

Please note that Committee of Adjustment meetings are currently being conducted digitally to control the spread of COVID-19.

HOW TO JOIN

Join from a PC, Mac, iPad, iPhone, or Android device:

Please click this URL to join:

<https://us02web.zoom.us/j/83232047557?pwd=SUxWc09SaHBSdUVBUXdmdDltTS8wZz09>

Or join by phone:

One tap mobile - 6475580588, 83232047557#Canada

Dial by location - Canada: +1 647 558 0588 Meeting ID: 832 3204 7557

A **password** is required to access this meeting. Those wishing to obtain the password please contact cmарx@chatsworth.ca or 519-794-3232 x134 to register by 4:00 p.m. on December 1, 2020

1. Call to Order

2. Disclosure of Pecuniary Interest

3. Minutes of Previous Meetings

Resolution:

That Committee of Adjustment hereby approves the minutes of the November 4, 2020 meeting.

4. Committee of Adjustment Public Meeting

4.1 Minor Variance A03/2020

Part Lot 14, Concession 8

Geographic Township of Sullivan, Township of Chatsworth

136072 Concession 8

Owner: Deborah and Scott McKinnon

Resolution:

That Committee of Adjustment hereby grants Minor Variance A03/2020 Part Lot 14, Concession 8, Geographic Township of Sullivan, Township of Chatsworth, subject to the following conditions:

- 1. The detached dwelling complies with all other relevant provisions of the Zoning By-law.*

5. Adjournment

Resolution:

Be it resolved that the Committee of Adjustment adjourn.

**Township of Chatsworth
Committee of Adjustment Minutes
Wednesday November 4, 2020 9:00 A.M.**

Members Present:

Chair - Mayor Scott Mackey
Member - Brian Gamble
Member - Shawn Greig
Member - Elizabeth Thompson

Regrets - Diana Rae

Staff Present:

Township Planner, Ron Davidson
Secretary Treasurer, Carolyn Marx
CAO Clerk, Patty Sinnamon

1. Call to Order

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

2. Disclosure of Pecuniary Interest - None

3. Committee of Adjustment Minutes

Resolution 2020-06-01
Moved by: Brian Gamble
Seconded by: Shawn Greig

That Committee of Adjustment hereby approves the September 16, 2020 minutes.

Carried

4. Committee of Adjustment Public Meeting:

4.1 Minor Variance A02/2020

Part Lot 30, Concession 12
Geographic Township of Sullivan, Township of Chatsworth
561183 Bentinck-Sullivan Townline
Owner: **Kirk Fortune**

Public in Virtual Attendance

Kirk Fortune
Jennifer DeGrandis Graham

Township Planner Ron Davidson gave an overview of the proposal and explained that the purpose of the Minor Variance is to amend the Minimum Distance Separation (MDS) requirement of the Zoning By-law by reducing the required separation distance between a proposed livestock barn and the neighbour's house from 430 metres to 400 metres to allow for a second barn on the site. The new barn would accommodate 2,400 swine (weaners). Mr. Davidson explained that because the MDS formulae is less restrictive in the case where a second building permit is being sought three or more years after the issuance of the first building permit, the proposed new (second) barn would be permitted in this proposed location without a Minor Variance if the owner waited until next year to begin construction. The Planner recommended approval of the application.

Ms. Jennifer DeGrandis Graham spoke in opposition to the proposed Minor Variance, stating concerns with regard to odour, groundwater contamination and contamination of the nearby creek.

Mr. Fortune provided some comments in response to his neighbour's concerns, and advised that these issues are addressed through the Nutrient Management Plan approvals process.

Mr. Davidson advised the Committee that the proposed barn conforms to the setback requirement at it pertains to the Mr. DeGrandis Graham's property.

Following a brief discussion by the Committee the following resolution was introduced:

Resolution 2020-06-02
Moved by: Shawn Greig
Seconded by: Elizabeth Thompson

That Committee of Adjustment hereby grants Minor Variance A02/2020 Part Lot 30, Concession 12, Geographic Township of Sullivan, Township of Chatsworth, subject to the

following conditions:

1. The new barn has a maximum capacity of 2,400 swine (weaners)
2. That a Nutrient Management Plan be approved prior to the issuance of a building permit.

