



**TOWNSHIP OF MELANCTHON - ELECTRONIC MEETING
COMMITTEE OF ADJUSTMENT - THURSDAY, JANUARY 14, 2021 - 11:00 A.M.**

Join Zoom Meeting

<https://us02web.zoom.us/j/83778608220?pwd=c1FVd1c5c2hsL2tYY09HWUV4S3FtZz09>

Meeting ID: 837 7860 8220

Passcode: 933742

One tap mobile

+12042727920,,83778608220#,,,,*933742# Canada

+14388097799,,83778608220#,,,,*933742# Canada

Dial by your location

+1 204 272 7920 Canada

+1 438 809 7799 Canada

+1 587 328 1099 Canada

+1 647 374 4685 Canada

+1 647 558 0588 Canada

+1 778 907 2071 Canada

Meeting ID: 837 7860 8220

Passcode: 933742

1. APPROVAL OF MINUTES - December 10, 2020

Motion - that the minutes of the Committee of Adjustment Meeting held on December 10, 2020 be approved as circulated.

2. BUSINESS ARISING FROM MINUTES

3. APPLICATION FOR CONSENT

4. APPLICATION FOR MINOR VARIANCE

5. APPLICATION FOR VALIDATION OF TITLE

6. 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.
2. B7/20 - Wayne Nicholson - Application for Consent - East Part Lot 18, Concession 3 O.S.

7. DELEGATES

8. CORRESPONDENCE

9. ADJOURNMENT

Motion - That we adjourn Committee of Adjustment at _____ a.m. to meet again on Thursday, February 18, 2021 at 6 p.m. or at the call of the Chair

Denise Holmes

From: Rude, Emma (MNRF) <Emma.Rude@ontario.ca>
Sent: Monday, December 21, 2020 1:36 PM
To: 'kristine@loftplanning.com'; marcoc@peelplastics.com; Roads; Denise Holmes; jli@dufferincounty.ca; eperry@nvca.on.ca; planning@nvca.on.ca
Cc: Henderson, Brandon (MNRF); Pineo, Robert (MNRF)
Subject: 20-9144/9145 NEC Notice of Decision
Attachments: 20-9144.9145.NEC.Notice of Decision.pdf

Please find the attached Notice of Decision for NEC file M/R/2019-2020/9144 and M/R/2019-2020/9145, Carnevale.

If you require further information, please contact **Brandon Henderson** at (289) 924- 0272 or email: brandon.henderson@ontario.ca

Emma Rude
Administrative Support Coordinator



Niagara Escarpment Commission

An agency of the Government of Ontario

1450 7th Avenue East | Owen Sound, ON | N4K 2Z1
Tel: 519-371-1001 | Fax: 519-371-1009

In order to ensure a safe and secure environment for staff and clients and in response to recommendations by health professionals, the NEC offices are closed to the public until further notice. The NEC is continuing to provide services via email and telephone. Updates can be found on our website: <https://www.escarpment.org/Commission/COVID19>

Please let me know if you require communication supports or alternate formats.

December 21, 2020

To: Applicant/Agent/Owner; Assessed owners of land within 120 m of the subject property; Consulted Agencies; Parties who requested Notice or are considered to have an interest in the Decision.

Re: NOTICE OF DECISION
Development Permit Application: M/R/2019-2020/9144 &
M/R/2019-2020/9145

Attached is a **Notice of Decision** from the Niagara Escarpment Commission regarding an application for a Niagara Escarpment Development Permit.

You have the right to appeal this decision. If you have reason to appeal, you must submit a copy of an Appeal Form or a written letter, **specifying your reasons for appeal, within 14 days** of the date of this letter.

An Appeal Form can be downloaded from www.escarpment.org. If you submit a written letter of appeal, please include your name, address, daytime phone number, e-mail address and your fax number. The completed Appeal Form or the letter of appeal must be submitted via fax, email, courier or in person to this office (address and fax # above) or sent by email to necowensound@ontario.ca

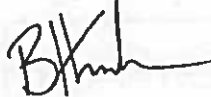
Please note that the last day that appeals may be received is: **January 4, 2020** (midnight).

