



**TOWNSHIP OF MELANCTHON**

**COMMITTEE OF ADJUSTMENT**

**THURSDAY, SEPTEMBER 20, 2018 - 6:00 P.M.**

1. **APPROVAL OF MINUTES - July 19, 2018**
2. **BUSINESS ARISING FROM MINUTES**
3. **APPLICATION FOR CONSENT**
  1. B4/18 - 1392119 Ontario Ltd. (Dave Metz) Part Lot 14, Concession 2 O.S.
4. **APPLICATION FOR MINOR VARIANCE**
5. **APPLICATIONS ON FILE**
  1. B12/14 - Julian McDowell - West Part Lot 13, Concession 1 O.S.
6. **DELEGATES**
7. **CORRESPONDENCE**
8. **ADJOURNMENT**

Ph: (519) 925-5525  
Fax: (519) 925-1110

**TOWNSHIP OF MELANCTHON  
Committee of Adjustment**

157101 Highway 10  
Melancthon, Ontario  
L9V 2E6

**NOTICE OF PUBLIC MEETING  
Application for Consent**

File No. **B4/18**

Date of Meeting: **Thursday, September 20, 2018** Time: **6:00 p.m.**

Name of Owner/Applicant: **1392119 Ontario Ltd. (David Metz)**

Location of Public Meeting: **Council Chambers, 157101 Highway 10, Melancthon, ON, L9V 2E6**

**PROPOSED SEVERANCE: Part Lot 14, Concession 2 O.S. RP 7R3747 Part 1 RP 7R 4758 Part 1**

Existing Use: **Vacant** Proposed Use: **Residential**

Road Frontage: **56.2 m** Depth: **73.42**

Area: **0.41 ha.**

**RETAINED PORTION: Part Lot 14, Concession 2 O.S. RP 4758 Part 1**

Existing Use: **Vacant** Proposed Use: **Residential**

Road Frontage: **56.2 m** Depth: **152.42 m**

Area: **0.78 ha.**

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The land is not the subject of an application under the Act for an Official Plan Amendment, Zoning By-law Amendment, or Minor Variance application.

If you require additional information on this application, it may be obtained by contacting the Secretary-Treasurer at the above address during regular office hours.

If a person or public body that files an appeal of a decision of the Melancthon Township Committee of Adjustment in respect of the proposed consent does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.

  
Denise B. Holmes, Secretary-Treasurer



**CONCEPTUAL SITE PLAN ON  
PART OF LOT 14  
CONCESSION 2, OLD SURVEY  
TOWNSHIP OF MELANCTHON  
COUNTY OF DUFFERIN**

SCALE 1:500

VAN HARTEN SURVEYING INC.

**NOTE**  
**THIS IS NOT A PLAN OF SURVEY**

FOR FURTHER INFORMATION, CONTACT THE SURVEYOR AT THE OFFICE OF THE REGISTRAR OF LANDS, 100 KING STREET WEST, TORONTO, ONTARIO M5X 1C6, CANADA. TEL: (416) 392-1511. FAX: (416) 392-1512.

**MI-1181**  
THIS PLAN IS NOT A PLAN OF SURVEY AND IS NOT TO BE USED FOR THE PURPOSES OF A PLAN OF SURVEY.

NO.	REV.	DATE	BY	DESCRIPTION

<b>Van Harten</b> SURVEYING INC.	
100 King Street West Toronto, Ontario M5X 1C6 Canada Tel: (416) 392-1511 Fax: (416) 392-1512 Email: info@vanharten.com	100 King Street West Toronto, Ontario M5X 1C6 Canada Tel: (416) 392-1511 Fax: (416) 392-1512 Email: info@vanharten.com

Prepared by: [Name] Checked by: [Name] Date: [Date]  
 Sep 10, 2020 11:45 AM  
 C:\Users\johnd\OneDrive\Documents\Projects\2020\2020-09-10\2020-09-10.dwg

Niagara Escarpment Commission

99 King Street East  
P.O. Box 308  
Thornbury, ON N0H 2P0  
Tel. No. (519) 599-3340  
Fax No. (519) 599-6326  
www.escarpment.org

Commission de l'escarpement du Niagara

99, rue King est  
p.o.b. 308  
Thornbury ON N0H 2P0  
No de tel. (519) 599-3340  
Télécopieur (519) 599-6326  
www.escarpment.org