4.2 **Consent B08/2020**

Part Lot 6, Concession 1 and Part Lots 12 and 13, Concession 2, WGR
Geographic Township of Sullivan, Township of Chatsworth
236857 Concession 2A

Owner: **Paul Long**

Public in Virtual Attendance

Jane Jamieson

Township Planner Ron Davidson gave an overview of the proposal and explained that the purpose of the application is to sever a 38.3 hectare farm lot and retain a 40 hectare farm lot containing an existing dwelling and accessory buildings. He explained that the proposed conforms to the County of Grey Official Plan and the Township's Zoning By-law, and that the application is consistent with the Provincial Policy Statement. He recommended approval of the application.

Jane Jamieson questioned the accuracy of the mapping as it pertains specifically to the boundary between the severed parcel and her property to the north.

Mr. Davidson advised that a reference plan will be required for the severed parcel and will clearly identify the mutual property boundary.

Following a brief discussion by the Committee the following resolution was introduced:

Resolution 2020-06-03

Moved by: Shawn Greig

Seconded by: Brian Gamble

That Committee of Adjustment hereby grants Consent B08/2020 Part Lot 6, Concession 1 and Part Lots 12 and 13, Concession 2, WGR Geographic Township of Sullivan, Township of Chatsworth, subject to the following conditions:

1. Payment of the severance fee to the Township
2. Payment of outstanding taxes to the Township, if any
3. Payment of Parkland Dedication Fee

5. **Adjournment**

Resolution 2020-06-04

Moved by: Shawn Greig

Seconded by: Elizabeth Thompson

Be it resolved that the Committee of Adjustment adjourn at 9:50 a.m. **Carried**

Scott Mackey, Chair

Carolyn Vlieland-Marx, 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 a Minor Variance under Section 45 of the Planning Act, R.S.O. 1990, as amended.

TAKE FURTHER NOTICE that the Township of Chatsworth Committee of Adjustment will hold a **virtual** Public Meeting on **Wednesday, December 2, 2020 at 9:00 a.m.** to consider the proposed Minor Variance Application as per the requirements of Section 45 of the Planning Act, R.S.O. 1990, as amended. This meeting will be a **virtual** meeting, as permitted by the Ontario Government's recent legislation resulting from the COVID-19 pandemic. Those wishing to attend or speak at the meeting must register to obtain a password. Those with a password can either listen or speak via telephone or internet. For those wishing to get a password please register by **4:00 p.m. on December 1st, 2020** with Deputy Clerk, Carolyn Marx who can be reached at cmarx@chatsworth.ca or 519-794-3232 ext.134.

How to join:

Join from a PC, Mac, iPad, iPhone, or Android device:

Please click this URL to join:

<https://us02web.zoom.us/j/83232047557?pwd=SUxWc09SaHBSdUVBUXdmdDltTS8wZz09>

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Dial by location - Canada: +1 647 558 0588 Meeting ID: 832 3204 7557

A **password** is required to access this meeting. Those wishing to obtain the password please contact cmarx@chatsworth.ca or 519-794-3232 x134 by 4:00 p.m. on December 1, 2020

If you are unable to participate in the virtual public meeting but still wish to make a written statement, please send an e-mail to cmarx@chatsworth.ca no later than 3:30 p.m. on December 1st, 2020. Comments received will be read at the public meeting.

The proposed Minor Variance will affect the lands described as **Part Lot 14, Concession 8, Geographic Township of Sullivan, Township of Chatsworth, otherwise known as 136072 Concession 8.**

The purpose of the Minor Variance is to reduce the minimum floor area requirement of the 'A1' zone for a one-story detached dwelling without a full basement or cellar from 100 square metres to 75 square metres.

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. **Please refer to file no. A03/2020**

DATED at Chatsworth this 12th day of November, 2020

Carolyn Vlieland-Marx, Dipl.M.A.
Secretary Treasurer
Township of Chatsworth Committee of Adjustment





Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

November 23rd, 2020

Carolyn Vlieland-Marx, Secretary Treasurer
Township of Chatsworth
316837 Highway 6, R.R. #1
Chatsworth, ON N0H 1G0

**RE: Minor Variance A03.2020
Part Lot 14, Concession 8 (136072 Concession 8)
Township of Chatsworth (geographic Township of Sullivan)
Owner/Applicant: Deborah & Scot McKinnon**

Dear Ms. Vlieland-Marx,

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 minor variance is to reduce the minimum floor area requirement of the 'A1' zone for a one-story detached dwelling without a full basement or cellar from 100 square metres to 75 square metres.

Schedule A of the County OP designates the subject property as 'agricultural'. Residential development is permitted on agricultural lands. There are no further provisions under the County's plan that regulate the size provisions for development. County planning staff have no concerns with the subject proposal.

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.

Yours truly,

A handwritten signature in black ink, appearing to read "Stephanie".

