



TOWNSHIP OF MELANCTHON

COMMITTEE OF ADJUSTMENT

THURSDAY, JANUARY 12, 2017 - 6:00 P.M.

1. **APPROVAL OF MINUTES - December 22, 2016**
2. **BUSINESS ARISING FROM MINUTES**
3. **APPLICATION FOR CONSENT**
4. **APPLICATION FOR MINOR VARIANCE**
5. **APPLICATIONS ON FILE**
 1. B12/14 - Julian McDowell - West Part Lot 13, Concession 1 O.S. - Report from Chris, Jones, Township Planning Consultant, on Township Land in Horning's Mills.
 2. B1/16 - Wayne Nicholson - Applicant / Bonnefield Canadian Farmland LP III - Owner East Part Lot 18, Concession 3 O.S.
6. **DELEGATES**
7. **CORRESPONDENCE**
8. **ADJOURNMENT**

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MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris D. Jones MCIP, RPP
Date: January 4, 2017
Re: Township Land in Hornings Mills

1.0 BACKGROUND

On November 20, 2014, the Township's Committee of Adjustment convened to hear Consent Application 12/14 for lands described legally as Lots 68, 69 and 70, Plan 34A, located in the West Half of Lot 13, Concession 1, O.S.

The lands have a lot area of 0.6 hectares (1.5 acres) and a lot frontage of approximately 45 metres (148 feet) on High Street and 50 metres (165 feet) on Main Street. The purpose of the application was to create a new lot with a lot area of approximately 0.46 ha (1.1 acres), which would cause the retained lot (with the residence) to have a lot area of 0.22 ha (0.55 acres) and a frontage of 148 feet on High Street.

In my planning report dated November 17, 2014, it was concluded that access to the severed and retained lot would be problematic and specifically that access to the new lot off of Main Street appeared to currently use land that was not owned or registered for use by the applicant.

There were other issues raised with respect to the application, but Committee primarily deferred making a decision on the application to provide the applicant with an opportunity to confirm the ownership of land he currently used for access purposes.

As Council is aware, it was subsequently confirmed through a title search that the lands utilized for access purposes were Township lands that formed part of a deviation road. At the time the application was submitted, these lands were held by the County of Dufferin, however in the summer of 2015, these lands were transferred to the Township of Melancthon.

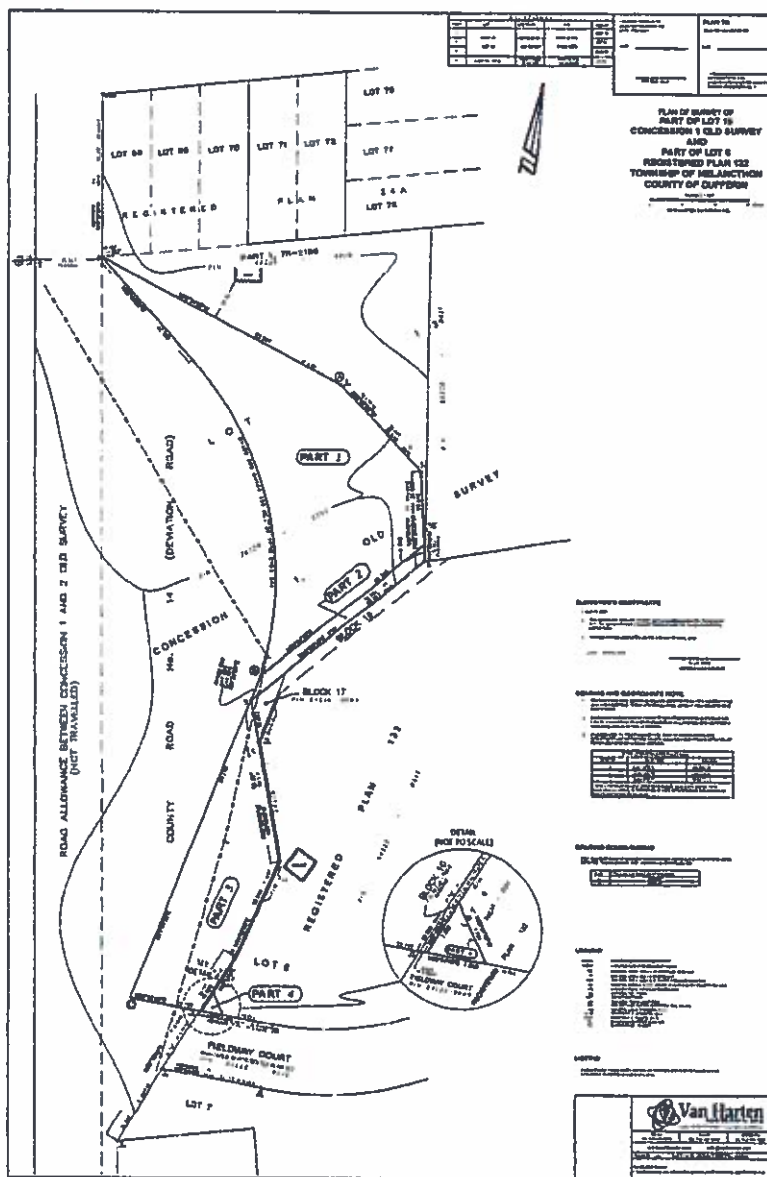
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51 Churchill Drive, Unit 1
Barrie, Ontario
(705) 725-8133

2.0 SURVEY

In the summer of 2016, the Township prepared a survey of the subject lands to confirm the location of property boundaries relative to surrounding owners (Figure 1).