September 13, 2018

Denise B. Holmes, Secretary-Treasurer  
Committee of Adjustment  
Township of Melancthon  
157101 Highway 10  
Melancthon, ON L8V 2E6

Email: [dholmes@melancthontownship.ca](mailto:dholmes@melancthontownship.ca)

Dear Ms. Holmes:

**Re: Consent Application B4/18, 1392119 Ontario Ltd. (David Metz)  
Part Lot 14, Concession 2  
Township of Melancthon, Dufferin County**

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We have reviewed this application for Consent and wish to provide the following comments:

The property is not located within the Niagara Escarpment Plan however is within the Niagara Escarpment Development Control Area. Section 24(3) of the *Niagara Escarpment Planning and Development Act* states that:

"No approval, consent, permission or other decision that is authorized or required by an Act that relates to development shall be made in respect of any land, building or structure within an area of Development Control unless the development is exempt under the regulations or a Development Permit relating to the land, building or structure has been issued. "

As such, a Development Permit must be obtained for the development of the proposed lots, prior to Consent being granted. In this regard, a Development Permit for the construction of a dwelling on the proposed 0.41ha severed lot (D/R/2016-2017/361), and on the proposed 0.78 ha retained lot (D/R/2017-2018/461) subject of this Consent application have been issued.

The Niagara Escarpment Commission has **no objection** to the Consent.

We request a Notice of Decision on this application.

Should you have any questions please contact me at 519-599-3740 or at [rick.watt@ontario.ca](mailto:rick.watt@ontario.ca).

Yours truly,

  
Rick Watt  
Senior Planning Coordinator

**MEMORANDUM**

**To:** Mayor White and Members of Council  
**Copy:** Ms. Denise Halmes, CAO  
**From:** Chris D. Jones MCIP, RPP  
**Date:** September 13, 2018  
**Re:** Application for Consent B4/18 (1392119 Ontario Inc.)

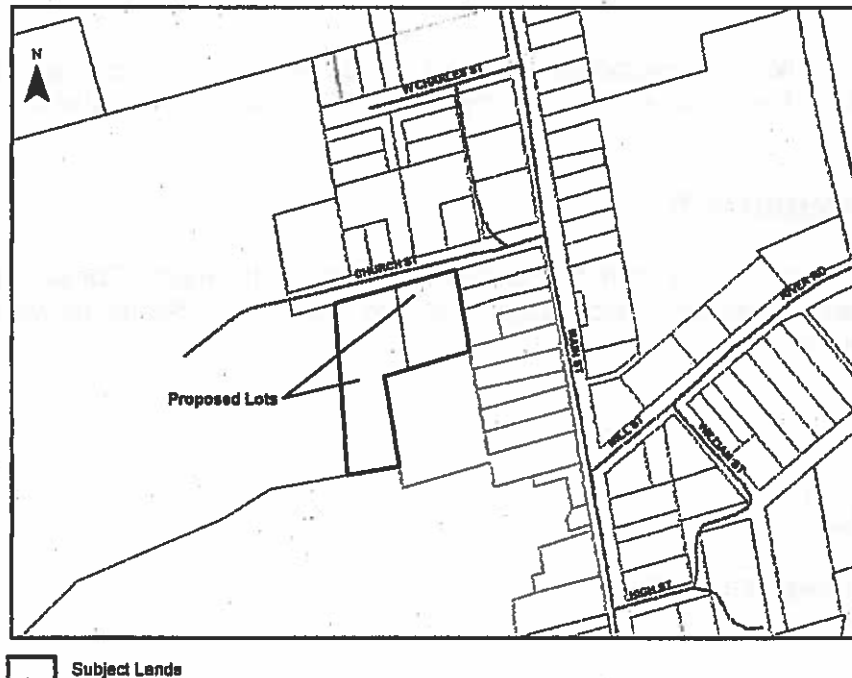
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**BACKGROUND**

On June 15, 2017, Committee approved Consent Application B1-17 to create a new residential infill lot from lands located in Part of Lot 14, Concession 2 O.S in the settlement of Hornings Mills. The subject lands are located on Church Street and are currently vacant.