Page 2
November 23rd, 2020

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



237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6
Telephone: 519.376.3076 Fax: 519.371.0437
www.greysauble.on.ca

November 26, 2020
GSCA File: P20362

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

Attn: Carolyn Vlieland-Marx
Secretary Treasurer
cmarx@chatsworth.ca

Dear Carolyn Vlieland-Marx

Re: Minor Variance Application A-03-2020
Part of Lot 14, Concession 8
Roll No. 42-04-320-005-125-00
Township of Chatsworth, formerly Sullivan Township
Owner: Deborah and Scot McKinnon

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 151/06. Grey Sauble Conservation Authority (GSCA) has also provided comments as per our Memorandum of Agreement (MOA) with the Township of Chatsworth representing their interests regarding natural heritage and water identified in Sections 2.1 and 2.2, respectively, of the Provincial Policy Statement. The application has also been reviewed through our role as a public body under the Planning Act as per our CA Board approved policies. Finally, GSCA has provided advisory comments related to policy applicability and to assist with implementation of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan under the Clean Water Act.

GSCA staff have reviewed the above-noted application requesting to reduce the minimum floor area requirement of the 'A1' zone for a one-storey detached dwelling without a full basement cellar from 100 square metres to 75 square metres.

1 of 4



Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

Documents Reviewed

No additional documents were circulated with the subject applications.

Site Characteristics

Existing mapping indicates that the subject property is:

- Not regulated under Ontario Regulation 151/06.
- Designated Agricultural in the County of Grey Official Plan;
- Zoned A1 Agricultural in the Township of Chatsworth Comprehensive Zoning By-law;
- Not located within an area that is subject to the policies contained in the Source Protection Plan;
- The approximately 1-acre property is currently vacant with grades declining gradually to the north. The property features deciduous trees and is surrounded by agricultural land with Concession 8 adjacent to the east.

Delegated Responsibility and Statutory Comments

1. **GSCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.**

There were no natural hazards identified on the subject property.

GSCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 151/06. This regulation, made under Section 28 of the Conservation Authorities Act, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. GSCA also regulates the alteration to or interference in any way with a watercourse or wetland.

The subject property is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses administered by the GSCA.

Advisory Comments

- 2. GSCA has reviewed the application through our responsibilities as a service provider to the Township of Chatsworth in that we provide comment on natural heritage features under Section 2.1 of the Provincial Policy Statement and on water under Section 2.2 of the Provincial Policy Statement through a MOA.**

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

GSCA Comment: There were no natural heritage features identified on or within the 120 metre adjacent lands to the subject property.

2.2 Water

GSCA Comment: GSCA does not anticipate any negative impacts to water given the minor nature of the proposal. However, we do recommend the Township require a grading and drainage plan demonstrating drainage is directed in an appropriate manner.

- 3. GSCA has reviewed the application in terms of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the *Clean Water Act, 2006*. The Source Protection Plan came into effect on July 1st, 2016 and contains policies to protect sources of municipal drinking water from existing and future land use activities.**

The subject property is located within an area that is not subject to the local Source Protection Plan.

Summary

Given the above comments, it is the opinion of the GSCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated;
2. Ontario Regulation 151/06 does not apply to the subject site.
3. Consistency with Section 2.1 and Section 2.2 of the PPS has been demonstrated;
4. The subject site is not located within an area that is subject to the policies contained in the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan.

Recommendation

GSCA has no objections to the approval of the subject application.

Please inform this office of any decision made by the Township of Chatsworth with regard to the applications. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned.

Sincerely,



Mac Plewes
Watershed Planner, Environmental Planning & Regulations

c.c. Scott Mackey, GSCA Director, Township of Chatsworth
Planning & Building Departments, Township of Chatsworth

Carolyn Marx

From: Chris Hachey [<mailto:hsmlrcc@bmts.com>]

Sent: November 19, 2020 1:36 PM

To: Carolyn Marx

Subject: Request for Comments - Chatsworth (McKinnon) - Proposed Minor Variance

Your File: A3-2020

Our File: Chatsworth Municipality

Ms. Vlieland-Marx,

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

Coordinator, Lands, Resources and Consultation

Historic Saugeen Métis

204 High Street

Southampton, Ontario, N0H 2L0

Telephone: (519) 483-4000

Fax: (519) 483-4002

Email: hsmlrcc@bmts.com

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Carolyn Marx

Subject: FW: A03/2020 Minor Variance Application - McKinnon - Township of Chatsworth

From: Mike Givens [<mailto:mgivens@chatsworth.ca>]

