a result of this lot addition and no development on the site would occur.

Severed Parcel:
Area: 3.72 ha+/-
Width: Irregular
Depth: Irregular

Retained Parcel:
Area: 69.6 ha+/-
Width: 269 m+/-
Depth: 1128 m+/- to 1601 m+/-

See attached sketch.

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 that files an appeal of a decision of the Township of Chatsworth Land Division Committee in response of the proposed consent does not make written submissions to the Township of Chatsworth Land Division Committee before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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

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.


Secretary-Treasurer
Township of Chatsworth Land Division Committee
316837 Highway 6
R.R.#1, Chatsworth, ON N0H 1G0
Phone: 519-794-3232 Fax: 519-794-4499

B04/2019
To be retained

1128m²

Massie Road

Lot to be expanded

To be severed and added to adjacent

470m²

Grey River

North
August 14, 2019

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

Dear Chair Mackey and Committee Members:

Re: Application for Consent
Part Lots 4, 5 and 6, Concession 3, Geographic Township of Holland
Township of Chatsworth
File No. B04/2019
Owner: Donald Lee Thurston and Diana Lyn Sutton
Applicant: Frank Solinger

**Purpose of Application:**

The purpose of this severance application is to sever approximately 13.36 hectares of forested land and convey this parcel to the adjoining 3.72 hectare lot which is used primarily for residential purposes. A 69.6 hectare parcel would be retained.

No new lot would result from this lot line adjustment.

No development or site alteration is proposed on the severed parcel. The new owner would use these additional lands for passive recreational purposes only.

**The Subject Lands:**

The subject property is located along Concession 2, in the former Holland Township. A detached dwelling exists on the lot. Approximately ten hectares of this 92.96 hectare holding appear to be actively farmed. The remainder of the site is forested. The Spey River traverses the southeast corner of the property, leaving approximately 13.36 hectares of land without access from the rest of the property. This 13.36 hectare area is proposed to be severed and conveyed to the neighbour.

The neighbour’s property comprises 3.72 hectares and contains a detached dwelling. Most of this site is forested.

B04/2019
**Adjacent Lands:**

This area of the Township is represented by a mix of agricultural and forested lands, along with a large number of non-farm residential lots.

**Official Plan:**

The subject property is designated ‘Rural’ and ‘Hazard’ on Schedule A to the County of Grey Official Plan. The majority of the lands being severed is designated ‘Rural’.

The ‘Rural’ consent policies give consideration to limited lot creation, to a maximum of four lots per original 40 hectare parcel. The severed parcel will involve parts of the original Lot 5 and Lot 6 and will not result in the permitted lot density being exceeded.

Appendix B to the Official Plan recognizes the forested area of the subject property, including the entire severed parcel, as ‘Significant Woodland’. Development and site alteration is not permitted in a ‘Significant Woodland’ or within 120 metres of this feature unless it can be demonstrated that such development or site alteration will not negatively impact this woodland feature or its function. Given that no development or site alteration will result from the lot addition, there should be no impact on this natural heritage feature.

The Official Plan also contains policies intended to protect fish habitat. Spey Rive presumably serves as a habitat for fish. Given that no development or site alteration is proposed, there should be no impact on the river.

Based on the foregoing, it is evident that the proposal conforms to the Grey County Official Plan.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) generally allows for limited lot creation in rural areas.

The also includes polices aimed at protecting natural heritage features; however, this is not an issue, as explained above.

The proposed lot line adjustment should be consistent with the PPS.

**Zoning By-law:**

The subject lands are zoned ‘A1’ (Rural) and ‘EP’ (Environmental Protection). The ‘minimum lot area’ and ‘minimum lot frontage’ requirements of the ‘A1’ zone are 20 hectares and 180 metres respectively. The retained lot complies with these minimum standards.
Conclusion and Recommendation:

The proposed lot addition appears to conform to the County Official Plan and is consistent with the Provincial Policy Statement. As such, the consent application 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, 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,

Ron Davidson, BES, RPP, MCIP
Township Planner
August 29th, 2019

Patty Sinnamon, CAO/Clerk
Township of Chatsworth
316837 Highway 6 R.R. #1
Chatsworth, Ontario
N0H 1G0
*Sent via E-mail

RE: Consent Application B04/2019
397033 Concession 2
Township of Chatsworth
Applicant/Owner: Frank Solinger

Dear Ms. Sinnamon,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP), Recolour Grey. We offer the following comments.

