



**TOWNSHIP OF MELANCTHON
COMMITTEE OF ADJUSTMENT ELECTRONIC MEETING
THURSDAY, AUGUST 12, 2021 - 6:00 P.M.**

Join Zoom Meeting

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AGENDA

APPROVAL OF MINUTES – July 15, 2021

Motion - that the minutes of the Committee of Adjustment Meeting held on July 15, 2021 be approved as circulated.

1. BUSINESS ARISING FROM MINUTES

2. APPLICATION FOR CONSENT

3. APPLICATION FOR MINOR VARIANCE

1. A3-21 – Tupling Farms Ltd – Part Lots 27 and 28, Concession 1 OS – 558452 Mulmur Melancthon Townline (allow setback of nearest new grain bin to be 11 metres from front lot line instead of 15 metres).

4. APPLICATION FOR VALIDATION OF TITLE

5. APPLICATIONS ON FILE

6. DELEGATES

7. CORRESPONDENCE

8. ADJOURNMENT

Motion - That we adjourn Committee of Adjustment at _____ p.m. to meet again on Thursday, September 2, 2021 at 6:00 p.m. or at the call of the Chair.

MEMORANDUM

To: Chairman White and Members of Council
Copy: Ms. Denise Holmes, Clerk
From: Chris Jones MCIP, RPP
Date: August 6, 2021
Re: Minor Variance A3-21 (Tupling)

Tupling Farms Ltd. has submitted an application for minor variance for lands located at 558452 Mulmur Melancthon Townline located in Part Lots 27 and 28, Concession 1 O.S. According to the application, the applicant's lot has an area of 20 hectares (49.8 acres) with a frontage of approximately 301 metres (990 feet) on the Mulmur Melancthon Townline.

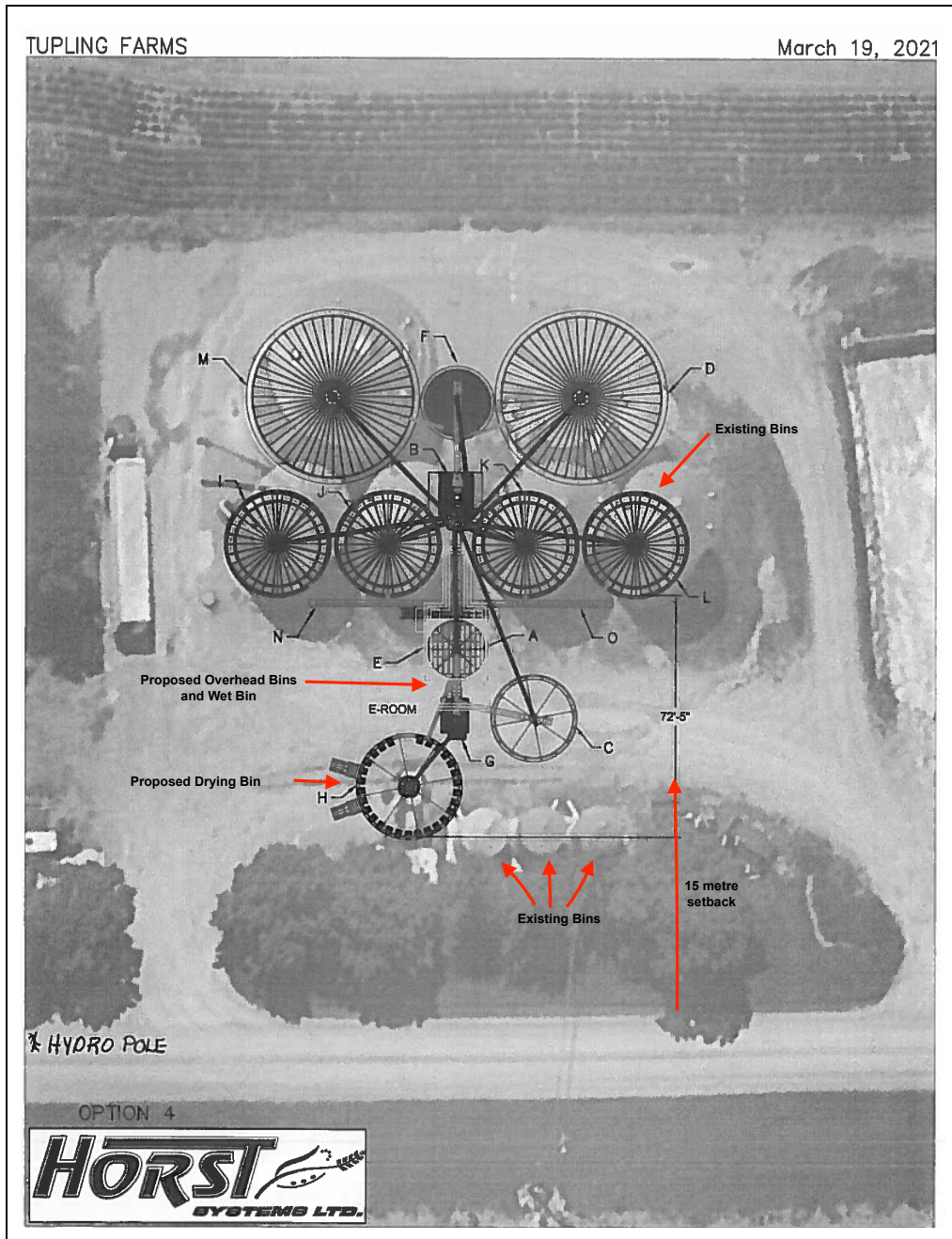
The applicant's lot is currently zoned General Agricultural (A1) and is used for agricultural purposes as part of the applicant's greater farm operations. The subject lands are currently occupied by 10 grain bins of various sizes and capacities.

