



LOFT PLANNING

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December 14, 2020

Mr. Ron Davidson
Planner, Township of Chatsworth
316837 Highway 6, RR1
Chatsworth, Ontario
N0H 1G0

Mr. Scott Taylor
Senior Planner, Planning & Development
County of Grey
595 9th Avenue East
Owen Sound Ontario N4K 3E3

Dear Mr. Davidson and Mr. Taylor:

**RE: Planning Justification Letter
Proposed Consent and implementing Official Plan Amendment and Zoning By-law
Amendment
200 Connell Lake Road and 212 Connell Lake Road, Township of Chatsworth**

We have been retained by Elizabeth Thompson, Mark Thompson and Clayton Thompson, owners of 200 Connell Lake Road and 212 Connell Lake Road in the Township of Chatsworth to act as planners for applications for a Consent, an Official Plan Amendment and Zoning By-law Amendment that will facilitate the severance of the Subject Lands into separate, conveyable parcels. This Planning Justification Letter is being submitted as part of a complete application in support of the planning applications.

1.0 Location and Site Description

The Subject Lands are municipally described as 200 and 212 Connell Lake Road and legally as Concession 10 EGR PT Lot 12 in the Township of Chatsworth. The lands are located on Connell's Lake approximately 18 km southwest of the Village of Chatsworth. Connell's Lake is one of a grouping of four lakes accessed by Side Road 30 west of Concession Road 10 and south of County Road 40. The lands are located within a resource recreational area of Grey County. (Figure 1 – Subject Location)

The Subject Lands are comprised of three PINS that were previously separate and conveyable parcels and which have now inadvertently merged at Land Titles. The parcels are described as follows:

- "Severed Lot" - 200 Connell Lake Road (being PIN 37180-0136 LT); and
- "Retained Lot" - 212 Connell Lake Road (being PIN 37180-0135 LT and PIN 37180-0134 LT)



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The lots are described as follows:

- **Severed Lot** is an irregularly shaped lot that is 0.596 ha in area and with a frontage of 30.6 m onto Connell Lake Road. This parcel presents a typical cottage property and is occupied by a cottage and boathouse. (200 Connell Lake Road)
- **Retained Lot** is an irregularly shaped parcel that has a lot area of 0.118 ha and a frontage of 40.5 m onto Connell Lake Road. A cottage and a boathouse also are located on this parcel. This property consists of two PINs. (212 Connell Lake Road)

Easements are identified on each PIN for access purposes over Part 2, Plan 16R530. The Subject Lands present typical recreational cottage properties within a cluster of cottage properties that front onto Connell's Lake. The lots were separate parcels and inadvertently merged. 200 and 212 Connell Lake Road have existing stand alone cottages, outbuildings and entrances. (Figure 2 – Consent Sketch)

2.0 Existing and Surrounding Uses

The Subject Lands comprise two seasonal residential properties within a large recreational, resource area with cottage properties around five lakes: Connell's Lake, Mud Lake to the west and Hines Lake, Robson Lake and Clarke's Lake to the south. An additional unnamed waterbody exists to the northeast. The lands are surrounded by conservation areas and generally can be described as natural areas with some pockets of farmland, seasonal residential uses, forestry and a rural residential subdivision to the southwest of Robson Lake.

Existing and surrounding land uses are described as follows:

- **North:** Seasonal cottages, natural areas, some farmland and an unnamed lake.
- **East:** Farmland immediately west and Saugeen Conservation Lands east of Concession Road 10.
- **South:** Seasonal cottages along Hines Lake, Clarke's Lake and Robson Lake and a Residential, Subdivision to the west of Robson Lake.
- **West:** Seasonal cottages on Connell's Lake and Mud Lake, Maggie Valley Timber, Holland Pit and Campground.

The Robson Lakes Management Area is a large forested area to the north of the five lakes and the Saugeen Conservation Area.

3.0 Purpose of Applications

This Planning Justification Report has been prepared in support of a consent application to separate the property into two parcels that inadvertently merged. In order to complete this process, it has been identified that an Official Plan Amendment and Zoning By-law Amendment are required. The proposal would utilize original lot lines and whole PIN numbers. The applications propose a technical consent to



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sever two lots that inadvertently merged.

