

**TOWNSHIP OF MELANCTHON  
COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment of the Township of Melancthon held a meeting on the 19<sup>th</sup> day of September, 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**

The minutes for the August 15, 2019 meeting will be approved at the next meeting as they were not in the agenda package.

**Business Arising from Minutes**

None.

**Applications for Consent**

**B10/19 - Allen and Melinda Bauman**

A public meeting had been called for 6:00 p.m. to consider an application by Allen and Melinda Bauman to sever approximately 40 ha. from Part Lot 291, 292, 293 and 294, Concession 4 N.E. Chris, Jones, Township Planning Consultant, reviewed the application with the Committee. He advised that the purpose of the application is to sever the subject lands to create two farm parcels, each with approximately 40 hectares (99 acres). There are a cluster of buildings on the retained parcel. Both lots meet the 40 hectare requirement in the Official Plan. Harvey Lyon was in attendance for the meeting and asked if the buildings on the severed lot could include a shop. The Planner responded that a shop would be permitted under the On Farm Business Uses By-law. Mr. Bauman was in attendance but did not wish to add any comments. Comments were received from the County of Dufferin Public Works Department advising the severed parcel is currently accessible through an existing access onto Dufferin Road 17 and any further entrances or changes would be subject to the applicable Dufferin County Policies. The Grand River Conservation Authority commented they had no objection to the proposed consent application.

Moved by Thwaites, Seconded by Hannon that Application B10/19 to sever approximately 40 ha. (99 acres) from Part of Lots 291, 292, 293 and 294, Concession 4 SW be approved subject to the following conditions:

1. That a County Rural Civic Address must be assigned to the existing entrance on the severed parcel fronting on County Road 17 by the County of Dufferin before the deed is submitted for endorsement.
2. Taxes and special charges must be paid to date when the deed is submitted for endorsement.
3. 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.

**B11/19 - Owen & Ina Hoover and Levi & Selina Martin (boundary adjustment)**

A public meeting had been called for 6:00 p.m. to consider an application by Owen & Ina Hoover and Levi & Selina Martin to sever and merge approximately 36.2 ha. (90 acres) from Part Lot 32, Concession 3 NE and Part Lot 32, Concession 4 NE with lands located in Part Lot 32, Concession 3 NE. Chris Jones, Township Planning Consultant reviewed his report with the Committee. He advised the application will facilitate a boundary adjustment benefitting lands currently owned by Levi and Selina Martin, located in Part Lot 32, Concession 4 N.E. The lands proposed to be transferred are owned by Owen and Ina Hoover and are part of a larger farm holding located in Part Lot 32, Concession 3 and 4 N.E. The boundary adjustment would result in the creation of two larger farm parcels but would also facilitate the

consolidation of an existing residential parcel with the proposed farm parcels. Mr. Jones further stated that Section 5.2.5 (b) v) of the Official Plan addresses lot line adjustments in the Agricultural designation and states consents may be granted for lot line adjustments for legal and technical reasons provided the consent does not result in the creation of a new building lot. Mr. Jones noted that the applicant had submitted two prior applications for the same parcel. In 2013, Committee approved an application similar to the current applicant but the application was never finalized and the conditions of approval and the consent lapsed. In 2015 the applicant submitted an application to sever the farm into a 36 ha and 40 ha parcel. This application did not propose a merger with the smaller lot and therefore would result in the creation of a new, stand-alone farm parcel. This application was denied on the basis the severed lot was considered to be insufficient in size. Mr. Jones commented that although the resultant lot, with an area of approximately 36 ha is less than the policy requirement of 40 ha for a farm parcel, he finds merit in the fact that the proposal would result in the merger of a non-farm lot with a larger farm holding and believes this addresses one of the underlying objectives of the Agricultural designation which is to protect farm operations from being hindered by conflicting development. This application is the same as the application approved by the Committee in 2013. Harvey Lyon was in attendance and commented that the application was cutting a good farm into two sub standard parcels and the application was denied in 2015. Comments were received from the County of Dufferin Public Works Department, County of Dufferin Building Department, County of Dufferin Planning Coordinator and Grand River Conservation Authority with no objections. Any additional entrances or changes to existing entrances would be subject to the applicable Dufferin County Policies.

Moved by Besley, Seconded by Mercer that Application B11/19 to sever and merge approximately 36.2 ha. (90 acres) from Part Lot 32, Concession 3 NE and Part Lot 32, Concession 3 NE be approved subject to the following conditions:

1. The applicant provide the Township Clerk with a draft reference plan identifying the Part created as a result of the lot line adjustment, with the new lot line extending north from the east lot line of the benefitting parcel and that the survey identify the location of all buildings and structures on the resultant parcel, merged parcel.
2. That the benefitting parcel, owned by Levi and Selina Martin be transferred to the owner of the abutting lands (owned by Owen and Ina Hoover) in such a manner that the lands merge in title to become a single lot and confirmation of the merger be provided to the Clerk in the form of a Transfer Deed of Land. If necessary, the owner may convey a 1 foot by 1 foot part from the benefitting parcel to the Township to facilitate the merger.
3. That the applicant enter into a consent agreement with the Township to formalize the legal merger of the Martin Parcel with the severed lands and to formalize that the existing building cluster will remain in its current location.
4. All costs associated with the consent agreement and to administer to conditions of the consent must be paid when the deed is submitted for endorsement
5. Taxes must be paid to date when the deed is submitted for endorsement.
6. 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.

Chairman White called for a recorded vote:

Chair White - Nay

Member Besley - Yea

Member Hannon - Yea

Member Mercer - Yea

Member Thwaites - Nay

Carried.

#### **Applications for Minor Variance**

None.

**Applications on File**

**B12/14 - McDowell, Julian**

No new information.

**Adjournment - 6:42 p.m.**

Moved by Besley, Seconded by Mercer that we adjourn Committee of Adjustment to meet again on Thursday, October 17, 2019 at 6:00 p.m. or at the call of the Chair.

Carried.

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CHAIR

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SECRETARY