

**TOWNSHIP OF MELANCTHON  
COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment of the Township of Melancthon held a meeting on the 18<sup>th</sup> day of April, 2019 in the Council Chambers commencing at 6:00 p.m. Members D. White, D. Besley, W. Hannon, M. Mercer and D. Thwaites were present. Secretary-Treasurer D. Holmes, W. Atkinson and Chris Jones, Township Planning Consultant were also present. Member White presided.

**Minutes**

Moved by Thwaites, Seconded by Hannon that the minutes of the Committee of Adjustment meeting held on March 21, 2019 be approved as circulated. Carried.

**Business Arising from Minutes**

None.

**Applications for Minor Variance**

None.

**Applications for Consent**

**B3/19 - Bonnefield Farmland Ontario III Inc.**

A public meeting had been called for 6:00 p.m. to consider an application by Bonnefield Farmland Ontario III Inc. to merge an existing vacant lot described as West Part of Lot 18, Concession 3 O.S. RP 7R537 Part 1 with Part Lots 16 to 20, Concession 3 O.S. The applicant wishes to re-create a new residential lot in an alternate location of the aforementioned lands. Chris Jones, Municipal Planning Services Ltd. reviewed his report with the Committee. Kristine Loft, Loft Planning Inc. was in attendance as Planner for the applicant and made a presentation. Comments were received from the County of Dufferin Manager, Municipal Planning, WSP and Project Planner, WSP.

Moved by Thwaites, Seconded by Hannon that Application B3/19 to merge approximately .8 ha. from Part of Lots 16-20, Concession 3 OS be approved subject to the following conditions:

1. The applicant shall provide a draft reference plan and transfer for review prior to registration and the reference plan and transfer shall include a Part to be transferred to the Township measuring 1 ft x 1 ft to ensure the parcel will legally merge in title with the benefitting lands.
2. The merged lot shall be rezoned to the A1-129 Zone to limit use permissions to agricultural uses.
3. The applicant shall provide a Solicitor's undertaking and enter into a consent agreement to require the merger of the lot with the balance of the existing parcel comprised of Lots 16 to 20, Concession 3 OS.
4. Taxes on the subject properties must be paid to date when the deed is submitted for endorsement.
5. All costs associated with the consent application and to administer the conditions of the consent must be paid when the deed is submitted for endorsement.
6. All 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.

This application conforms with the Official Plan of the Township of Melancthon and is consistent with the Provincial Policy Statement. Carried.

**B4/19 - Bonnefield Farmland Ontario III Inc.**

A public meeting had been called for 6:00 p.m. to consider an application by Bonnefield Farmland Ontario III Inc. to sever approximately .84 ha. From Part Lots 16-20, Concession 3 O.S. This lot is being transposed or re-established in conjunction with Application B3/19 (which merged an existing vacant lot with an agricultural parcel). Chris Jones reviewed his report with the Committee. He advised that in the Provincial Policy Statement lot creation in prime agricultural areas is not permitted with the exception of the creation of lots to facilitate the severance of a surplus farm dwelling. Notwithstanding, Section 2.3.4.2. permits "Lot adjustments in prime agricultural areas for legal or technical reasons". In his opinion, given that the application would result in no additional lot, the application would be consistent with this policy requirement. Comments were received from the County of Dufferin Manager, Municipal Planning, WSP and Project Planner, WSP. Kristine Loft, Loft Planning Inc., addressed the Committee and commented that the County did not review the submission as an entirety but as individual applications. She also stated that the addition of Condition 6 to the motion, stating the applicant must fulfil conditions of B3/19 and provide the Township with confirmation of the registration of the merged parcel, ties her hands to get conditions completed in one year.

Moved by Thwaites, Seconded by Hannon that Application B4/19 to sever approximately .84 ha from part of Lots 16-20, Concession 3 OS be approved subject to the following conditions:

1. The applicant shall provide a draft reference plan and transfer for review prior to registration.
2. The lot shall be rezoned to the RR Zone.
3. Written approval that the severed parcel is suitable for a septic system must be received from the County of Dufferin Building Department before the deed is submitted for endorsement.
4. An entrance to the severed parcel must be approved by the Township Public Works Department and the entrance installed before the deed is submitted for endorsement.
5. That a County Rural Civic Address must be assigned to the entrance by the County of Dufferin before the deed is submitted for endorsement.
6. The applicant fulfil conditions of B3/19 and provide the Township with confirmation of the registration of merged parcel authorized by Application B3/19.
7. Taxes and special charges must be paid to date when the deed is submitted for endorsement.
8. All 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.

This application conforms with the Official Plan of the Township of Melancthon and is consistent with the Provincial Policy Statement. Carried.

**B5/19 - Bonnefield Farmland Ontario III Inc. - (Lot enlargement to East Part Lot 19, Concession 1 OS RP 7R3781 Part 2)**

A public meeting had been called for 6:00 p.m. to consider an application by Bonnefield Farmland Ontario III Inc. to sever approximately .68 ha. From Part Lots 18, 19 & 20 Concession 1 O.S. for a lot enlargement to the East Part of Lot 19, Concession 1 O.S., RP 7R3781 Part 2. Chris Jones reviewed the application with the Committee and advises that as the application will not result in the creation of a new lot and will bring the lot area of the parcel closer to the minimum standard required by the Zoning By-law, that in his opinion the application can be considered consistent with the Growth Plan and Provincial Policy. Comments were received from County of Dufferin.