The following are the application requests:

Consent: (Figure 2 – Consent Sketch)

- “Severed Lot” - 200 Connell Lake Road (being PIN 37180-0136 LT); and
- “Retained Lot” - 212 Connell Lake Road (being PIN 37180-0135 LT and PIN 37180-0134 LT)

Official Plan Amendment (Appendix 1 – Draft OPA)

To permit the severance of 200 and 212 Connell Lake Road by way of a site-specific amendment to add a site-specific policy to permit lot creation on the subject lands.

Zoning By-law Amendment (Appendix 2 – Draft By-law)

To implement a consent application by rezoning the Subject Lands from Lake Residential (R3) and Environmental Protection (EP) to Lake Residential (R3-site specific) and Environmental Protection (EP) to recognize the lot frontage, lot area and the location of all existing buildings and structures as legally existing as of the date of the passage of the by-law.

5.0 Policy Analysis

A review of planning documents must be undertaken to determine compliance of the applications to the Planning Act as well as the provincial and municipal planning documents. A review of the proposed Consent, Official Plan Amendment and Zoning By-law Amendment Applications based on the applicable planning documents made the following conclusions:

1. **The Applications have Regard for Matters of Provincial Interest (Section 2) of the Planning Act, 1990.** The Applications will facilitate the re-establishment of the original lots as separate conveyable parcels. The Severed and Retained Lots are typical of the lot configuration in the area and provide for the orderly development of the area. The lots inadvertently merged on title. The applications have regard to Section 2.
2. **The Applications are consistent with the Provincial Policy Statement 2020.** The Provincial Policy Statement permits recreational dwellings and appropriate residential development in the form of lot creation on Rural Lands. The applications are consistent with PPS.
3. **The Applications conform to the intent of the County of Grey Official Plan.** The County of Grey Official Plan permits limited consents in rural areas. A site-specific Official Plan Amendment is required to recognize this lot creation and density. The applications conform to the Official Plan.
4. **The Applications conform to the intent of the Township of Chatsworth Zoning By-law.** The subject lands are long existing lots that inadvertently merged. The lots are built upon. The lots comply with the Zoning By-law.



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A detailed review of the applicable planning documents is provided in the following sections.

5.1 Planning Act

The Planning Act must be considered when reviewing development applications. In consideration of the proposed Consent and Official Plan Amendment, Sections 2 (Provincial Interest), 3 (Provincial Plans) and 53 (Consents) of the Planning Act apply.

Consideration of matters of "Provincial Interest" is required under Section 2 of the Planning Act. A wide range of provincial interests are identified ranging from the preservation of agricultural and natural resources to the appropriateness of development and built form in communities. The proposed lots are within an area zoned for shoreline residential uses and are of a configuration that is in keeping with other lots along Connell Lake Drive. Accordingly, the division of the Subject Lands into two lots is appropriate and the proposed consent provides for the orderly development of the area.

Section 3 (5) (a) of the Planning Act requires that planning decisions be consistent with policy statements and conform to provincial plans that are issued under the Act. The Provincial Policy Statement (PPS) 2020 applies to the applications and is addressed in the following section.

Finally, Section 53 permits the approval of consents if a plan of subdivision is not necessary for the proper and orderly development of the municipality. It has been agreed with the municipality that land division by consent is appropriate.

CONCLUSION:	The proposed Consent meets the requirements of the Planning Act RSO.
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5.2 Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) 2020 recognizes that Ontario's prosperity and well-being rely on wisely managing change and promoting efficient development patterns that support viable communities, facilitate economic growth and protect the environment and public health and safety. Growth is directed to settlement areas and efficient development patterns that encourage a mix of housing, employment, recreation and park and open spaces are promoted. In regard to the Applications, relevant policies were identified in Section 1.0 that guide land use in Rural Areas and, specifically, on Rural Lands.

- **Rural Areas in Municipalities**

The policies in Section 1.1.4 generally guide growth and development in Rural Areas in support of the rural economy, the efficient use of infrastructure and the provision of housing. The Applications do not propose new development, but rather re-establish the previous lot structure in a rural area that is shoreline recreational and comprises similarly sized lots on private services. The proposed Consent, therefore, will not impact the rural area surrounding the Subject Lands and proposes a lot structure that is compatible with the surrounding shoreline development and rural uses.