Sent: November 12, 2020 2:05 PM

To: Carolyn Marx

Subject: Re: A03/2020 Minor Variance Application - McKinnon - Township of Chatsworth

No concerns

On Thu, Nov 12, 2020 at 1:47 PM Carolyn Marx <cmarx@chatsworth.ca> wrote:

Mike Givens, Fire Chief/CFPO/CEMC

Township of Chatsworth Fire Department

519-794-3188

mgivens@chatsworth.ca

Carolyn Marx

From: Chatsworth Building Dept [<mailto:building@chatsworth.ca>]
Sent: November 24, 2020 10:21 AM
To: Carolyn Marx
Cc: RON DAVIDSON
Subject: Re: A03/2020 Minor Variance Application - McKinnon - Township of Chatsworth

The building department has no concern with the reduction of minimum size to 75m. Any pre manufactured building would have to meet the CSA-A277 standard for modular homes.

Thank you,
Karl Schipprack,
Chief Building Official
Township of Chatsworth
316837 Highway 6
RR 1 Chatsworth, ON N0H 1G0
(519) 794-3232 Ext. 127

Carolyn Marx

From: kkrueger@chatsworth.ca [mailto:kkrueger@chatsworth.ca]

Sent: November 16, 2020 4:10 PM

To: 'Carolyn Marx'

Subject: RE: A03/2020 Minor Variance Application - McKinnon - Township of Chatsworth

No comments from Finance

Our Offices are now open to the public on an "appointment only" basis for all services including payment of accounts. To book your appointment, please call 519-794-3232. Masks are mandatory when attending the municipal office.

Karmen Krueger, CPA, CA

Treasurer

Township of Chatsworth

kkrueger@chatsworth.ca

Ph: 519-794-3232 Ext 122

Fx: 519-794-4499



TOWNSHIP OF
Chatsworth

Neighbours by Nature

Public Meeting Date: December 2, 2020

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

Chair Mackey and Members of the Committee of Adjustment:

**Re: Part Lot 14, Concession 8
Geographic Township of Sullivan, Township of Chatsworth
136072 Concession 8
Owner: Deborah and Scott McKinnon
File No.: A03/2020**

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 wish to erect a 75 square metres detached dwelling on the subject property. According to the 'A1' zone provisions, however, a one-story detached dwelling without a basement or cellar must comprise at least 100 square metres of floor area. As such, the owners are requesting relief from this Zoning By-law provision.

Subject Lands:

The subject property is located along the west side of Concession 8, approximately 470 metres south of Desboro.

The site comprises 0.36 hectares of land and is vacant. The lot is predominantly treed.

Adjacent Lands:

The surrounding area is represented by a mix of farm properties and a few smaller, non-farm residential lots

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 Grey County Official Plan designates the subject property as 'Agricultural'. A detached dwelling on an existing lot of record is allowed under the 'Agricultural' policies. The Official Plan does not attempt to regulate the size of a house. In view of the foregoing, it is evident that the variance would conform to the County Official Plan.

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

The Township's Zoning By-law requires detached dwellings to maintain a certain size of a total floor, ranging from 80 square metres to 130 square metres, depending on the number of storeys. A single-storey house with no basement or cellar requires a minimum floor area of 100 square metres.

The Township is aware that these provisions are outdated as they don't reflect today's goals of building more affordable housing. Many Zoning By-laws in Ontario have either reduced their minimum floor area requirements to a number much less than 100 square metres, or have eliminated this minimum standard completely in which case the Ontario Building Code would provide the minimum standard, which is about 28 square metres. In this regard, this matter will be addressed when the Township's Zoning By-law is updated in the near future. In the meantime, there should be no concern with regard to a reduction in the floor area requirement from 100 square metres to 75 square metres.

3. Is the variance minor in nature?

This test has traditionally been interpreted as meaning "what impact will the variance have on the neighbours?"

A reduced floor area should have no impact on the adjacent land owners. The house is still of reasonable size and should not devalue any of the abutting properties.

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

The proposal seems to be desirable and appropriate.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) promotes agricultural uses on prime agricultural lands and does not attempt to prohibit a house from being erected on a vacant lot of record, provided the house complies with the Minimum Distance Separation (MDS) formulae where applicable. MDS compliance is not an issue in this situation.

There are no other policies of the PPS that would suggest that a reduced floor area for a detached dwelling would be inappropriate.

The Minor Variance should be deemed to be consistent with the PPS.

Conclusion and Recommendation:

The proposed Minor Variance passes the four tests 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