The Commission's decision is confirmed if no appeal is received within the 14 days.

If the Commission's decision is appealed, a Hearing Officer will be appointed by the Minister of Natural Resources and Forestry to conduct a Hearing. The Hearing Office may contact you for additional information regarding your appeal, and all parties will be notified by mail of the time and location of the Hearing. If you appealed, you are expected to attend the Hearing to present your reasons for appeal. If the appeal is withdrawn or the appellant fails to appear at the Hearing, the Commission's decision is confirmed.

If you have questions about this process or about the details of the Development Permit application, please contact me at (289) 924-0272.

Yours truly,



Brandon Henderson
Senior Planner

**NOTICE OF DECISION
OF THE NIAGARA ESCARPMENT COMMISSION
REGARDING**

**AN APPLICATION FOR A DEVELOPMENT PERMIT UNDER SECTION 25
OF THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT,
R.S.O. 1990, Chapter N.2**

FILE NUMBER: M/R/2019-2020/9144

LOCATION: Part Lot 13, Concession 2 OS
537080 County Road 124
Township of Melancthon, County of Dufferin
ARN 221900000116600

PROPOSED DEVELOPMENT:

(M/R/2019-2020/9144): To sever a ± 0.73 ha (1.81 ac) parcel and to establish a building envelope (Parcel A) from a 13.8 ha (34.1 ac) existing lot that supports an existing single dwelling, accessory building and accessory facilities.

(M/R/2019-2020/9145): To sever a 2.89 ha (7.15 ac) lot which supports a single dwelling, accessory building, and accessory facilities (Parcel B), from a vacant 10.16 ha (25.1 ac) retained lot (resulting from the creation of parcels A and B) and to establish a building envelope for a permitted use on the retained lot.

DECISION of the NIAGARA ESCARPMENT COMMISSION:

The application for a Development Permit, as described above, has been:
CONDITIONALLY APPROVED.

The **Conditions of Approval** are listed on the attached **APPENDIX**.

DATE: December 21, 2020

SIGNED:


Kim Peters, MCIP/RPP, Manager (A)

**THIS IS NOT A DEVELOPMENT PERMIT
DEVELOPMENT IS NOT TO COMMENCE UNTIL THE DEVELOPMENT PERMIT
HAS BEEN ISSUED**

APPENDIX

537080 County Road 124
M/R/2019-2020/9144

CONDITIONS of APPROVAL

1. Development shall occur in accordance with the Site Plan, and Conditions as approved.
2. The Development Permit shall expire three years from its date of issuance unless the development has been completed in accordance with the Development Permit.
3. The landowner shall obtain a Consent to sever in accordance with this Development Permit and shall complete the transfer of title in accordance with the Development Permit.
4. **Prior to the issuance of a Development Permit by the Niagara Escarpment Commission, an accurate and detailed Final Site Plan shall be submitted for Niagara Escarpment Commission approval. The Plan shall include but not be limited to the following:**
 - a) All drawings submitted must be drawn to scale (bar scale shown), reference the application number and address of the proposal, be dated (revisions as well), and name of the relevant consultant;
 - b) Outline of the approved building envelope; and
 - c) Location of the approved building envelope showing setbacks from the property lines, watercourses, wooded areas, etc.
5. This conditional approval expires one (1) year from the date of confirmation of the decision to approve the Development Permit application. Conditions # 4 of this conditional approval shall be fulfilled before the expiry date.