- **Rural Lands in Municipalities**



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Section 1.1.5 permits a range of uses on Rural Lands in municipalities including recreational dwellings and residential development in the form of lot creation that is locally appropriate. Recreational and tourism opportunities are promoted as well as development that is compatible with the rural landscape and can be sustained by and considered appropriate to the rural infrastructure. The proposed Consent will re-establish two existing recreational residential lots which represent an appropriate division of the lands and creates lots that is compatible and complementary to the surrounding uses.

CONCLUSION:

Consistency with the Provincial Policy Statement 2020 has been demonstrated.

5.3 County of Grey Official Plan

The Subject Lands are identified as a "Rural" on Schedule A Land Use Types Map 3 in the County of Grey Official Plan. The predominant land uses within the Rural Land Use Type include agriculture, aggregate extraction, recreation and forestry. Resource recreational land uses are permitted provided there are no impacts on forestry, agriculture, aggregate extraction or the natural environment. A review of the County of Grey Official Plan identified relevant policy in Section 5.4 Rural Land Use Type which identifies permitted uses, development policies and consent policies for rural lands in Grey County.

- **Permitted Uses**

A wide range of uses are permitted in the Rural Land Use Type designation including recreational or tourist-based rural clusters of cottages subject to the development policies in Section 5.4.2 (policy 5.4.1). The Subject Lands are located within a cluster of seasonal recreational cottages along the shoreline of Connell's Lake.

- **Development Policies**

The development policies in Section 5.4.2 state that minimum lot size will be determined by the zoning by-law of the local municipality and must address the requirements of Section 8 (Transportation) and 9 (Implementation) of the Grey County Official Plan. A minimum lot size of 0.8 ha is identified for non-agricultural uses. Density and further discussion of minimum lot area for the Subject Lands is provided in Section 5.4.3 (Consent Policies). A set of criteria are included under 5.4.2 11) which provide guidance to the review of proposed lots which exceed the density requirements. A review of these criteria conclude that they largely apply to new development. The review must take into account these were existing lots that have existing development and the proposal is re-creating these two lots, which are similar to other development around the Lake.

- **Consent Policies**

The Consent Policies in Section 5.4.3 require that consents for new development must be no smaller than 0.8 ha in size and Table 9 identifies the maximum number of severances permitted based on the Original Township Lot Size. As had been identified, the proposed lots do not meet the minimum size nor the maximum density requirements and, therefore, a site-specific amendment to the County of Grey Official Plan is required and has been included in Appendix of this report.



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The Severed Lot and the Retained Lot previously were separately conveyable lots and the Applications will facilitate the re-establishment of the lots as separate parcels. The Subject Lands are within an existing shoreline area, cottage residential cluster associated with Connell's Lake and the lot configuration is consistent with other lots along Connell Lake Road.

CONCLUSION:

Conformity to the Intent of the County of Grey Official Plan has been established.

5.4 Township of Chatsworth Zoning By-law

The Subject Lands are zoned Lake Residential (R3) and Environmental Protection (EP) on Schedule 37 Connells Lake of the Township of Chatsworth Comprehensive Zoning By-law. Section 10 provides the zone regulations for the Lake Residential Zone and recognizes permitted uses as one single detached dwelling per lot as well as accessory structures. The Lake Residential Zone Requirements are as follows:

Lake Residential R3	Requirements	Proposed	
		200 Connell Road	212 Connell Road
Minimum Lot Area	2000 m ²	595 m²	1184 m²
Minimum Lot Frontage	24 m	30.6 m	40.5 m
Minimum Front Yard	5 m	3 m	5 m
Minimum Interior Side Yard	3 m	3 m	3 m
Minimum Exterior Side Yard	5 m	Not Applicable	Not Applicable
Minimum Rear Yard	5 m	8 m	5 m
Maximum Lot Coverage	20%	Cottage – 15% Boathouse – 2.8% Total – 17.8%	Cottage – 8.5% Boathouse – 1.5% Total – 10%
Maximum Height	2 ½ stories	1 storey	1 ½ storey
Minimum GFA <ul style="list-style-type: none"> 1 storey 1 ½ storey or split level 2 or 2 2/1 storey 	80 m ² 105 m ² 130 m ²	90 m ²	101 m ²
Minimum Yard abutting the shoreline of a lake	15	8 m	5 m



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The lots were previously separately conveyable lots and include existing cottages, boathouses, a shed, private servicing including wells and septics and stand along entrances. As such, the draft by-law proposes that existing buildings and structures be deemed to conform in order to recognize these structures as exist. A draft bylaw is attached.