The new lot has a frontage of 56 metres (183 feet) and a lot area of 1.2 hectares (2.96 acres). The retained lands have a frontage of 56 metres (183 feet) and a lot area of 0.78 hectares (1.92 acres). The severed and retained lots are illustrated in Figure 1.

**Figure 1 – Proposed Lot (Severed and Retained)**



This application is back before Committee because the applicant did not fulfill the conditions of consent within one year of the approval date and therefore the approval lapsed.

The application before Committee is a carbon copy of the one that was approved on June 15, 2017.

#### **NOTTAWASAGA VALLEY CONSERVATION AUTHORITY**

In a prior letter dated February 2, 2017, the NVCA indicated they had no objection to the proposed consent and found that the scope of the EIS was appropriate for the site context and scale of development. At the time of writing this subsequent report, comments from the NVCA on the new application has not been received by the Township.

#### **NIAGARA ESCARPMENT COMMISSION**

The lands proposed for consent are subject to the regulatory authority of the NEC.

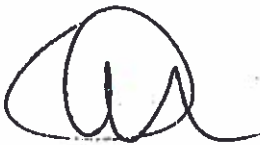
In a letter dated September 13, 2018, the NEC indicated they did not object to the consent approval given that NEC Development Permits had previously been issued for both the severed and retained parcels.

#### **ANALYSIS**

In my opinion the proposed consent will provide for the appropriate development of the subject lands in manner consistent with Provincial Policy and the Township's Official Plan.

#### **RECOMMENDATION**

It is recommended that the proposed consent (formerly Consent B1/17) be granted Provisional Consent and subject to the same conditions as were required under Consent B1/17)



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Chris Jones MCIP, RPP

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• *Municipal Planning Services Ltd.* •

Chris D. Jones BES, MCIP, RPP  
51 Churchill Drive  
Barrie, Ontario  
(705) 725-8133

TOWNSHIP OF MELANCTHON COMMITTEE OF ADJUSTMENT  
NOTICE OF DECISION UNDER THE PLANNING ACT

FILE NO. B1/17

We, the undersigned members of the Committee of Adjustment, do hereby certify that the following decision was reached by us at a meeting in Melancthon Township on

Thursday, June 15, 2017

The said decision was reached on the application of: 1392119 Ontario Ltd. (David Metz) to sever approximately 0.41 ha., with a frontage of approximately 56.2 m, from Part of the East Part of Lot 14, Concession 2 OS (RP7R-3747 Part 1, RP7R-4758 Part 1)

**DECISION:** APPROVED (if granted, is subject to the following conditions which must be, in the opinion of the Committee, substantially complied with or waived by the party requesting the condition:)

1. A reference plan of survey is required. Draft survey to be provided to the Township for review and approval prior to registration.
2. Written approval from the County of Dufferin Building Department that the severed lot and retained lot is each suitable for a septic system.
3. An entrance to both the severed lot and retained lot must be approved by the Township Road Superintendent and the entrances be installed before the deed is submitted for endorsement.
4. Taxes and special charges must be paid to date when the deed is submitted for endorsement.
5. Conditions must be fulfilled and deeds stamped by the Secretary on or before one year from the mailing date of the Notice of Decision, as signed by the Secretary.

**REASONS FOR DECISION:** This application conforms with the Official Plan of the Township of Melancthon, is consistent with the Provincial Policy Statement and has been conditionally approved by the NEC through Development Permit Application D/R2016-2017/361.

  
CHAIRMAN

  
MEMBER

  
MEMBER

MEMBER

  
MEMBER

I, Denise B. Holmes, Secretary-Treasurer of the Melancthon Township Committee of Adjustment hereby certify that the above is a true copy of the decision of the Committee with respect to the application recorded herein.

DATED THIS 16th day of June, 2017

  
Secretary-Treasurer

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Any person or public body may, not later than 20 days after the giving of notice under subsection (17) of the Planning Act is completed, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Municipal Board by filing with the clerk of the municipality a notice of appeal setting out the reasons for the appeal, accompanied by the fee of \$300.00 payable to the Minister of Finance. THE LAST DATE ON WHICH THIS DECISION MAY BE APPEALED TO THE ONTARIO MUNICIPAL BOARD IS THE 7th day of July, 2017

Only individuals, corporations and public bodies may appeal decision in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.