



TOWNSHIP OF MELANCTHON

COMMITTEE OF ADJUSTMENT

THURSDAY, DECEMBER 12, 2019 - 11:00 A.M.

- 1. APPROVAL OF MINUTES - November 21, 2019**
- 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 15, Concession 1 OS
 2. B1/19 & B2/19 - Angelo Carnevale - Applications for Consent - Part of the East Part Lot 13, Concession 2 O.S. & East Part Lot 13, Concession 2 O.S.
 3. B12/19 - Troy Allen - Report from Chris Jones regarding Application for Consent - West Part Lot 9, Concession 2 O.S.
- 6. DELEGATES**
- 7. CORRESPONDENCE**
- 8. ADJOURNMENT**

MEMORANDUM

To: Chairman White and Members of Committee
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: November 5, 2019
Re: Application for Consent B12/19 (Allen)

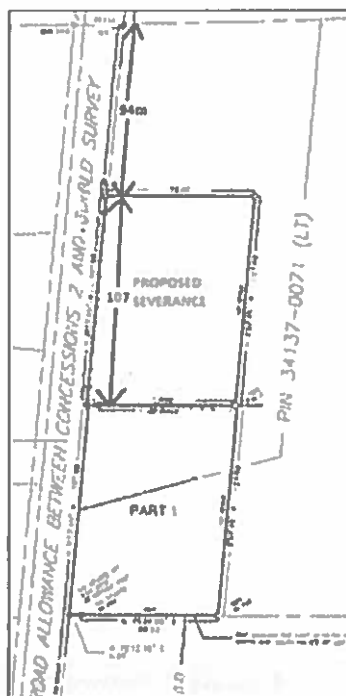
BACKGROUND

On October 17, 2019, Committee held a hearing for an application to create a new rural residential lot from lands located in the West Part of Lot 9, Concession 2 O.S.

The proposed new lot would have a frontage of 107 metres (351 feet) and a lot area of 0.8 hectares (2 acres).

The retained lands would have a frontage of 308 metres and a lot area of 18.5 hectares (46 acres). An illustration of the proposed lot is provided in Figure 1.

Figure 1 – Lot to be Severed



The application was deferred at the October meeting pending comments from the NVCA.

NVCA COMMENTS

In a letter dated November 29, 2019 and attached at Appendix 1, the NVCA has indicated that they have no objection to the approval of the application.

RECOMMENDATION

It is recommended that Consent Application B12/19 be approved subject to the standard conditions of approval as well as the additional condition that the new lot be rezoned from the Rural (RU) Zone to the Rural Residential (RR) Zone.

Respectfully submitted,



Chris Jones MCIP, RPP



STATE OF TEXAS

COMPTROLLER GENERAL

APPENDIX 1

• Appendix 1 •

The following information is provided for your reference. It is intended to provide a general overview of the information contained in this report. The information is not intended to be a substitute for a detailed review of the report.

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November 29, 2019

SENT BY EMAIL

Ms. Denise Holmes
Secretary-Treasurer, Committee of Adjustment
Township of Melancthon
157101 Highway 10
Melancthon, Ontario
L9V 2E6

Dear Ms. Holmes;

**Re: REVISED COMMENTS for Application for Consent B12-19
476537 3rd Line
Township of Melancthon
NVCA ID: 30170**

The Nottawasaga Valley Conservation Authority (NVCA) has had an opportunity to conduct a more detailed analysis of the application in accordance with Natural Hazard policies established under the Provincial Policy Statement (PPS) and our Planning and Regulation Guidelines established under the *Conservation Authorities Act*.

On October 7, 2019, the NVCA provided a recommendation that the application be deferred in order for the applicant to demonstrate the following:

1. A revised lot configuration which is located outside of the floodplain hazard; and
2. The availability of a viable development envelope and access/egress that is not flood susceptible.

In regards to achieving conformity with Natural Heritage policies within the PPS, the NVCA recommended that the application be supported with a natural heritage and hydrologic evaluation. The evaluation would demonstrate that the proposed new lot configuration will have no negative impacts on the Key Natural Heritage and Key Hydrologic Features or their functions and demonstrate that a building envelope is available which incorporates the appropriate vegetative buffer of a minimum of 30 metres.

Natural Hazard - Regulatory Comments

A portion of the severed lot is regulated for floodplain hazards which would trigger the requirement of a permit from the NVCA. It appears that there is sufficient area for a developable envelope and to provide safe access provided that the driveway (when installed) is situated at the south 1/3 of the lot. Therefore, staff can now support the lot configuration as proposed.

Please be advised that prior to development within the potential future lot, a scoped Environmental Impact Study (EIS) will need to be undertaken to further guide placement of a dwelling to a location of minimal impact, to survey for sensitive species, and to ensure due diligence and compliance in regards to pertinent legislation. This is an item that would be completed after the lot has been created and submitted as part of a permit application submission. The NVCA will be able to assist with the scoping of this study.

Natural Heritage - Advisory Comments

NVCA staff attended the site to conduct a high-level characterization exercise of vegetation communities within the vicinity of the proposed new lot and were able to confirm the following:

- The location of the proposed lot location is entirely within a coniferous plantation community composed of young, dense, row-planted White Pine, White Cedar, and White Spruce.
- The area of coniferous plantation can reasonably be excluded from any local areas of forest cover that may be considered 'significant woodland'. It was noted that the southern portion of this community (adjacent to the southern lot line) experiences a slight rise in elevation, and soil conditions appear better drained.
- The plantation community should not be considered overly sensitive from an ecological perspective, as there were no features present within this community which would be likely to provide any significant habitat functions.
- Soil conditions within this community appear poorly drained; however, primary vegetation characteristics (plantation trees) would suggest that the community should not be considered wetland.

From a Growth Plan perspective, development is not permitted within 30m of a wetland community, or within 30m of a Key Natural Heritage Feature (e.g. significant woodland) within the provincial Natural Heritage System (NHS). Despite being wholly located within the plantation community, it is estimated that the eastern boundary of the proposed lot is approximately ~25m from the nearest limit of wetland and/or significant woodland.

In order to achieve a minimum 30m buffer, the NVCA has looked within the Township's Zoning By-law to ascertain if there are provisions within the document that could be utilized to obtain the remaining 5m need to achieve the full buffer.

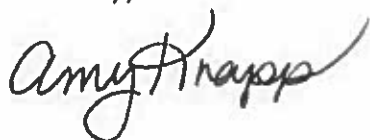
Municipal staff have confirmed that should this application be approved, the new lot would be zoned Rural Residential which requires a minimum rear yard setback for a single family dwelling of 25 metres and 6 metres for an accessory building. Therefore, the minimum 30m can be achieved and the policy can be met.

Conclusion

Through detailed analysis of the application and site assessment the NVCA is now satisfied that all previous concerns have been addressed. Therefore, the NVCA has no objection to the approval of the application.

Thank you for circulating this application and please forward a copy of any decision.

Sincerely,



Amy Knapp
Planner II