Moved by Besley, Seconded by Thwaites, that Application 5/19 to sever approximately .68 ha. from part of Lots 18, 19 & 20, Concession 1 O.S. for a boundary adjustment to enlarge an existing parcel described as the East Part of Lot 19, Concession1 O.S., RP 7R-3781, Part 2 be approved subject to the following conditions:

1. The applicant shall provide a draft reference plan and transfer for review prior to

registration which shall include the transfer of a 1 ft x 1 ft Part to be transferred from the existing vacant parcel to the Township to facilitate a legal transfer with the lands to be added.

2. The resultant lot shall be zoned to a RR-exception Zone.
3. The applicant shall provide a Solicitor's undertaking and enter into a consent agreement to require the merger of the lot with the balance of the existing parcel located in the East Part of Lot 19, Concession 1 OS
4. Written approval that the lot is suitable for a septic system. This approval must be received from the County of Dufferin Building Department before the deed is submitted for endorsement.
5. That an entrance be approved to the resultant lot by the Township and the entrance be installed before the deed is submitted for endorsement.
6. That a County Rural Civic Address must be assigned to the entrance by the County of Dufferin before the deed is submitted for endorsement.
7. Taxes on the subject properties must be paid to date when the deed is submitted for endorsement.
8. All costs associated with the consent application and to administer the conditions of the consent must be paid when the deed is submitted for endorsement.
9. All 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.

This application conforms with the Official Plan of the Township of Melancthon and is consistent with the Provincial Policy Statement. Carried.

#### **B6/19 - Bonnefield Farmland Ontario III Inc.**

A public meeting had been called for 6:00 p.m. to consider an application by Bonnefield Farmland Ontario III Inc. to merge an existing vacant lot described as West Part of Lot 20, Concession 1 O.S. RP 7R4110 Part 1 with Part Lots 18 to 20, Concession 1 O.S. The applicant wishes to re-create a new residential lot in an alternate location of the aforementioned lands. Chris Jones, Municipal Planning Services Ltd. reviewed his report with the Committee. Kristine Loft, Loft Planning Inc. was in attendance as Planner for the applicant. Comments were received from the County of Dufferin Manager, Municipal Planning, WSP and Project Planner, WSP.

Moved by Besley, Seconded by White that Application B6/19 to merge approximately .48 ha. from the West part of Lot 20, Concession 1 OS, RP 7R-4110, Parts 1-3, to an existing lot described as Lots 18, 19 and 20, Concession 1 OS be approve subject to the following conditions:

1. The applicant shall provide a draft reference plan and transfer for review prior to registration and the reference plan and transfer shall include a Part to be transferred to the Township measuring 1 ft x 1 ft to ensure the parcel will legally merge in title with the benefitting lands.
2. The merged lot shall be rezoned to the A1 Zone to align use permissions to agricultural, the same as the abutting lands.
3. The applicant shall provide a Solicitor's undertaking and enter into a consent agreement to require the merger of the lot with the balance of the agricultural parcel comprised of Lots 18 to 20, Concession 1 OS.
4. Taxes on the subject properties must be paid to date when the deed is submitted for endorsement.
5. All costs associated with the consent application and to administer the conditions of the consent must be paid when the deed is submitted for endorsement.
6. All 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.

This application conforms with the Official Plan of the Township of Melancthon and is consistent with the Provincial Policy Statement. Carried.

**B7/19 - Bonnefield Farmland Ontario III Inc.**

A public meeting had been called for 6:00 p.m. to consider an application by Bonnefield Farmland Ontario III Inc. to sever approximately 2 ha. from Lots 18, 19 and 20, Concession 1 O.S. This lot is being transposed or re-established in conjunction with Application B6/19 (which merged an existing vacant lot with an agricultural parcel). Chris Jones reviewed his report with the Committee. He advised that in the Provincial Policy Statement lot creation in prime agricultural areas is not permitted with the exception of the creation of lots to facilitate the severance of a surplus farm dwelling. Notwithstanding, Section 2.3.4.2. permits "Lot adjustments in prime agricultural areas for legal or technical reasons". In his opinion, given that the application would result in no addition lot, the application would be consistent with this policy requirement. Comments were received from the County of Dufferin Manager, Municipal Planning, WSP and Project Planner, WSP. Kristine Loft, Loft Planning Inc., addressed the Committee and commented that the County did not review the submission as an entirety but as individual applications. She also stated that the addition of Condition 4 to the motion, stating the applicant must fulfil conditions of B6/19 and provide the Township with confirmation of the registration of the merged parcel, ties her hands to get conditions completed in one year.

Moved by Thwaites, Seconded by Hannon that Application B7/19 to sever approximately 2.0 ha from Lots 18, 19 and 20 Concession 1 OS be approved subject to the following conditions:

1. The applicant shall provide a draft reference plan and transfer for review prior to registration.
2. The lot shall be rezoned to the RR Zone.
3. Written approval that the severed parcel is suitable for a septic system must be received from the County of Dufferin Building Department before the deed is submitted for endorsement.
4. The applicant fulfil conditions of B6/19 and provide the Township with confirmation of the registration of merged parcel authorized by Application B6/19.
5. Taxes and special charges must be paid to date when the deed is submitted for endorsement.
6. All 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.

This application conforms with the Official Plan of the Township of Melancthon and is consistent with the Provincial Policy Statement. Carried.

**Applications for Minor Variance**

**Applications on File**

**B12/14 - McDowell, Julian**

No new information.

**Adjournment - 6:25 p.m.**

Moved by Mercer, Seconded by Besley that we adjourn Committee of Adjustment to meet again at the call of the Chair.

Carried.

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CHAIR

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SECRETARY