The purpose of the application is to sever approximately 13.36 hectares of forested land and merge this parcel with the abutting 3.72 hectare lot; and, to retain a 69.6 hectare lot. No new lot would be created as a result of this lot addition and no development on the site would occur.

Schedule A of Recolour Grey designates the subject property as ‘Rural’. Section 5.4.3 of the OP states,

1) All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below. The lot density is determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size of the original Township lot. Any proposed increase to this maximum lot density will require an amendment to this Plan and will require justification as to the need for additional Rural lot creation.

The proposed lot addition will not result in new lot creation and will not exceed lot density on either Original Township lot fabric that is affected by the proposed
Appendix B of Recolour Grey indicates there is a ‘Hazardous Forest Types of Wildland Fires’ designation on the subject property. Section 7.8 states,

1) Development should generally be directed to areas outside of lands that are unsafe for development due to the presence of Hazardous Forest Types for Wildland Fire.

2) Development may however be permitted in lands with Hazardous Forest Types for Wildland Fire where the risk is mitigated in accordance with the Wildland Fire Assessment and Mitigation Standards’. Risk mitigation should be addressed as part of an environmental impact study or foresters study.

County planning staff have no concern with the above noted policy as no development is proposed at this time.

Further Appendix A of Recolour Grey shows that the subject property contains a ‘Wellhead Protection Zone E’. Section 8.11.2 states,

1) b) A Wellhead protection area (WHPA) is the area around the wellhead where land use activities have the potential to affect the quality or quantity of water that flows into the well. These are areas of high vulnerability where the greatest care must be taken in the storage, use and handling of materials that could, if mishandled or spilled, pollute or contaminate a municipal well. WHPAs are shown on Appendix A of this Plan and further information about WHPAs can be found in the local source protection plans.

County planning staff have no concerns as no fuel storage is proposed.

Provided that positive comments are received from the Conservation Authority regarding the above noted natural heritage and natural hazard features, County planning staff have no further concern.

County planning staff have no further concerns regarding the subject application.

The County requests notice of any decision rendered with respect to this application.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,

Grey County: Colour It Your Way
From: Chris Hachey <hsmasstlrcc@bmts.com>
Sent: August 14, 2019 1:55 PM
To: hstirling@chatsworth.ca
Subject: Request for Comments - Chatsworth (Frank Solinger) - Proposed Consent to Sever Land

Your File: B04/2019
Our File: Chatsworth Municipality

Ms. Stirling,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrcc@bmts.com

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Hello,

We are in receipt of your Application for Consent, 804-2019 dated July 28th, 2019. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One’s ‘High Voltage Facilities and Corridor Lands’ only.

For proposals affecting ‘Low Voltage Distribution Facilities’ please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link: http://www.hydroone.com/StormCenter3/

Please select “Service Territory Overly” and locate address in question by entering the address or by zooming in and out of the map.
Township of Chatsworth
Land Division Committee
Notice of Application for Consent
The Planning Act, RSO 1990, as amended

Department Review

X Fire Department

X Building/Septic Department

X Roads

Please provide comments on the following:

Owner: Donald Lee Thurston and Diana Lyn Sutton

Applicant: Frank Solinger

Legal Description: Part Lots 4, 5 and 6, Concession 3, Geographic Township of Holland

Address: 397033 Concession 2

Assessment Roll No.: 420436000123701

Comments: 

NO CONCERNS

Staff Name: Mike Giehns

B04/2019
Township of Chatsworth
Land Division Committee
Notice of Application for Consent
The Planning Act, RSO 1990, as amended

Department Review

X Fire Department
X Water Department
X Building/Septic Department
X Roads

Please provide comments on the following:

Owner: Donald Lee Thurston and Diana Lyn Sutton
Applicant: Frank Solinger
Legal Description: Part Lots 4, 5 and 6, Concession 3, Geographic Township of Holland
Address: 397033 Concession 2
Assessment Roll No.: 420436000123701

Comments: NO OBJECTION

______________________________
Staff Name

B04/2019
Township of Chatsworth
Land Division Committee
Notice of Application for Consent
The Planning Act, RSO 1990, as amended

Department Review

[ ] Fire Department
[ ] Water Department
[ ] Building/Septic Department
[ ] Roads

Please provide comments on the following:

Owner:          Donald Lee Thurston and Diana Lyn Sutton
Applicant:      Frank Solinger
Legal Description:  Part Lots 4, 5 and 6, Concession 3,
                   Geographic Township of Holland
Address:        397033 Concession 2
Assessment Roll No.:  420436000123701

Comments:       [Signature]

Staff Name
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 will hold a Public Meeting on Wednesday, September 4, 2019 at 9:00 a.m., to consider an application for Consent (severance). The meeting will be held at the Township of Chatsworth Council Chambers at 316837 Highway 6, R.R.#1, Chatsworth, Ontario.

