



**TOWNSHIP OF MELANCTHON
COMMITTEE OF ADJUSTMENT ELECTRONIC MEETING
THURSDAY, MARCH 16, 2023 - 6:00 P.M.**

Join Zoom Meeting

<https://us02web.zoom.us/j/85499155569?pwd=ZllnSHdSTXRiWWZKeEs1K1d3ZWc0UT09>

Meeting ID: 854 9915 5569

Passcode: 505732

One tap mobile

+17789072071,,85499155569#,,,,*505732# Canada

+17806660144,,85499155569#,,,,*505732# Canada

Dial by your location

+1 778 907 2071 Canada

+1 780 666 0144 Canada

+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

Meeting ID: 854 9915 5569

Passcode: 505732

AGENDA

- 1. CALL TO ORDER**
- 2. ADDITIONS/DELETIONS/APPROVAL OF AGENDA**
- 3. DECLARATION OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**
- 4. APPROVAL OF MINUTES – February 16th, 2023**
- 5. BUSINESS ARISING FROM MINUTES**
- 6. APPLICATION FOR CONSENT**
- 7. APPLICATION FOR MINOR VARIANCE**
 1. A4/22 Lot 13, Plan 7M48 (Amritpal Bansal, Khalsa Design Inc on behalf of Paul Fuller and Talcia Richards)
- 8. APPLICATION FOR VALIDATION OF TITLE**
- 9. CERTIFICATE OF CANCELLATION**
- 10. APPLICATIONS ON FILE**
 1. B6/22 – Belford – Lots 32-34, Plan 332
- 11. DELEGATES**
- 12. CORRESPONDENCE**
 1. Report from Silva Yousif, Senior Planner – Change of Condition – Consent Applications B5/22
- 13. ADJOURNMENT**



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Highway 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: www.melancthontownship.ca

Email: info@melancthontownship.ca

TOWNSHIP OF MELANCTHON - COMMITTEE OF ADJUSTMENT

NOTICE OF PUBLIC HEARING REGARDING AN APPLICATION FOR

X Minor Variance - s.45(1)

_____ Permission - s.45(2)

File No. A4/22

Re An Application by: Amritpal Bansal, Khalsa Design Inc on behalf of Paul Fuller and Talcia Richards

Address: 13 Rutledge Heights, Melancthon Ontario L9V 3M9

Description of Property: Lot 13, Plan 7M48

Purpose of Application: Relief from By-law 12-1979, as amended, by By-law 12-1982, to reduce the minimum exterior side yard set back from 25m metres (82.5 feet) to 10.89 metres (35.72 feet) and increase the maximum lot coverage from 10 percent to 11.75 percent.

Take Notice That an application under the above file number will be heard by the Committee of Adjustment on the date, and at the time and place shown below, under the authority of Section 45 of the Planning Act.

Date: March 16, 2023

Time: 6:00 p.m.

Place: Virtual Meeting - This will be a virtual meeting. If you wish to attend the virtual meeting, please call, or email the Township office prior to the day of the public meeting so you can be provided with the link to the meeting. If you do not have the capability to attend a virtual meeting, please provide written comments and a phone number where you can be reached, to the Township Clerk prior to the public meeting.

Public Hearing - You are entitled to attend at this public hearing, or you may be represented by counsel or an agent to give evidence about this application. Signed, written submissions that relate to an application shall be accepted by the Secretary-Treasurer before or during the hearing of the application at the address above and shall be available to any interested person for inspection at the hearing.

Failure to attend hearing - If you do not attend at this public hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceeding.

Notice of Decision - A certified copy of the decision, together with a notice of the last day for appealing to the Ontario Land Tribunal shall be sent, not later than 10 days from the making of the decision, to the applicant, and to each person who appeared in person or by counsel at the hearing and who filed with the Secretary-Treasurer a written request for Notice of the Decision.

Dated this 1st day of March, 2023.

Denise B. Holmes, AMCT
Secretary-Treasurer



Subject: Planning Report – A4/22 – 13 Rutledge Heights

Department: Planning

Meeting Date: 2023-03-16

Recommendations

That Planning Report – A4/22 – 13 Rutledge Heights be received;

And that Minor Variance Application A4/22 be APPROVED.

