



TOWNSHIP OF MELANCTHON

COMMITTEE OF ADJUSTMENT

THURSDAY, JUNE 20, 2019 - 6:00 P.M.

- 1. APPROVAL OF MINUTES - April 18, 2019**
- 2. BUSINESS ARISING FROM MINUTES**
- 3. APPLICATION FOR CONSENT**
 1. B8/19 - John and Doreen Sipple - Lots 17 & 18, Plan 34A, (Lot enlargement to Lots 21-23, Pt Lots 25-27, Plan 34A, and Pt Lots 13 & 14, Con 2 OS)
 2. B9/19 - Adam Clark Part of Lot 14 (Lot enlargement to Lots 15-16, Plan 34A, and Part 2, 7R-2408, Part Lot 14, Con 2 OS)
- 4. APPLICATION FOR MINOR VARIANCE**
 1. A1/19 - Leo Blydorp - Part Lot 15, Concession 5 S.W., 097358 4th Line S.W.
- 5. APPLICATIONS ON FILE**
 1. B12/14 - Julian McDowell - West Part Lot 15, Concession 1 OS
- 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. **B8/19**

Date of Meeting: **June 20, 2019** Time: **6:00 p.m.**

Name of Owner/Applicant: **John and Doreen Sipple**

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

PROPOSED SEVERANCE: Lots 17 & 18, Plan 34A, (Lot enlargement to Lots 21-23, Pt Lots 25-27, Plan 34A, and Pt Lots 13 & 14, Con 2 OS)

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

Road Frontage: **14.29 m** Depth: **15.29 m**

Area: **.022 ha.**

RETAINED PORTION: Lots 15-16, Plan 34A, Part Lot 14, Con 2 O.S.

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

Road Frontage: **22.13 m** Depth: **60.69 m**

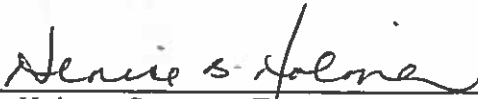
Area: **.094 ha.**

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 Local Planning Appeal Tribunal may dismiss the appeal.

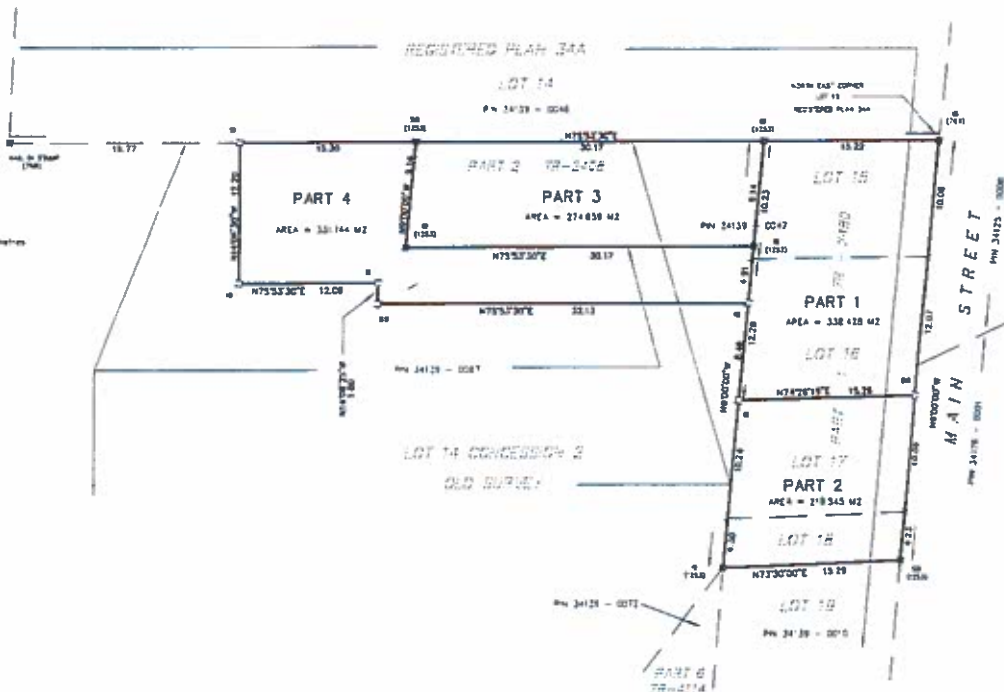
If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.