Advisory Note

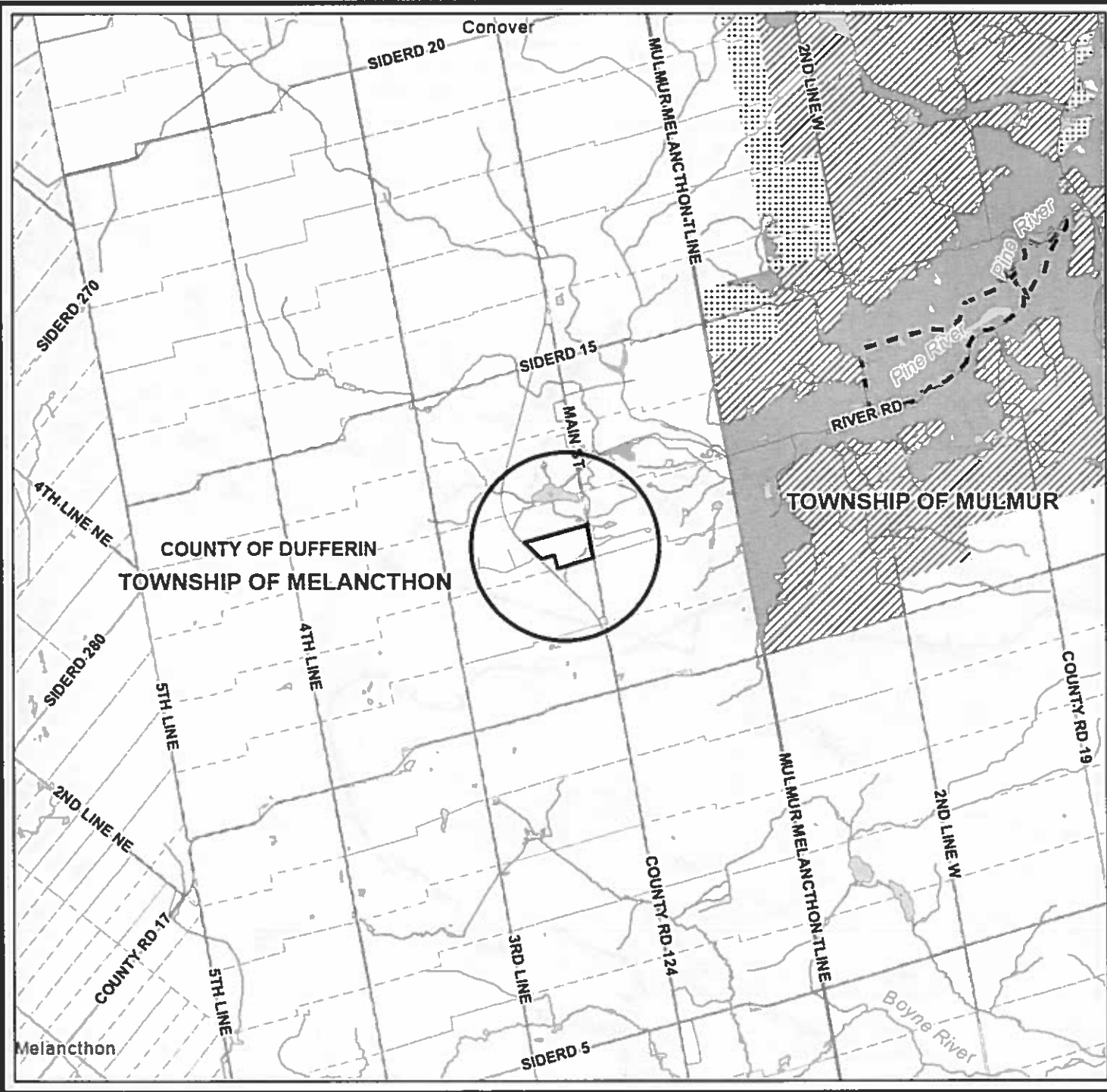
- a) This Development Permit does not limit the need for or the requirements of any other applicable approval, licence or certificate under any statute (e.g., Ontario Building Code, *Conservation Authorities Act*, *Endangered Species Act*, etc.). The Niagara Escarpment Commission Development Permit is required prior to the issuance of any other applicable approval, licence or certificate.
- b) The Niagara Escarpment Commission (NEC) advises that future development of the retained lot will require additional Development Permit Application(s) and may require additional studies (hydrogeological study, environmental impact study, transportation and traffic study, etc.) in order to ensure that the development is compatible with the site and surrounding area. Consultation shall occur with the NEC's partner agencies at the time of application to determine which information and studies shall be required.
- c) Should deeply buried archaeological remains/resources be found on the property during construction activities, the Heritage Operations Unit of the Ontario Ministry

APPENDIX

**537080 County Road 124
M/R/2019-2020/9144**

CONDITIONS of APPROVAL

of Heritage, Tourism, Sport, and Cultural Industries shall be notified immediately. In the event that human remains are encountered during construction, the owner shall immediately notify the police.