Introduction

Legal Description: Part of Lot 13, PLAN 7M48

Municipal Address: 13 Rutledge Heights

Applicant(s): Paul Fuller and Talcia Richards

Official Plan Designation: Rural

Zoning (By-law 12-1979,
as amended): Small Lot Estate Residential (ER1-1)

Purpose: The applicants propose to build a new one-storey single family dwelling. The purpose and effect of the application would be to provide relief from Zoning By-law 12-1979, as amended as follows:

Table 1: Variance Summary

No.	Sections	Description	Permitted	Proposed	Proposed Variance
1	7.3 (d)	Minimum exterior side yard	25 metres	10.89 metres	14.11 metres
2	7.3 (i)	Maximum lot coverage	10 %	11.75%.	1.75%

Background

The applicants have applied for a minor variance for the property located at 13 Rutledge Heights. According to the application, the subject property has an area of 4723.8 square

metres (50846.56 square feet) with a frontage of approximately 47.8 metres (156.9 ft.) on the Rutledge Heights. The subject property is currently vacant.

A site plan showing the proposed development is indicated on Attachment No. 1.

Planning Analysis

Four Tests of a Minor Variance

A minor variance application is evaluated against four tests prescribed under Section 45(1) of the Planning Act as follows:

1. Does it meet the general intent and purpose of the Official Plan?
2. Does it meet the general intent and purpose of the Comprehensive Zoning By-law?
3. Is it desirable for the appropriate development or use of the land, building or structure?
4. Is it minor in nature?

It is the opinion of staff that the requested variances meet the four tests. In making this determination, staff have considered the following:

The subject property is located in the Rural designation, which permits a single family detached dwelling and accessory uses.

- The intent of the By-law as it relates to building setbacks and lot coverage is to provide a compatibility measure between neighbouring land uses and contribute to the maintenance of rural character. The proposed one-storey dwelling is otherwise compliant with the regulations of the Small Lot Estate Residential zone, and on this basis, the proposed variance is considered to be in keeping with the intent of the Zoning By-law.
- The proposed variance will accommodate the construction of a new one-storey single family dwelling that is compatible and in keeping with the character of the community.

GENERAL ANALYSIS AND COMMENTS:

It is the opinion of staff that the requested variance meets the four tests.