Denise B. Holmes, Secretary-Treasurer

PLAN OF SURVEY OF
LOTS 15,16,17, AND 18
 REGISTERED PLAN 34A
PART OF LOT 14
CONCESSION 2
 OLD SURVEY
 TOWNSHIP OF MELANCTHON
 VILLAGE OF HORNINGS MILLS
 COUNTY OF DUFFERIN
 DAVID J. PESCE SURVEYING 2019



METRIC
 DISTANCES SHOWN ON THIS
 PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET
 BY DIVIDING BY 0.3048



I REQUIRE THIS PLAN
 TO BE DEPOSITED UNDER
 THE LAND TITLES ACT

PLAN 7R-
 RECEIVED AND DEPOSITED
 DATE

DATE

DAVID J. PESCE B.Sc.
 ONTARIO LAND SURVEYOR

REPRESENTATIVE FOR THE LAND
 REGISTRAR FOR THE LAND TITLES
 DIVISION OF DUFFERIN (NO.7)

SCHEDULE			
PART	LOT	PLAN/CONCESSION	PART OF PLAN
1	15 & 16	RP 34A	34139 - 0047
2	17 & 18		
3	PART LOT 14	2 OLD SURVEY	34139 - 0081

PARTS 1, 2, AND 3 COMPRISE ALL OF PLAN 34139 - 0047
 PART 4 COMPRISES PART OF PLAN 34139 - 0081



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT, AND THE REGULATIONS MADE UNDER THEM;
 - THE SURVEY WAS COMPLETED ON THE SIXTH DAY OF FEBRUARY, 2019.

DAVID J. PESCE B.Sc.
 ONTARIO LAND SURVEYOR

BEARING NOTE

BEARINGS SHOWN HEREIN ARE ASTRONOMIC AND ARE REFERRED TO THE WEST END OF MAIN STREET, HAVING A BEARING OF $95^{\circ}00'00''$ AS SHOWN ON DEPOSITED PLAN 7R-2480

DAVID J. PESCE SURVEYING

PROFESSIONAL LAND SURVEYOR

59 THIRD STREET, ORANGEVILLE, ONTARIO, L9W 2S3
 PHONE (519) 941-3881, FAX (519) 434-0158
 email: djpesce1@ccnet.ca

EXAMINED BY
 D.J.P. 03.5

DRAWN BY PB
 CALC'D BY PB

PROJECT 18-216

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. **B9/19**

Date of Meeting: **June 20, 2019** Time: **6:00 p.m.**

Name of Owner/Applicant: **Adam Clark**

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

**PROPOSED SEVERANCE: Part of Lot 14, Con 2 OS (Lot enlargement to Lots 15-16, Plan 34A,
and Part 2, 7R-2408, Part Lot 14, Con 2 OS)**

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

Road Frontage: **n/a** Depth: **Irregular**

Area: **.033 ha.**

RETAINED PORTION: Lots 21-23, Pt Lots 25-27, Plan 34A, Pt Lots 13 & 14, Con 2 OS

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

Road Frontage: **Irregular** Depth: **Irregular**

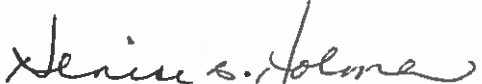
Area: **22.57 ha. (approx)**

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 Local Planning Appeal Tribunal may dismiss the appeal.