The applicant wishes to construct 4 new grain storage/drying bins, an elevator system and an accessory power room amongst the existing building cluster and also wishes to recognize the location of 3 existing bins which are located in the minimum 15 metre setback required for accessory agricultural buildings.

The existing grain bins are located 9 metres (30 feet) from the front lot line and the nearest new grain bin would be located approximately 11 metres from the front lot line.

A site plan of the proposed grain bin drying, storage and elevator system is provided in Figure 1.

Figure 1 – Site Plan



THE FOUR TESTS OF A MINOR VARIANCE

In considering this application, Committee needs to be satisfied that the proposal is in keeping with each of the “four tests” of a minor variance as set out in the Planning Act.

1. Is the variance in keeping with the intent of the Official Plan?

The subject lands are located in the Agricultural designation which permits agricultural uses as well as buildings and structures necessary to support agri-business.

2. Is the variance in keeping with the intent of the Zoning By-law?

The intent of the By-law as it relates to building setbacks is to provide a compatibility measure between neighbouring land uses and contribute to the maintenance of rural character. The proposed variance would recognize a new encroachment in an existing grain bin cluster and is in keeping with the intent of the Zoning By-law.

3. Will the variance provide for the desirable development of the lot?

The proposed variance will recognize 3 existing bins and will allow one new drying bin to be constructed within the minimum setback as part of an expansion and modification to an existing grain bin cluster, the vast majority of which is compliant with the 15-metre setback. I find the variance will provide for the desirable development of agricultural land.

4. Is the Variance Minor?

The proposed variance will support an existing agricultural use, and will accommodate the modification of an existing grain bin cluster and the construction of a new drying bin, all of which I find to be compatible and in keeping with the character and needs of the agricultural community. On this basis I consider the variance to be minor.

CONCLUSION

Should Committee be satisfied the variance meets the four tests, they may establish any reasonable condition to the approval of the variance.

In this case I believe the proposed variance fulfills the four tests and I do not recommend any conditions of approval.

Respectfully Submitted,



Chris Jones MCIP, RPP