Prepared By

Diksha Marwaha

Planning Coordinator, Township of Melancthon



Reviewed By

Silva Yousif

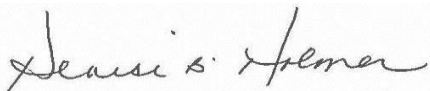
Sr. Planner, Township of Melancthon



Approved By

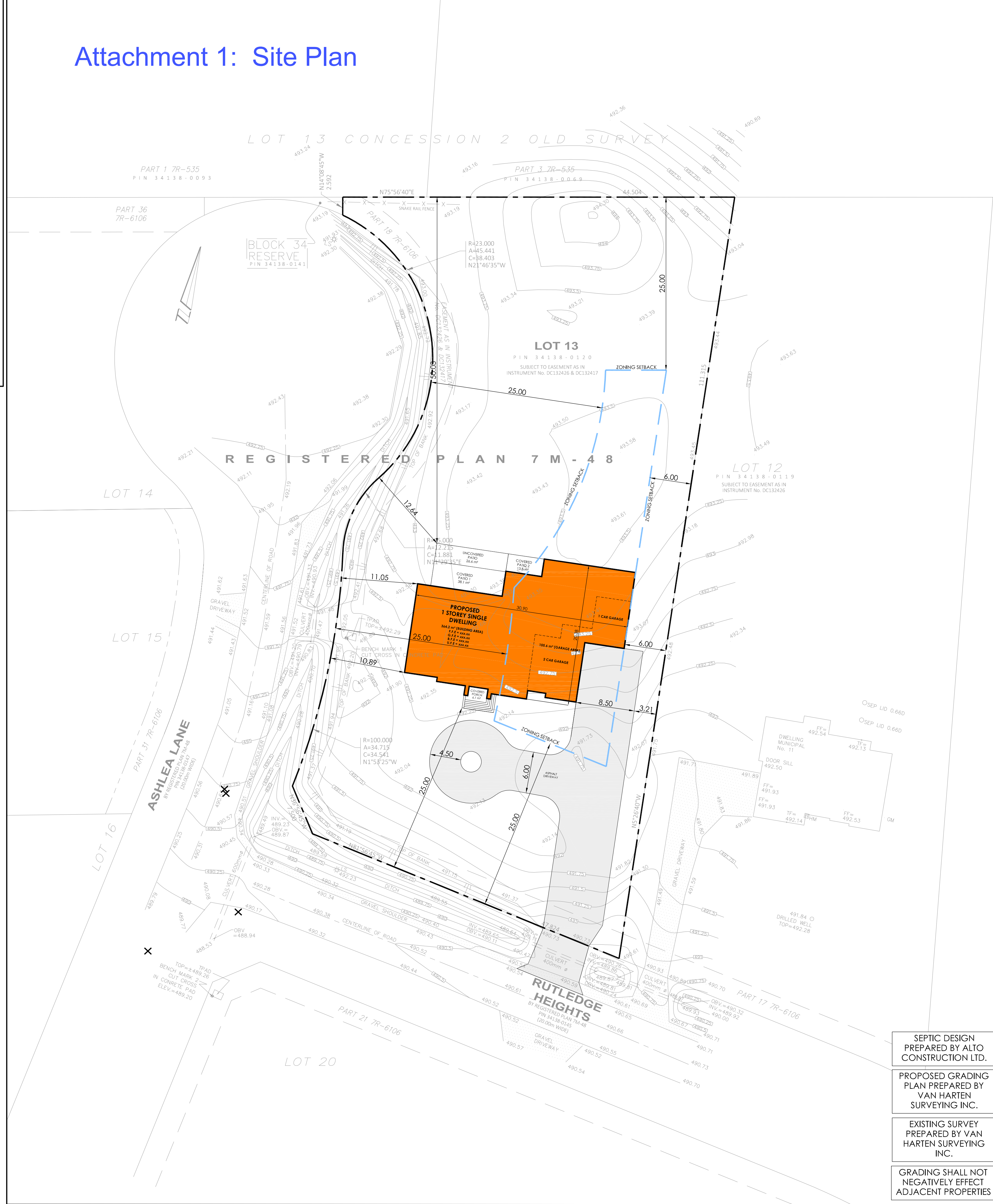
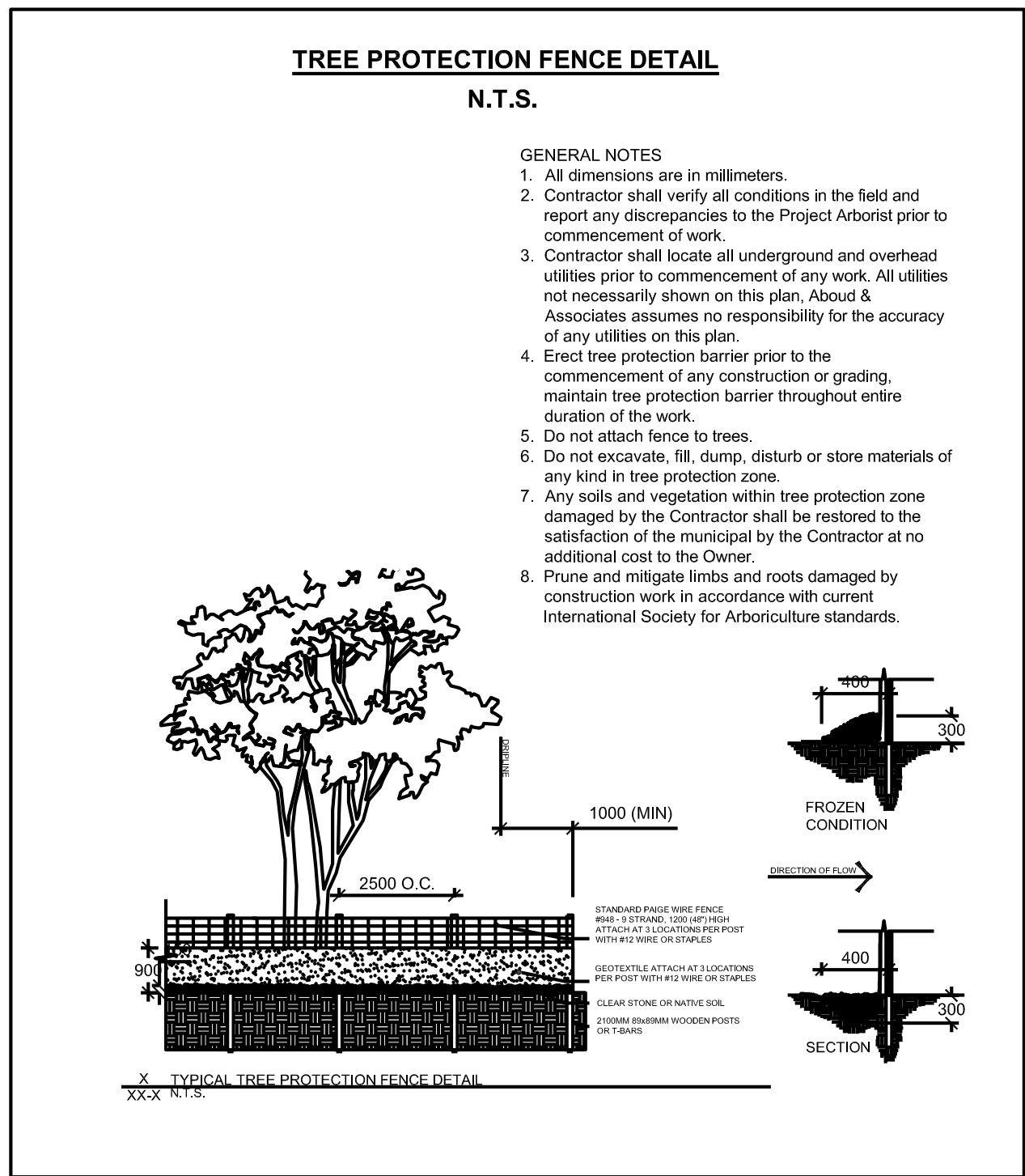
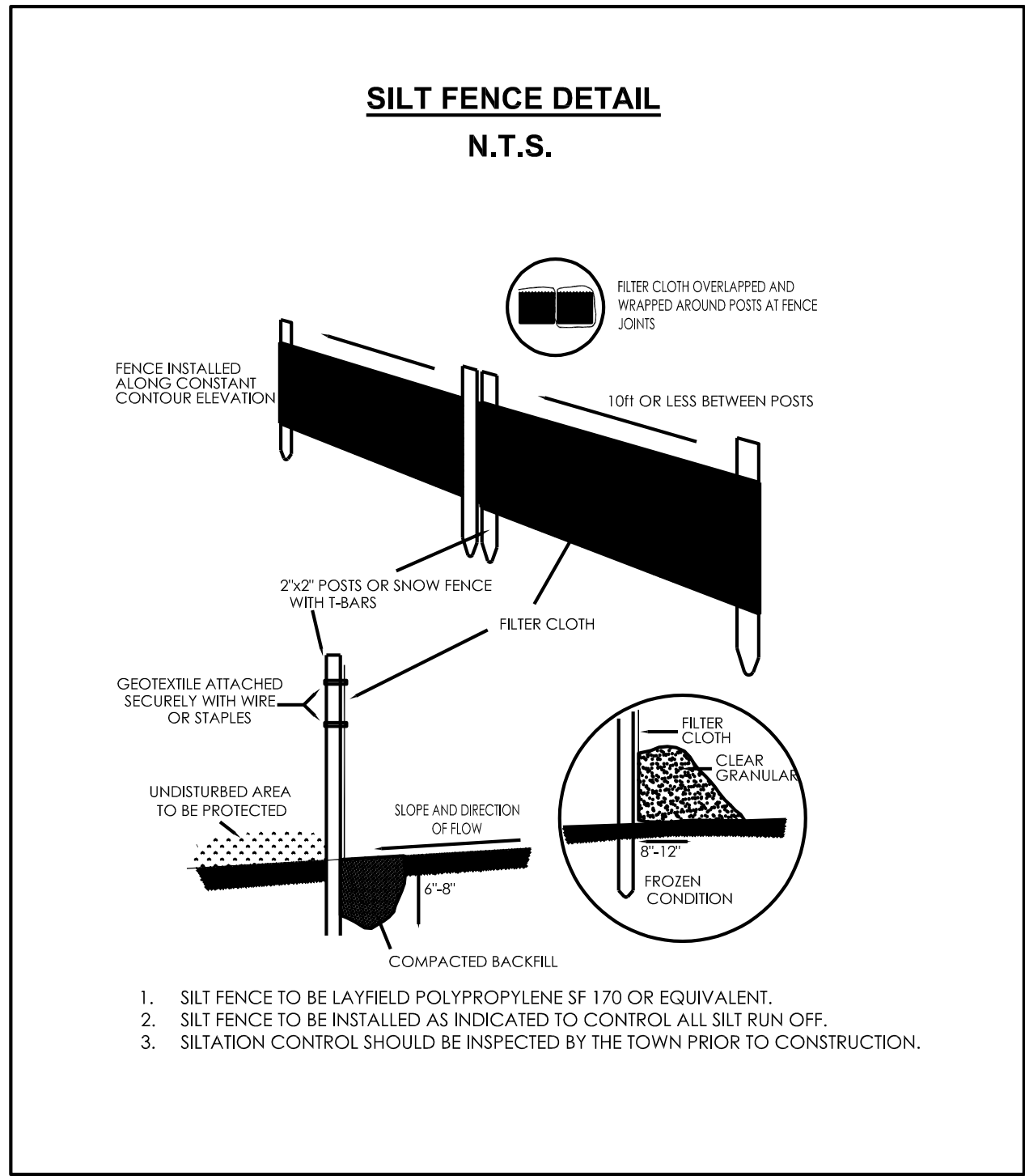
Denise B. Holmes, AMCT

