

**TOWNSHIP OF MELANCTHON
COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment of the Township of Melancthon held an electronic meeting on the 21st day of May, 2020 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 Mercer, Seconded by Besley that the minutes of the Committee of Adjustment meeting held on April 16, 2020 be approved as circulated. Carried.

Business Arising from Minutes

None.

Applications for Consent

None.

Applications for Minor Variance

None.

Applications on File

1. B1/19 & B2/19 - Angelo Carnevale

Chris Jones, Municipal Planning Services Ltd., advised the Committee he will follow up with Christine Loft, agent for the applicant regarding the status of the NEC Permit approval. Deferred.

2. B1/20 & B2/20 - Harinder Sidhu & Atef Adly Botros and Mona Joseph Khalil

Chris Jones, Municipal Planning Services Ltd., advised the Committee that the application had been deferred at the meeting held on February 20, 2020, to enable a new MTO representative that had taken over the file to bring himself up to speed with the application. Chris advised the Committee that he had received a response from Martin Leyten, Corridor Management Planner, Ministry of Transportation - West Region. Mr. Leyten advised MTO had reviewed the mutual access and reference plans for Part of Lot 8, Concession S.W. in accordance with the Public Transportation and Highway Improvement Act and MTO's Highway Access Management Policy. He further advised that the mutual entrance is acceptable to the MTO, however MTO will require the landowners apply for an entrance permit and as part of the review MTO will require additional information prior to approval and requested that this information form part of the conditions of approval. Mr. Jones advised that the MTO conditions are reflected in the motions. Everett Lusk, Vanharten Surveying, agent for the applicants, was in attendance and commented that he had nothing to add and was ready to move forward.

B1/20 - Harinder Sidhu

Moved by Mercer, Seconded by Besley that Application B1/20 to sever approximately 87.8 square metres from part of Lot 8, Concession 9 S.W. for shared driveway access be approved subject to the following conditions:

1. A legal registered plan of survey is required.
2. Rezoning is required to recognize the loss of reduction of the lot frontages as a result of the taking of reserve blocks by the Ministry of Transportation.

3. That the parties enter into a Mutual Access Easement Agreement with the Township whereby they agree firstly to build and maintain the required driveway within the proposed right of way to a standard that will enable municipal, public service and emergency service vehicles to access the subject properties and secondly to indemnify the Township against any actions arising from access problem resulting from the condition of that driveway. This Agreement to be finalized before the deed is stamped by the Secretary.
4. The Township's Solicitor to review the Mutual Access Easement Agreement between the applicant and other parties and provide confirmation that it is satisfactory in so far as it relates to matters of municipal interest before the deed is stamped by the Secretary.
5. That an entrance to the parcel be approved by the Ministry of Transportation and the entrance installed before the deed is submitted for endorsement.
6. That the applicant provides the Township with an Acknowledgment and Direction endorsed by the MTO confirming the MTO is satisfied with the legal documents and transfer related to the 0.3 metre reserve and the mutual easement.
7. That a County Rural Civic Address be assigned to the entrance by the County of Dufferin and the sign be installed before the Deed is submitted for endorsement.
8. Taxes and all charges incurred as a result of this application must be paid to date when the deed is submitted for endorsement.
9. Conditions must be fulfilled and deeds stamped by the Secretary on or before one year from the mailing date stamp of this Notice, as signed by the Secretary.

This application conforms to the Official Plan of the Township of Melancthon. Carried.

B2/20 - Atef Adly Botros & Mona Joseph Khalil

Moved by Hannon, Seconded by Besley that Application B2/20 to sever approximately 80.94 square metres from part of Lot 8, Concession 9 S.W. for shared driveway access be approved subject to the following conditions:

1. A legal registered plan of survey is required.
2. Rezoning is required to recognize the loss of reduction of the lot frontages as a result of the taking of reserve blocks by the Ministry of Transportation.
3. That the parties enter into a Mutual Access Easement Agreement with the Township whereby they agree firstly to build and maintain the required driveway within the proposed right of way to a standard that will enable municipal, public service and emergency service vehicles to access the subject properties and secondly to indemnify the Township against any actions arising from access problem resulting from the condition of that driveway. This Agreement to be finalized before the deed is stamped by the Secretary.
4. The Township's Solicitor to review the Mutual Access Easement Agreement between the applicant and other parties and provide confirmation that it is satisfactory in so far as it relates to matters of municipal interest before the deed is stamped by the Secretary.
5. That an entrance to the parcel be approved by the Ministry of Transportation and the entrance installed before the deed is submitted for endorsement.
6. That the applicant provides the Township with an Acknowledgment and Direction endorsed by the MTO confirming the MTO is satisfied with the legal documents and transfer related to the 0.3 metre reserve and the mutual easement.
7. That a County Rural Civic Address be assigned to the entrance by the County of Dufferin and the sign be installed before the Deed is submitted for endorsement.
8. Taxes and all charges incurred as a result of this application must be paid to date when the deed is submitted for endorsement.
9. Conditions must be fulfilled and deeds stamped by the Secretary on or before one year from the mailing date stamp of this Notice, as signed by the Secretary.

This application conforms to the Official Plan of the Township of Melancthon.

Adjournment - 6:10 p.m.

Moved by Thwaites, Seconded by Hannon, that we adjourn the Committee of Adjustment meeting to meet again on June 18, 2020 at 6:00 p.m. or at the call of the Chair.