

**TOWNSHIP OF MELANCTHON
COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment of the Township of Melancthon held an electronic meeting on the 17th day of February 2022 commencing at 6:00 p.m. Members D. White, D. Besley, M. Mercer and J. McLean were present. Secretary-Treasurer D. Holmes, S. Culshaw and Chris Jones, Township Planning Consultant were also present. Member White presided.

Agenda

Moved by Besley, Seconded by McLean that the Agenda be approved as circulated. Carried.

Declaration of Pecuniary Interest and the General Nature Thereof

Mayor White advised that disclosure of pecuniary interest can be declared at this time or anytime throughout the meeting by giving the general nature thereof and that declarations must be submitted to the Clerk in writing.

Deputy Mayor Besley- Committee of Adjustment – Application for Consent for the reason that: these (Vander Zaag) are my clients.

Minutes

Moved by Besley, Seconded by McLean that the minutes of the Committee of Adjustment meeting held on January 13, 2022, be approved as circulated. Carried.

Business Arising from Minutes

None.

Applications for Consent

1. B1-22 Part Lot 297 & 298, Concession 2 SW (Black/Vander Zaag)

Member Dave Besley declared a pecuniary interest for the reason that they (Vander Zaag) are clients of his. Member Besley was put in the waiting room on zoom.

Chris Jones - Planning Consultant indicated that that this application does not conform with the Official Plan and is not consistent with the Provincial Policy. Stefan Szczerbac of Planscape Inc who represented the applicant indicated that the application could meet requirements by making conditions of approval. The applicant could prove that the house is habitable as well as provide the township with the agreement to sell, thereby protecting the Municipality. If the condition cannot be fulfilled, then the severance would not move forward. The Secretary advised that comments were received from: Bell and Hydro One.

Adam Vander Zaag from Adam Vander Zaag Farm requested that the severance be conditional on selling of the farm and proving the habitability.

The Committee wishes to consider granting a provisional consent. The committee request that the application be deferred, so that the applicant can submit evidence to confirm the habitable nature of the dwelling.

Member Besley was returned to the meeting.

2. B2-22 Part Lots 275, 276 & 277, Concession 2 SW (2690044 Ont Inc)

Chris Jones - Planning Consultant stated that this application of consent was to create a farm parcel by splitting the property in to two parcels down the middle. He indicated that the 2 parcels are zoned in the turbine section. The question was raised as to whether the existing site plan would hold true for both lots. Chris Jones stated that the site plan provided does not show any intention of Cannabis activity for the newly created lot. It was stated that only the retained lot is meant for cannabis activity and can only be operated as such with a license. The Secretary advised that comments were received from: WSP, Dufferin County Building Services, and Bell.

Moved by McLean, Seconded by Mercer that Application for Consent B2/22 to sever 71.4 hectares (176.43 acres) from Part of Lots 272 to 277, Concession 2 SW be approved subject to the following conditions:

1. That the applicant prepare a reference plan of the severed lands and provide a draft version to the Township for review in its draft form prior to registration.
2. Confirmation of compliance with the regulations of the A1-106 Zone by providing a survey or letter from an Ontario Land Surveyor confirming turbine setbacks. Where the confirmation indicates non-compliance with the A1-106 Zone, a zoning amendment shall be required.
3. That the Site Plan Agreement dated January 16, 2020 between 2690044 Ontario Inc. and the Corporation of the Township of Melancthon be amended if the severed lands are not going to be utilized for cannabis production.
4. That an entrance to the severed and retained parcel be approved by the Township Public Works Superintendent and installed before the deed is submitted for endorsement or confirmation that both parcels have approved entrances.
5. That a County Rural Civic Address must be assigned to both the severed and retained entrances before the deed is submitted for endorsement.
6. Taxes and special charges must be paid to date when the deed is submitted for endorsement.
7. 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.

This application conforms with the lot creation policies of the PPS and the Township Official Plan as they relate to the creation of new farm parcels in a prime agricultural area.

Carried

Application for Minor Variance

None

Application for Validation of Title

None

Certificate of Cancellation

Moved by Besley, Seconded by McLean that the Committee of Adjustment approve the request for a Certificate of Cancellation, being issued under Section 53(45) of the *Planning Act*, submitted by Dundalk Leisure Craft for Part of Lot 30, Concession 8 NE, Part 1, Plan 7R-4530 and direct that the Certificate of Cancellation be signed by the Secretary to the Committee of Adjustment.

Carried

Applications on File

None

Delegates

None

Correspondence

None

Adjournment – 10:28 a.m.

Moved by Besley, Seconded by Mercer, that we adjourn Committee of Adjustment at 6.44 p.m. to meet again on Thursday, March 17, 2022 at 6:00 p.m. or at the call of the Chair.

Carried.

CHAIR

SECRETARY