The following information describes the requested severance:

File No.: B06/2019
Owner: Edward Joseph Beirnes and Bonnie Heather Beirnes
Legal Description: Lot 22, Concession 4 EGR, Geographic Township of Holland Township of Chatsworth
Address: 623460 Negro Creek Road
Assessment Roll No.: 4204360005005000000
Purpose: To sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.

Severed Parcel:
- Area: 10.9 ha+/-
- Width: 10.9 ha+/-
- Depth: 608 m +/-

Retained Parcel:
- Area: 37.3 ha+/-
- Width: 623 m +/-
- Depth: 608 m +/-

See attached sketch.

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 that files an appeal of a decision of the Township of Chatsworth Land Division Committee in response of the proposed consent does not make written submissions to the Township of Chatsworth Land Division Committee before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

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

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.


Secretary-Treasurer
Township of Chatsworth Land Division Committee
316837 Highway 6
R.R.# 1, Chatsworth, ON N0H 1G0 Phone: 519-794-3232 Fax: 519-794-4499

B06/2019
August 14, 2019

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

Dear Chair Mackey and Committee Members:

Re: Application for Consent
Lot 22, Concession 4 EGR, Geographic Township of Holland
Township of Chatsworth
File No. B06/2019
Owner: Edward Joseph Beirnes and Bonnie Heather Beirnes

Purpose of Application:

The purpose of this severance application is to sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.

The Subject Lands:

The subject property is located at the southwest corner of the Negro Creek Road / Concession 3B intersection, in the former Holland Township. A house, two barns, two drive sheds and a garage are situated on the property. Approximately 20 hectares are actively farmed, while the balance of the site is predominantly forested.

Of the 10.9 hectares to be severed, approximately 3.0 hectares are cash-cropped and the remainder is forested.

Adjacent Lands:

This area of the Township is represented by a mix of agricultural and forested lands, along with a large number of non-farm residential lots.
Official Plan:

The subject property is designated ‘Rural’ and ‘Hazard’ on Schedule A to the County of Grey Official Plan. The entire severed parcel is designated ‘Rural’.

The ‘Rural’ consent policies give consideration to limited lot creation, to a maximum of four lots per original 40 hectare parcel. The subject 48.2 hectare parcel involves the entire original Lot 22, Concession 4 EGR, as no lot has ever been severed from this holding. In this regard, consideration can be given to a severance from this parcel.

The ‘Rural’ consent policies require all new lots to comprise at least 0.8 hectares of land. Both the severed and retained parcels comply with this minimum standard.

Lots created in the ‘Rural’ designation must also comply with the Minimum Distance Separation (MDS) formulae. In this regard, there is a barn on the retained parcel which has been taken into consideration. The MDS Report prepared for this livestock facility demonstrates that the proposed lot creation does comply with the required setback.

Appendix B to the Official Plan identifies the various forested areas of the subject property, including the westerly and southerly sections of the severed parcel, as ‘Significant Woodland’. The policies of the Official Plan prohibit development in the woodland or within 120 metres of this feature unless it can be demonstrated that such development or site alteration would not negatively impact the woodland or its function. In this regard, the owner discussed this matter with the Saugeen Valley Conservation Authority (SVCA) prior to submitting the Consent application, and the SVCA responded in writing by advising that an Environmental Impact Study would not be necessary provided the future development on the severed parcel occurs only within the identified area shown on a map provided by the SVCA. To implement this recommendation, the building envelope will be identified in the future Zoning By-law Amendment.

Based on the foregoing, it is evident that the proposal conforms to the Grey County Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) generally allows for limited lot creation in rural areas.

The PPS also includes polices aimed at protecting natural heritage features; and, this is not an issue, as explained above.

The proposed severance should be consistent with the PPS.

Zoning By-law:

The subject lands are zoned ‘A1’ (Rural) and ‘EP’ (Environmental Protection). The ‘minimum lot area’ and ‘minimum lot frontage’ requirements of the ‘A1’ zone are 20 hectares and 180 metres respectively. The severed parcel does not comply with the lot area requirement and therefore an amendment to the Zoning By-law is required. The amendment will also recognize the SVCA-approved building envelope described above.
**Conclusion and Recommendation:**

The proposed lot appears to conform to the County Official Plan and is consistent with the Provincial Policy Statement. As such, the consent application can be given favourable consideration.