6.0 Conclusions

This Planning Report has been prepared in support of the applications for a Consent, Official Plan Amendment and Zoning By-law Amendment to facilitate the severance of the Subject Lands into separate, conveyable parcels. The applications are sought as a technical severance to create two lots that inadvertently merged. The applications are in keeping with the Planning Act RSO 1990, are consistent with the Provincial Policy Statement, 2020, and meet the intent of the County of Grey Official Plan and the Township of Chatsworth Comprehensive Zoning By-law. Furthermore, it is our opinion that the applications represent good land use planning.

Yours truly,

Kristine A. Loft BES BAA MCIP RPP
Principal

Attached:

Figure 1 – Location

Figure 2 – Consent Sketch

Appendix 1 – Draft OPA

Appendix 2 – Draft ZBA

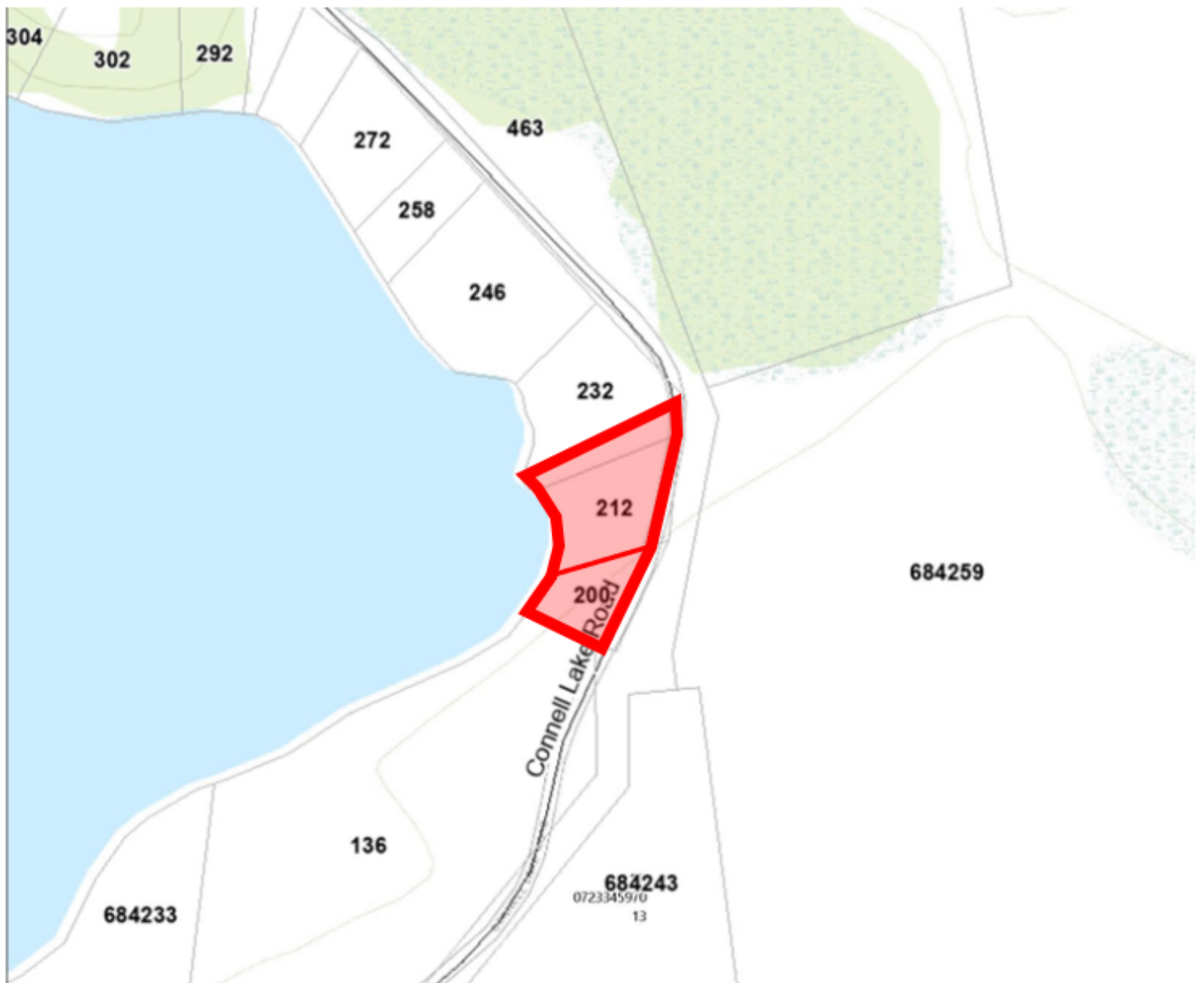


Figure 1
Subject Location
200 Connell Lake Road and 212 Connell Lake Road,
Township of Chatsworth