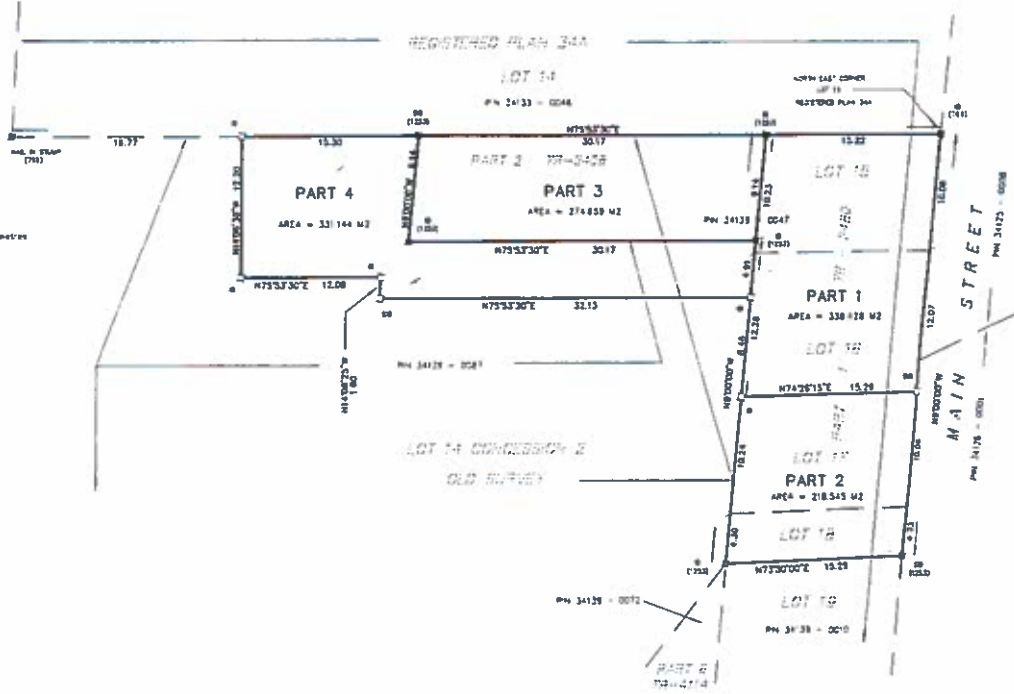
If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.


Denise B. Holmes, Secretary-Treasurer

PLAN OF SURVEY OF
LOTS 15, 16, 17, AND 18
 REGISTERED PLAN 34A
PART OF LOT 14
CONCESSION 2
 OLD SURVEY
 TOWNSHIP OF MELANCTHON
 VILLAGE OF HORNINGS MILLS
 COUNTY OF DUFFERIN
 DAVID J. PESCE SURVEYING 2019



METRIC
 DISTANCES SHOWN ON THIS
 PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET
 BY DIVIDING BY 0.3048



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TILES ACT

PLAN 7R- RECEIVED AND DEPOSITED DATE

DATE

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TILES DIVISION OF DUFFERIN (NO.7)
 DAVID J. PESCE B.Sc.
 ONTARIO LAND SURVEYOR

PART	LOT	PLAN/CONCESSION	SCHEDULE	PART OF PM
1	15 & 16	RP 34A		34136 - 0547
2	17 & 18			34136 - 0547
3	PART LOT 14	2 OLD SURVEY		34136 - 0547

PARTS 1, 2, AND 3 COMPRISE ALL OF PM 24136 - 0547
 PART 4 COMPRISES PART OF PM 34136 - 0547



SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TILES ACT, AND THE REGULATIONS MADE UNDER THEM
 - 2) THE SURVEY WAS COMPLETED ON THE 18TH DAY OF FEBRUARY, 2019

DATE _____ DAVID J. PESCE B.Sc.
 ONTARIO LAND SURVEYOR

PRELIMINARY

BEARING NOTE
 BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE WEST LIMIT OF MAIN STREET, HAVING A BEARING OF N80°00'00"E AS SHOWN ON DEPOSITED PLAN 78-2480