As a condition of approval, the severed parcel must be rezoned for reasons described above.

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,

Ron Davidson, BES, RPP, MCIP
Township Planner
August 26th, 2019

Patty Sinnamon, Clerk
Municipality of Grey Highlands
206 Toronto Street South, Unit One
P.O. Box 409 Markdale, Ontario N0C 1H0
*Sent Via E-mail

RE: Consent Application B06-2019
Lot 22, Concession 4 EGR (623460 Negro Creek Road)
Municipality of Chatsworth (geographic Township of Holland)
Owner/Applicant: Edward Joseph and Bonnie Heather Beirmes

Dear Ms. Sinnamon,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose and effect of the subject application is to sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.

Schedule A of the OP designates the subject property as ‘Rural’, and ‘Hazard Lands’.

Policy 5.4.3(1) states,

All consents for new lot development shall be no smaller than 0.8 hectares in area, and the maximum lot density shall not be exceeded as outlined in Table 9 below.

<table>
<thead>
<tr>
<th>Original Township Lot Size (in hectares)</th>
<th>Number of Severances Permitted</th>
<th>Total Lots Permitted including the Severed and the Retained</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>40</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>60</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>80</td>
<td>5</td>
<td>6</td>
</tr>
</tbody>
</table>

Grey County: Colour It Your Way
The original township lot is 50 hectares and no previous lot creation has occurred on these lands. The rural severance would result in 2 lots total on the original township lot. County planning staff have no concerns.

Section 7.2(3) states,

_In the Hazard Lands land use type, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the policies in Section 7._

No proposed development is anticipated to take place within the hazard lands; therefore, staff have no concerns.

Section 5.4.2(5) states _The Provincial Minimum Distance Separation (MDS) formulae policies found in section 5.2.2 of this Plan shall also apply to the Rural land use type._

Appendix B identifies ‘significant woodlands’ on the subject property. Section 7.4(1) states,

_No development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions._

County planning staff recommend comments are received from the local conservation authority.

Section 8.9.1 of the County OP and section 1.6.6.1 of the PPS states adequate servicing shall be ensured for any new development. The following hierarchy of water or sanitary servicing options will be used to evaluate any development applications within the County, except where specific exclusions are made through this Plan or where more detailed policies have been developed in a local official plan or secondary plan – municipal servicing, private communal sewage, partial services, individual on-site services.

Provided positive comments are received from the local conservation authority, the proposed development meets MDS requirements and the severed parcel can be adequately serviced, County planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Grey County: Colour It Your Way
Yours truly,

Stephanie Lacey-Avon
Planner
(519) 372-0219 ext. 1296
stephanie.lacey-avon@grey.ca
www.grey.ca

Grey County: Colour It Your Way
August 29, 2019

Township of Chatsworth
316837 Highway 6
RR#1
Chatsworth, ON
N0H 1G0

ATTENTION: Patty Sinnamon, CAO/Clerk

Dear Ms. Sinnamon,

RE: Application for Consent B06/2019
623460 Negro Creek Road
Roll No. 420436000500500
Lot 22, Concession 4 EGR
Geographic Township of Holland
Township of Chatsworth (Beirnes)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the application for consent in accordance with the SVCA’s mandate, the SVCA Environmental Planning and Regulations Policies Manual, amended October 16, 2018 and the Memorandum of Agreement between the Authority and the Township of Chatsworth relating to Plan Review. The purpose of the application is to sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings. The application is acceptable to SVCA staff, subject to recommendations, and the following comments are offered.

Natural Hazards

In the opinion of SVCA staff, portions of the property appear to be designated Hazard Land in the Grey County Official Plan (OP). These areas are also zoned Environmental Protection (EP), in the Municipality of Chatsworth Zoning By-law No. 2015-61, as amended. In general, no new buildings or structures are permitted within the Hazard Land designations as per the Grey County OP Section 7.2(3) or the EP zone as per the Chatsworth Zoning By-Law 2015-61 Section 24.2. SVCA staff are of the opinion that the existing buildings are outside the Hazard Area. It is the opinion of SVCA staff that the NE zone generally coincides with the Hazardous Lands mapping as originally plotted by SVCA staff.