Planner-Agent:



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Municipal #:

Project #:

#THO.44920

Date:

December 2020

Scale:



Figure 2

Consent Sketch

200 Connell Lake Road and 212 Connell Lake Road,
Township of Chatsworth

Planner-Agent:



LOFT PLANNING

Municipal #:

Project #:

#THO.44920

Date:

December 2020

Scale:

The Corporation of the County of Grey
By-law Number ____ – 2021

Being a by-law to adopt Official Plan Amendment #__ to the Official Plan for the County of Grey.

Whereas, the Council of the Corporation of the County of Grey deems it in the public interest to adopt Official Plan Amendment No. ____; and,

Whereas, pursuant to the provisions of Section 17 & 22 of the Planning Act R.S.O. 1990, as amended, Official Plans may be amended by Council;

The Council of The Corporation of the County of Grey enacts as follows:

1. Amendment No. ____ to the County of Grey Official Plan is hereby adopted.
2. This By-law shall come into force and take effect pursuant to the provisions of the Planning Act R.S.O. 1990, as amended.

Read a first, second and third time and finally passed this day of _____, 2020.

Mayor

Clerk

**AMENDMENT No. __
TO THE
COUNTY OF GREY OFFICIAL PLAN**

Prepared by: Loft Planning Inc.
County of Grey
Official Plan Amendment
December 2020

**AMENDMENT No. __ TO THE
COUNTY OF GREY OFFICIAL PLAN
INDEX PAGE**

**AMENDMENT No. __ TO THE COUNTY OF GREY OFFICIAL PLAN
THE CONSTITUTIONAL STATEMENT**

PART A – THE PREAMBLE does not constitute a part of this Amendment.

PART B – THE AMENDMENT consisting of the following text constitutes Amendment No. __ to the County of Grey Official Plan.

PART C – THE APPENDICES attached hereto do not constitute part of this Amendment.

PART A – THE PREAMBLE

PURPOSE

The purpose of this amendment is to re-designate a portion of the subject lands within the Official Plan as follows:

- To re-designate the subject lands from Rural and Hazard to Rural (Site Specific) and Hazard accordingly to Schedule A attached hereto.

LOCATION

The lands subject to this amendment are described as 200 Connell Lake Road and 212 Connell Lake Road. The lands are legally known as PT LOT 12 CON 10 EGR HOLLAND AS IN R118680 EXCEPT THE EASEMENT THEREIN, T/W RIGHT OF WAY OVER PT 2, 16R530; CHATSWORTH AND PT LT 12 CON 10 EGR HOLLAND AS IN R385092 EXCEPT THE EASEMENT THEREIN, T/W RIGHT OF WAY OVER PT 2, 16R530; CHATSWORTH AND PT LT 12 CON 10 EGR HOLLAND PT 6 16R530, T/W RIGHT OF WAY OVER PT 2, 16R530; CHATSWORTH. The lands are located on Connell Lake Road and abut Connell Lake. Each of the parcels are built upon as separate parcels. The lands were separately conveyed and merged as a result of an inadvertent merger.

BASIS

The owners are Elizabeth Mary-Jane Thompson, Mark Graydon Thompson and Clayton Bruce Thompson. They jointly own the lands as Joint Tenants. The subject lands are known as 200 Connell Lake Road and 212 Connell Lake Road. The lands have access by way of a Right Of Way on the adjacent Connell Lake Road. The lands are recreational residential uses located on Connell Lake. 200 Connell Lake Road has an existing residence (cottage) and boathouse. The lands are serviced by private well and septic. 212 Connell Lake Road has an existing residence (cottage) as well as a boathouse and a small shed. The lands are also serviced by private well and septic. The properties have merged; however they function completely separate. The lands merged inadvertently and the owners now wish to recreate the parcels, following the same lines that previously existed.