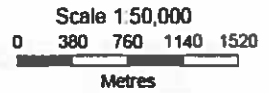


Map 1A
Niagara Escarpment Plan

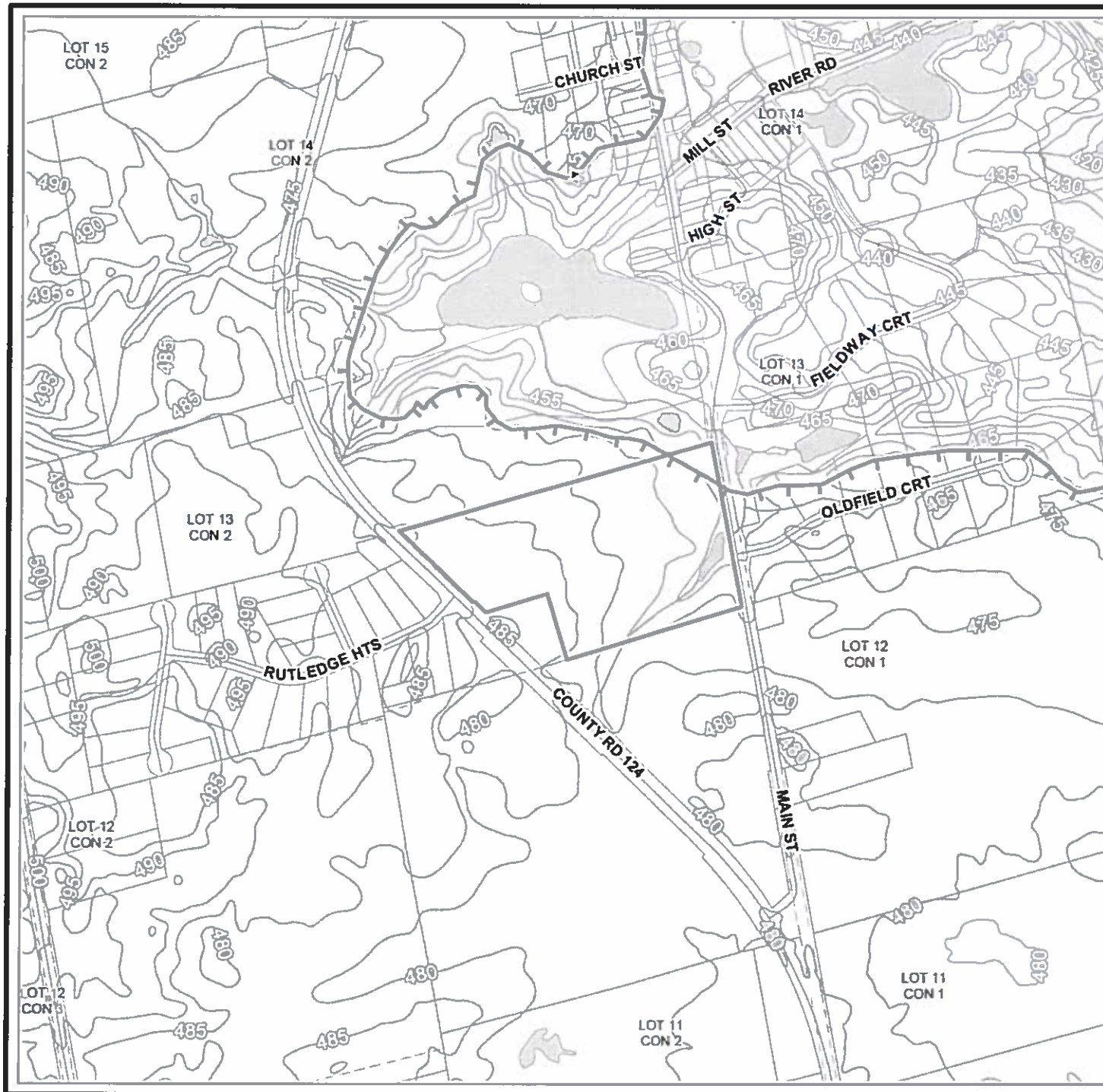
File: M/R/2019-2020/9144 & 9145
 537080 Main Street