Natural Heritage

SVCA staff is of the opinion that the natural heritage features and areas affecting the property include significant woodlands, fish habitat, potentially significant wildlife habitat, and potentially the habitat of endangered species and threatened species.
Significant Woodlands

Significant woodlands are identified on both the severed and retained parcels, and on lands adjacent to the property, as per Appendix B Constraint Mapping, of the Grey County OP. Section 7.4(1) of the Grey County OP states in part that no development or site alteration may occur within significant woodlands or their adjacent lands unless it has been demonstrated through an EIS, that there will be no negative impacts on the natural features or their ecological functions.

Fish Habitat

An unnamed tributary of Hamilton Creek flows through an adjacent parcel. This watercourse is considered fish habitat by SVCA staff. Section 2.1.8 of the Provincial Policy Statement (PPS 2014) indicates that, among other things, development and site alteration shall not be permitted on the adjacent lands of fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on fish habitat or on their ecological functions.

Significant Wildlife Habitat

It has come to the attention of SVCA staff that significant wildlife habitat may be located on or adjacent to the property. Section 7.10 of the Grey County OP states in part that development and site alteration shall not be permitted within significant wildlife habitat, or their adjacent lands, unless it has been demonstrated through an acceptable EIS that there will be no negative impacts to the natural features or their ecological functions.

Environmental Impact Study (EIS)

In accordance with Section 7.11.3 of the Grey County Official Plan, SVCA staff are of the opinion that the requirement for the preparation of an EIS can be waived associated with this application for consent. The “Development Area” shown on the Site Plan provided to SVCA, on June 21, 2019, dated June 15, 2019 is outside of the Significant Woodlands as shown on the Constraint Mapping in the Official Plan. SVCA staff are of the opinion that, provided all future development on the severed lot is required to be within the “Development Area”, identified on the plan there will be no negative impacts on the natural heritage features mentioned above, or their ecological functions. As such, it is SVCA staff’s recommendation that a holding be placed on the “Non-Development” area of the severed parcel (where the significant woodland exists), to ensure that development stays within the “Development Area” outlined on the plan, and any proposed development within the significant woodland would require an EIS.

Significant Habitat of Endangered Species and Threatened Species

It has come to the attention of SVCA staff that habitat of endangered species and threatened species may be located on and/or adjacent to the property. Section 2.1.7 of the Provincial Policy Statement (PPS 2014) indicates that development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. It is the responsibility of the owner to ensure the endangered species and threatened species policy referred to in the PPS has been appropriately addressed. Please contact the Ministry of Environment, Conservation and Parks (MECP) for information on how to address this policy, MECP inquiries can be addressed to SAROntario@ontario.ca.

Please be advised that SVCA staff is not able to speak to provincial and federal requirements as they relate to Section 2.1.7 of the PPS. The above SVCA staff opinion that an EIS is not required for this development proposal
does not take into account the habitat of endangered species and threatened species that may be on or near the subject property.

SVCA Regulation

The proposed severed parcel is not within the SVCA Approximate Screening Area; while a portion of the proposed retained parcel, is within the Approximate Screening Area associated with the SVCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any “development” in a Regulated Area or alteration to a wetland or watercourse.

“Development” and Alteration

Subsection 28(25) of the Conservation Authorities Act defines “development” as:

a) the construction, reconstruction, erection or placing of a building or structure of any kind,
b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure increasing the number of dwelling units in the building or structure,
c) site grading, or
d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

According to Section 5 of Ontario Regulation 169/06, as amended, alteration generally includes the straightening, diverting or interfering in any way the existing channel of a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine where the Approximate Screening Area is located associated with our Regulation on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at http://eprweb.svca.on.ca. Should you require assistance, please contact our office directly.

For the subject property, the Approximate Screening Area includes wetlands, and an offset distance from these features.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation, is proposed within the Approximate Screening Area associated with our Regulation on the retained parcel, the SVCA should be contacted, as permission may be required.

It is the opinion of SVCA staff that a building envelope exists on each of the proposed parcels, and the entirety of the proposed severed parcel will not require further review from our office.

Conclusion

All of the plan review functions listed in the Agreement have been assessed with respect to the application. The proposed application for consent is acceptable to SVCA staff. SVCA staff recommends a holding be placed on the
"Non-Development" area of the severed parcel, to ensure that development stays out of the significant woodlands.

We trust you find this information helpful. Should questions arise, please do not hesitate to contact this office.