DAVID J. PESCE SURVEYING
 PROFESSIONAL LAND SURVEYOR

59 THIRD STREET, GRANGEVILLE, ONTARIO L3W 2S1 PHONE (519) 941-3881, FAX (705) 434-0156 email d.j.pesce@rogers.com	EXAMINED BY DJP CLS	DRAWN BY PB CALCD BY PB	PROJECT 18-216
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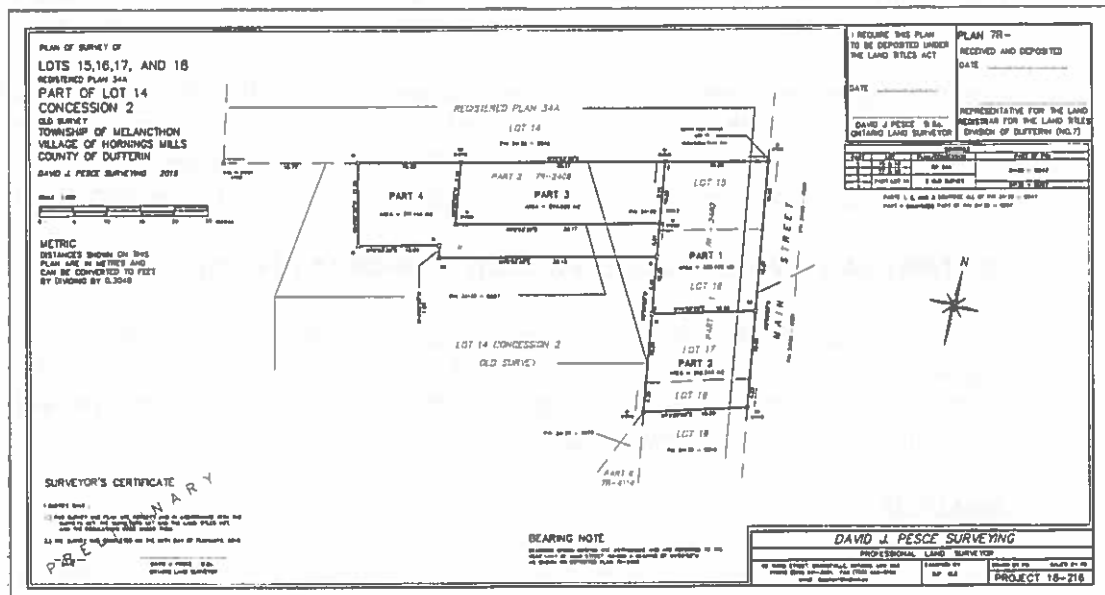
MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris D. Jones MCIP, RPP
Date: June 14, 2019
Re: Applications for Consent B8/19 and B9/19 (Sipple/Clark)

BACKGROUND

The Township is in receipt of two applications for consent to sever and merge lands to create a larger and more viable residential lot in the settlement of Horning's Mills. The applications have been submitted by John and Doreen Sipple and Adam Clark. The purpose of the applications are to facilitate a land transfer or swap between Sipple and Clark. A draft reference plan of the lands to be conveyed is provided in Figure 1.

Figure 1 – Subject Lands (Lands to be Conveyed)



In the above reference plan, the Sipple's are the current owner of Parts 1, 2 and 3, while Clark is the owner of Part 4. The purpose of the applications is to sever Part 2 from the Sipple lands to convey to Clark and to sever Part 4 from the Clark lands to convey to Sipple.

Subsequent to the transfer the resultant lands would be configured in the following manner:

	Current Lot Area	Resultant Lot Area	Current Frontage	Resultant Frontage
Sipple	832 m ²	943 m ²	36 m	22m
Clark	22.57 ha	22.57 ha	no change	no change

The purpose of the application is to create a viable building lot for the Sipples who lost their original home on the lot due to a fire and would like to rebuild.

OFFICIAL PLAN

The subject lands are designated Community and Environmental Conservation in the Township's Official Plan. The Environmental Conservation overlay reflects that the lot is located adjacent to Horning's Mills Creek.

ZONING BY-LAW

The Sipple lands are partially zoned Hamlet Residential (R1), Open Space Conservation (OS2), and Development (D). The Clark lands are primarily located in the Niagara Escarpment regulated area but small portions are also zoned R1 and D.

The minimum lot area and frontage requirement for the R1 Zone is 1,400 m² and 30 metres. Given that the resultant Sipple lot will not comply with these minimum standards and given that the lands to be conveyed from Clark to Sipple are zoned Development (D), it will be recommended that the Sipple lot be rezoned as a condition of approval.

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY (NVCA)

The NVCA has been involved in this process given that the Sipple lot is located in a regulated area. At the time this report was prepared the NVCA had not provided formal comments but it is anticipated that comments will be provided in time for Committee to review at the hearing.

ANALYSIS

In my opinion the applications, which will facilitate a land swap, are appropriate and will help to create a more viable building lot for the Sipples.

• *Municipal Planning Services Ltd.* •

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

RECOMMENDATIONS

It is recommended that application B8/19 be approved subject to the following condition in addition to the standard conditions of approval:

1. The resultant lot shall be rezoned to the Hamlet Residential (R1) Exception Zone to address a deficient lot area and frontage; and,
2. That Lots 15 and 16, Plan 34A be deemed by by-law not to be lots in a plan of subdivision to facilitate a legal merger with abutting lands, if necessary.

Is it recommended that application B9/19 be approved subject to the following condition

1. That Lots 17 and 18, Plan 34A be deemed by by-law not to be lots in a plan of subdivision to facilitate a legal merger with abutting lands, if necessary.

