



TOWNSHIP OF MELANCTHON

COMMITTEE OF ADJUSTMENT

THURSDAY, APRIL 16, 2020 - 6:00 P.M.

1. **APPROVAL OF MINUTES - February 20, 2020**
2. **BUSINESS ARISING FROM MINUTES**
3. **APPLICATION FOR CONSENT**
4. **APPLICATION FOR MINOR VARIANCE**
5. **APPLICATIONS ON FILE**
 1. 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.
Letter from Raymond Sawdy regarding Carnevale Applications
 2. B1/20 & B2/20 - Harinder Sidhu & Atef Adly Botros and Mona Joseph Khalil - Applications for Consent - Part of Lot 8, Concession 9 SW
6. **DELEGATES**
7. **CORRESPONDENCE**
 1. Change to conditions - Applications B4/19 and B6/19
8. **ADJOURNMENT**

• Municipal Planning Services Ltd. •

MEMORANDUM

To: Chairman White and Members of Committee
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: April 9, 2020
Re: Change to Conditions - Applications B4/19 and B6/19

BACKGROUND

On April 18, 2019, Committee approved 5 consent applications with respect to lands owned by Bonfield Farmland Ontario III Inc. Two of these applications involved mergers of existing vacant lots, two involved the creation of new lots and the other application facilitated a lot addition.

The applications involving the creation of new lots were Applications B4/19 and B7/19. Given that the approval of these applications was predicated on the merger of two existing vacant lots, the following condition was a requirement of both applications:

The applicant fulfill the conditions of (B3/19 and B6/19) and provide the Township with confirmation of the registration of the merged parcel authorized by Application (B3/19 and B6/19) ...emphasis added

Due in part to the pandemic situation, the applicant's solicitor has advised they will be unable to provide the requisite consolidation prior to the lapsing date of the consents, which is April 24, 2020.

In light of this issue, the Township may rely on an undertaking from the applicant's solicitor that the vacant lot will be consolidated in title subsequent to the stamping of the consents.

Section 53 (23) of the Planning Act provides Committee with the authority to change the conditions of a provisional consent.

Section 53 (26) of the Planning Act provides Committee with the discretion to reconcile that if a change is minor, no written notice of the change is required to the public or agencies.

• Municipal Planning Services Ltd. •
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CORR# 7.1
APR 16 2020

ANALYSIS

Circumstances have created difficulties for the applicant to fulfill two the original conditions of approval of B4/19 and B7/19, the purpose of which was to ensure the merger of the vacant lots was finalized before the final approval for the new lots was granted by the Committee Secretary.

In order to avoid the lapsing of the original approvals, the alternative is to accept a solicitor's undertaking that the consolidation of the vacant parcels with the adjacent farmland will be completed. An undertaking is a professional obligation by the proponent's solicitor and it will be subject to a 30-day timeline.

RECOMMENDATION

In accordance with Section 53 (23) of the Planning Act, it is recommended that Condition 6 of Provisional Consent B4/19 and Condition 4 of Provisional Consent B7/19 be deleted and replaced with the following revised condition:

- *The applicant fulfill the conditions of B3/19 and B6/19 and provide the Secretary with a Solicitor's Undertaking confirming the consolidation of vacant lots subject to Applications B3/19 and B6/19 with their surrounding agricultural parcel.*

And furthermore, in accordance with Section 53 (26) of the Planning Act, Committee consider this change to be minor and no further public notice is required.

Respectfully Submitted,



Chris Jones MCIP, RPP

• Municipal Planning Services Ltd. •

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