Sincerely,

Megan Stansfield  
Environmental Planning Technician  
Saugeen Conservation

cc: Ron Davidson, Planner, Township of Chatsworth (via email)  
Diana Rae, Authority Member, SVCA (via email)
From: Chris Hachey <hsmasstlrc@bmts.com>
Sent: August 15, 2019 2:16 PM
To: hstirling@chatsworth.ca
Subject: Request for Comments - Chatsworth (Edward & Bonnie Beimes) - Proposed Consent to Sever Land

Your File: 806/2019
Our File: Chatsworth Municipality

Ms. Stirling,

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed development, land re-designation, zoning, land severance, Official plan and/or Zoning By-law Amendments.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Assistant Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis
204 High Street
Southampton, Ontario, N0H 2L0
Telephone: (519) 483-4000
Fax: (519) 483-4002
Email: hsmasstlrc@bmts.com

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Heather Stirling

Amanda Erikson - GM BluePlan <Amanda.Erikson@gmblueplan.ca>

Sent: August 16, 2019 9:43 AM
To: hstirling@chatsworth.ca
Cc: Ian Erikson - GM BluePlan
Subject: RE: Beirnes Consent B06/2019

Heather,

The site located on Lot 22, Concession 4 EGR within the former Holland Township, is not within a watershed area of a known Municipal Drain within the Township of Chatsworth. As such, as the Drainage Superintendent for the Township of Chatsworth we have no concerns with this severance.

Do not hesitate to contact me if you should need any further information.

Sincerely,

Amanda Erikson
Technical Specialist
GM BluePlan Engineering Limited
1260-2nd Avenue East | Owen Sound ON N4K 2J3
t: 519.379.1806 ext. 2219 | c: 519.379.6213
amanda.eriksen@gmblueplan.ca | www.gmblueplan.ca

From: Heather Stirling <hstirling@chatsworth.ca>
Sent: Thursday, August 15, 2019 1:19 PM
To: Ian Erikson - GM BluePlan <Ian.Erikson@gmblueplan.ca>
Subject: Beirnes Consent B06/2019

Good afternoon,
Please find attached the Consent application for comment.
Thanks so much,

Heather Stirling
Administrative Assistant Building, Roads
& Recreational Facilities
Township of Chatsworth
318837 Highway 8, RR1
Chatsworth, ON
N0H 1G0

519-794-3232 Ext. 128
Fax: 519-794-4499
Hello,

We are in receipt of your Application for Consent, B06-2019 dated August, 2019. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link: http://www.hydroone.com/StormCenter3/

Please select "Service Territory Overly" and locate address in question by entering the address or by zooming in and out of the map.
If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre.

Please let me know if you have any questions or concerns.

Thank you,

Iwona Lipowski
Special Services Support Clerk, Real Estate Department
185 Clegg Road
Markham, ON L6G 187
Iwona.Lipowski@HydroOne.com

On behalf of,

Dennis De Rango
Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237
Email: Dennis.DeRango@HydroOne.com

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

Department Review

- **Fire Department**
- Water Department
- **Building/Septic Department**
- **Roads**

Please provide comments on the following:

File No.: B06/2019
Owner: Edward Joseph Beirnes and Bonnie Heather Beirnes
Legal Description: Lot 22, Concession 4 EGR, Geographic Township of Holland, Township of Chatsworth
Address: 623460 Negro Creek Road
Assessment Roll No.: 4204360005005000000
Purpose: To sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.
Comments: **NO CONCERNS**

Staff Name: MIKE CIVENS

B06/2019
Township of Chatsworth
Land Division Committee
Notice of Application for Consent
The Planning Act, RSO 1990, as amended

Department Review

X Fire Department
___ Water Department
X Building/Septic Department
X Roads

Please provide comments on the following:

File No.: B06/2019

Owner: Edward Joseph Beirnes and Bonnie Heather Beirnes

Legal Description: Lot 22, Concession 4 EGR, Geographic Township of Holland Township of Chatsworth

Address: 623460 Negro Creek Road

Assessment Roll No.: 4204360005005000000

Purpose: To sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.

Comments: 

No objection. Building and septic permits are required for all new construction.

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

Department Review

X Fire Department
__ Water Department
X Building/Septic Department
X Roads

Please provide comments on the following:

File No.: B06/2019
Owner: Edward Joseph Beirnes and Bonnie Heather Beirnes
Legal Description: Lot 22, Concession 4 EGR, Geographic Township of Holland, Township of Chatsworth
Address: 623460 Negro Creek Road
Assessment Roll No.: 4204360005005000000
Purpose: To sever a vacant lot comprising 10.9 hectares of land and retain a 37.3 hectare lot containing an existing farmhouse and various farm buildings.

Comments: Entrance Permit required.

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Staff Name ____________________________ Date: Aug. 19/19

B06/2019