- Subject Property
- Geographic Named Extent Layer
- Plan Designations**
- Escarpment Natural Area
- Escarpment Protection Area
- Escarpment Rural Area
- Public Land (in Parks and Open Space System)
- Roads
- Waterbodies
- Watercourse
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary

NOTE: The Niagara Escarpment Plan Designation boundaries shown on this map are approximate and subject to confirmation through site inspection and the application of the "Interpretation of Boundaries" section of the Niagara Escarpment Plan.



Printed on Nov 01, 2019
 THIS IS NOT A PLAN OF SURVEY
 This map is illustrative only. Do not rely on it as being a precise indicator of location, location of features, nor as a guide to navigation. Data derived from various sources. Map compiled and produced by the Geographic Information Systems (GIS) Department of the Niagara Escarpment Commission, Ministry of Natural Resources.



Map 2

Lot Configuration

File: M/R/2019-2020/9144 & 9145

537080 Main Street

- Subject Property
- Escarpment Brow
- Roads
- Waterbodies
- Watercourse
- Contour (5 metre intervals)
- Upper Tier Municipality
- Lower/Single Tier Municipality
- Lot and Concession Boundary
- Parcel Boundary

Scale 1:10,000

0 75 150 225 300

Metres

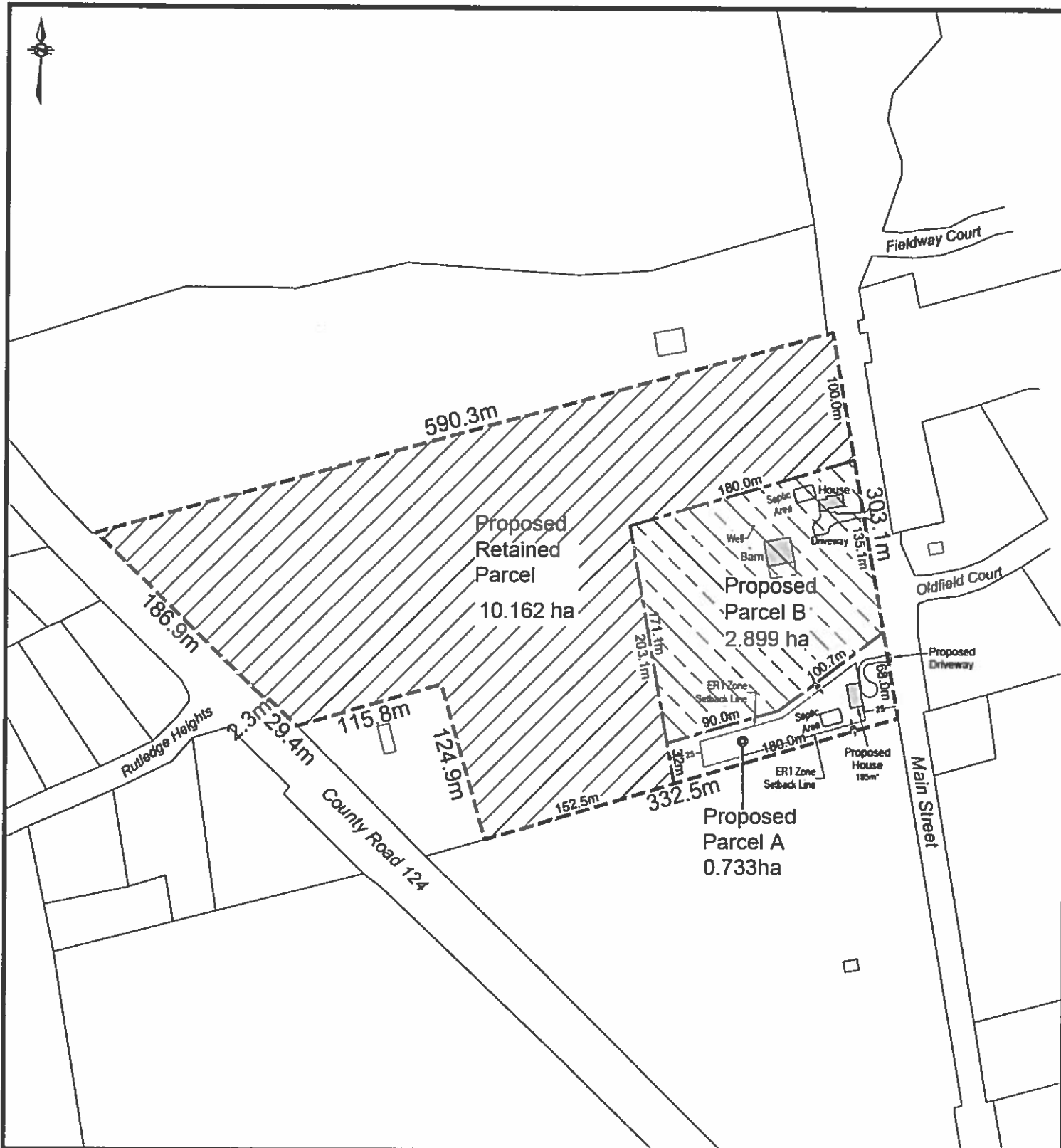
Printed on Nov 01, 2019

THIS IS NOT A PLAN OF SURVEY

This map is illustrative only. Do not rely on it as being a precise indicator of nature, location or features, nor as a guide to navigation. Data derived from various sources. Map compiled and produced by the Geographic Information Systems (GIS) Department of the Upper Meridian Commission, Ministry of Natural Resources

Ontario

© Queen's Printer for Ontario and its lieutenants (2019)
May Not Be Reproduced without Permission.



Proposed Development
 537080 Main Street,
 Melancton (Hornings Mills)

Agent:	Kristine Loft, MCIP RPP, Loft Planning Inc.	
File#:	#CAR 27618	Sheet:
Date:	REV. December 3, 2019	Scale: 1:4,000



**Corporation of the Township of Melancthon
COMMITTEE OF ADJUSTMENT**

Moved by

Seconded by

Date, 2021

Be it resolved that:

Application B7/20 (Wayne Nicholson) to sever approximately 4.9 acres from the East Part of Lot 18, Concession 3 OS subject to the following conditions:

1. A reference plan of survey is required. Draft survey to be provided to the Township for review prior to registration.
2. That the severed lot be rezoned to a Rural Residential (RR) Exception Zone.
3. That as part of a complete application for the zoning by-law amendment referred to in Condition 2, the applicant shall coordinate with the Nottawasaga Valley Conservation Authority (NVCA) to conduct a site inspection and any recommendations of the NVCA shall be addressed by the applicant and confirmed in writing by the NVCA to be satisfactory.
4. In accordance with Section 7.2 a) xii)) of the Official Plan and as part of a complete application for the zoning by-law amendment referred to in Condition 2, the applicant shall submit a Minimum Separation Distance One Calculation from the existing barn located in Part of the East Half of Lot 17, Concession 2 O.S. Such MDS calculation shall be prepared using OMAFRA Agrisuite software and signed/dated by a qualified professional and shall reflect the livestock housing capacity of the existing barn if the existing barn is not currently occupied by livestock.
5. Written approval from the County of Dufferin Building Department that the severed lot is suitable for a septic system.
6. That an entrance to the severed parcel be approved by the Township's Public Works Superintendent and the entrance installed before the deed is submitted for endorsement.
7. That a County Rural Civic Address be assigned to the entrance on the severed parcel by the County of Dufferin and the sign be installed before the Deed is submitted for endorsement.
8. Taxes and special charges 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 of the Notice of Decision, as signed by the Secretary.

Reason for Decision: The proposed severed lot is not currently being used as agricultural land and the proposed severance will have no impact on the viability of future agricultural land or activity.

<u>Recorded Vote</u>	<u>Yea</u>	<u>Nay</u>
Chair Darren White		
Member David Besley		
Member Wayne Hannon		
Member Margaret Mercer		

Carried/Lost: _____

CHAIR

CO# 6.2
JAN 14 2021