Respectfully Submitted,



Chris Jones MCIP, RPP

**NOTICE OF PUBLIC HEARING
RE AN APPLICATION FOR**

 X **Minor Variance - s.45(1)** **Permission - s.45(2)**

Melancthon Township - Committee of Adjustment

File No. **A1-19**

Re An Application by: **Leo Blydorp**

Address: **393134 County Rd 12, Amaranth ON L9W 0M9**

Description of Property: **Part Lot 15, Concession 5 S.W., 097358 4th Line S.W.**

Purpose of Application: **Relief from By-law 12-1979 as amended by By-law 12-1982 to reduce the minimum front yard set back from 15 m to 9 m for a proposed hay and straw storage building.**

Take Notice That an application under the above file number will be heard by the Committee of Adjustment on the date, and at the time and place shown below, under the authority of Section 45 of the *Planning Act*.

Date: **June 20, 2019**

Time: **6:00 p.m.**

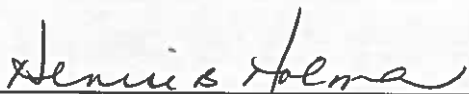
Place: **Township of Melancthon Council Chambers, 157101 Highway 10, Melancthon**

Public Hearing - You are entitled to attend at this public hearing in person or you may be represented by counsel or an agent to give evidence about this application. Signed, written submissions that relate to an application shall be accepted by the Secretary-Treasurer before or during the hearing of the application at the address above and shall be available to any interested person for inspection at the hearing.

Failure to attend hearing - If you do not attend at this public hearing, it may proceed in your absence and, except as otherwise provided in the *Planning Act*, you will not be entitled to any further notice in the proceeding.

Notice of Decision - A certified copy of the decision, together with a notice of the last day for appealing to the Ontario Municipal Board shall be sent, not later than 10 days from the making of the decision, to the applicant, and to each person who appeared in person or by counsel at the hearing and who filed with the secretary-treasurer a written request for notice of the decision.

Dated this 6th day of June, 2019.



Signature of Secretary-Treasurer

MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, Clerk
From: Chris Jones MCIP, RPP
Date: June 14, 2019
Re: Minor Variance A1-19 (Blydorp)

Mr. Leo Blydorp has submitted an application for minor variance for lands located at 097358 4th Line S.W, located in Part Lot 15, Concession 5 S.W. According to the application, the applicant's lot has an area of 40.2 hectares (99.5 acres) with a frontage of approximately 122.6 metres (1,320 feet) on 4th Line S.W.

The applicant's lot is currently zoned General Agricultural (A1) and is used for agricultural purposes as part of the applicant's greater farm operations. The subject lands are currently occupied by several agricultural storage buildings and a dwelling.

The applicant wishes to construct a new hay storage building amongst the existing farm building cluster and is seeking relief from the minimum lot line setback of 15 metres. The proposed building would be located 9 metres (30 feet) from the front lot line and will have a floor area of 557 m² (6,000 ft²).

THE FOUR TESTS OF A MINOR VARIANCE

In considering this application, Committee needs to be satisfied that the proposal is in keeping with each of the "four tests" of a minor variance as set out in the Planning Act.

1. Is the variance in keeping with the intent of the Official Plan?

The subject lands are located in the Agricultural designation which permits agricultural uses as well as buildings and structures related to agri-business.

2. Is the variance in keeping with the intent of the Zoning By-law?

The intent of the By-law as it relates to building setbacks is to provide a compatibility measure between neighbouring land uses and contribute to the maintenance of rural character. The proposed location of the building is in keeping with the intent of the Zoning By-law.

3. Will the variance provide for the desirable development of the lot?

I believe the variance addresses this test as the approval of the variance will allow a new storage building to be located amongst an existing building cluster.

4. Is the Variance Minor?

The proposed variance will support an existing agricultural use, and will accommodate the construction of a new storage building that is compatible and in keeping with the character of the community. On this basis I consider the variance to be minor.

CONCLUSION

Should Committee be satisfied the variance meets the four tests, they may establish any reasonable condition to the approval of the variance.

In this case I believe the proposed variance fulfills the four tests and I do not recommend any conditions of approval.

Respectfully Submitted,



Chris Jones MCIP, RPP