Figure 1 – Draft Reference Plan



On the draft reference plan, Part 1 represents lands which are currently used for access by the applicant. Part 2 is an existing easement for an abutting landowner's access and Part 3 is a parcel that another landowner utilizes for a second driveway.

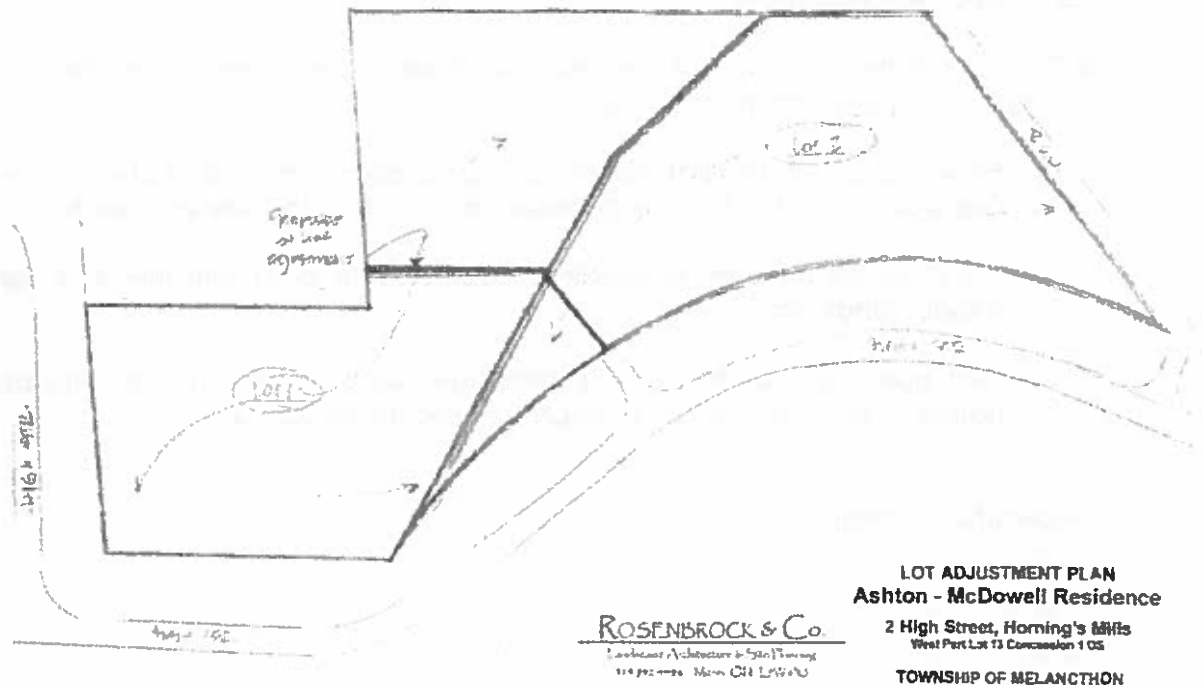
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3.0 REVISED LOT CREATION PROPOSAL

On the basis of the land ownership illustrated in the draft reference plan, the applicant provided the Township with an alternate lot creation proposal. In this proposal, all of Part 1 would be utilized and the lot lines of the applicant's land and Part 1 would be adjusted in the manner illustrated in Figure 2. The resultant lots would also share the existing driveway off Main Street.

Figure 2 – Proposed Boundary Adjustment Utilizing Part 1.



4.0 TOWNSHIP OF MELANCTHON DISPOSITION BY-LAW 58-2015

In order for the applicant's revised proposal to be considered, the Township lands (Part 1) would first need to be declared surplus to Township needs in accordance with the Township's policy for the sale of municipal land. Subsequent to the declaration that the lands are surplus, the Clerk would then have authorization to obtain an appraisal of the subject lands and give public notice of the intention to sell the land.

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5.0 PART 3

As was noted earlier in this report, Part 3 of the proposed reference plan is also the subject of an existing encroachment caused by a secondary driveway. This issue has been discussed with the owners of the abutting lands who utilize the driveway. As a result of these discussions, this owner has expressed an interest in acquiring Part 3.

On this basis, Council's consideration under By-law 58-2015 should include both Parts 1 and 3.

6.0 RECOMMENDATION

If Council is of the opinion that the lands identified as Parts 1 and 3 may be considered for disposition it is recommended that:

- a) Parts 1 and 3 of the draft reference plan prepared by Van Harten Surveying Inc. and dated July 13, 2016 be declared to be surplus to Township needs;
- b) The Clerk be directed to obtain an appraisal to assist with the valuation of the subject lands; and,
- c) That upon receipt of the appraisal, the Clerk be directed to provide public notice to sell Parts 1 and 3 through a public tender process.

Respectfully Submitted,



Chris D. Jones MCIP, RPP

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