The subject lands are designated Rural and Hazard in the County of Grey Official Plan and are zoned Lake Residential (R3) and Environmental Protection (EP) within the Township of Chatsworth Comprehensive Zoning Bylaw 2015-61. The lots do not comply to the current zone provisions, however they lots are similar to other lots located on Connell Lake Road. Further lot creation on the Lake is not permitted in the County of Grey Official Plan, and, therefore, the County has requested an Official Plan Amendment for a site-specific exception to permit the lot creation on the Subject Lands. The Lake Residential (R3) Zone applies to the majority of the property other than the shore area which is zoned Environmental Protection (EP). The proposed zoning by-law amendment would propose a site-specific amendment to the Lake Residential (R3) zone to recognize the lot frontage, lot area and the location of the existing buildings and structures as complying to the by-law on the date of passage of the by-law. lot including the lands under cultivation and, therefore, the Township has requested a zoning by-law

The lands are currently designated as Rural and Hazard in the County of Grey Official Plan

In addition to this Official Plan Amendment, an application has been made for a Zoning By-law Amendment to the Township of Chatsworth Zoning Bylaw 2015-61 to implement a consent.

PART B – THE AMENDMENT

INTRODUCTORY STATEMENT

All of this part of the document entitled “Part B – The Amendment” consisting of the following text constitutes Amendment No. __ to the Official Plan of the County of Grey.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amendment as follows;

Item 1:

Schedule A is hereby amended to re-designate a portion of the lands from Rural and Hazard designations to Rural (Site-Specific) and Hazard designation.

Item 2:

- a. To permit the creation of one lot by severing 200 Connell Lake Drive (PIN 37180-0136 LT)) while retaining 212 Connell Lake Drive (PIN 37180-0135 (LT) and 37180-0134 (LT)) as it applies to the subject lands according to Schedule A attached hereto.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan, as well as through a Zoning Bylaw Amendment for the subject lands under Section 34 and 36 of the Planning Act R.S.O. 1990.

PART C – THE APPENDICES

The following Appendices do not constitute part of this Amendment. Such are included as information only supporting the Amendment.

Planning Justification Report – Loft Planning Inc.
Minutes of Public Meeting

APPENDIX B

**The Corporation of the Township of Chatsworth
By-law Number 2020-____
Being a by-law to amend Zoning By-law 2015-61
of the Township of Chatsworth**

Whereas, the Council of the Corporation of the Township of Chatsworth deems it in the public interest to pass a by-law to amend By-law 2015-61; and,

Whereas, pursuant to the provisions of Sections 34 & 36 of the Planning Act R.S.O. 1990, as amended, by-laws may be amended by Councils of Municipalities; and,

The Council of The Corporation of the Township of Chatsworth enacts as follows:

1. Schedule 37 to By-law 2015-61 is hereby amended by rezoning a portion of those lands described as PT LOT 12 CON 10 EGR HOLLAND AS IN R118680 EXCEPT THE EASEMENT THEREIN, T/W RIGHT OF WAY OVER PT 2, 16R530; CHATSWORTH AND PT LT 12 CON 10 EGR HOLLAND AS IN R385092 EXCEPT THE EASEMENT THEREIN, T/W RIGHT OF WAY OVER PT 2, 16R530; CHATSWORTH AND PT LT 12 CON 10 EGR HOLLAND PT 6 16R530, T/W RIGHT OF WAY OVER PT 2, 16R530;CHATSWORTH and shown on Schedule "A-1", affixed hereto, from the Lake Residential (R3) Zone AND Environmental Protection (EP) Zone to the Lake Residential (R3-Site Specific) Zone and the Environmental Protection (EP) Zone.
2. Section 27 to By-law 2015-61 is hereby amended by adding the following:

27.XX Lands Subject to Exception XX:
 1. Parcel 1 shall have a minimum lot area of 595 square metres.
 2. Parcel 2 shall have a minimum lot area of 1184 square metres.
 3. All buildings and structures on Parcel 1 and Parcel 2 shall be deemed to comply as of the date of passage of this by-law.
3. Schedule "A-1" and all notations thereon, are hereby declared to form part of this By-law.
4. This by-law shall come into force and take effect upon being passed by Council, pursuant to the Planning Act, R.S.O. 1990, as amended.

Read a first, second and third time and finally passed this day of 2021.

Mayor

Clerk