Chief Administrative Officer/Clerk, Township of Melancthon



Attachment(s): 1. Site Plan

ZONING TABLE				
ZONE ER1-1				
		REQUIRED	PROPOSED	
1.	MINIMUM LOT AREA	4500.0 m ²	4723.8 m ²	YES
2.	MINIMUM LOT FRONTAGE	45.0 m	47.82 m	YES
3.	MINIMUM LOT DEPTH	75.0 m	111.32 m	YES
4.	MINIMUM FRONT YARD	25.0 m	25.00 m	YES
5.	MINIMUM EXTERIOR SIDE YARD	25.0 m	10.59 m	MINOR VARIANCE
6.	MINIMUM INTERIOR SIDE YARD	6.0 m	6.00 m	YES
7.	MINIMUM REAR YARD	7.5 m	N/A	YES
8.	MAXIMUM BUILDING HEIGHT	10.0 m	7.62 m	YES
9.	MAXIMUM COVERAGE	10%	11.73 %	MINOR VARIANCE
			554.100	
LOT COVERAGE				
	DWELLING GROUND FLOOR		364.2 m ²	
	GARAGE AREA		105.6 m ²	
	FRONT COVERED PORCH		6.1 m ²	
	REAR COVERED PATIO 1		38.1 m ²	
	REAR COVERED PATIO 2		13.5 m ²	
	UNCOVERED REAR PATIO		26.6 m ²	
	TOTAL LOT COVERAGE		554.1 m ²	



SITE PLAN APPLICATION NUMBER

TOWN OF MELANCTHON
ARCHITECTURAL SITE PLAN

13 RUTLEDGE HEIGHTS
ALL OF LOT13
REGISTERED PLAN 7M-48
COUNTY OF DUFFERIN

TOWNSHIP OF MELANCTHON
Schedule 'A-15'
BY-LAW 760-33-1995

GRADING & DRAINAGE NOTES

- MINIMUM GRADIENT OF GRASS SWALES ALONG SIDE AND REAR LOT LINES SHALL BE 2.0%. THE PROPOSED ELEVATION OF THE SIDE YARD SHALL BE A MINIMUM OF 0.15m BELOW THE FINISHED GRADE AT THE BUILDING LINE. THE MAXIMUM SWALE GRADIENT SHALL BE 5.0%.
- TAKE UP REAR YARD GRADE DIFFERENCE USING SLOPES BETWEEN 2.0% AND 5.0% FOR A MAXIMUM OF 75% OF THE REAR YARD AND SLOPES OF 3 HORIZONTAL AND 1 VERTICAL MAXIMUM TO THE REAR LOT LINE.
- EDGE OF THE DRIVEWAYS ARE A MINIMUM OF 1.0m FROM EDGE OF STREET CATCH BASIN AND STREET FURNITURE. THE BUILDER IS TO VERIFY THE LOCATION AND TO INFORM THE ENGINEER IF THE DIMENSION CANNOT BE MAINTAINED PRIOR TO EXCAVATION FOR THE FOOTINGS.
- BRICK LINE SHALL BE 0.15m (6") ABOVE SOD ELEVATION.
- ALL NEW FENCES REQUIRED ABUTTING PUBLIC LANDS AND OR EXISTING PROPERTIES SHALL BE CONSTRUCTED WITH MATERIAL INCLUDING FOUNDATIONS COMPLETELY ON PRIVATE LANDS AND TOTALLY CLEAR OF ANY 0.3m RESERVES.
- SOIL CONSULTANTS VERIFICATION REQUIRED FOR FOOTINGS CONSTRUCTED ON ENGINEERED FILL LOTS.
- THE BUILDER MUST VERIFY THE AS CONSTRUCTED ON SANITARY AND STORM SERVICES INVERTS AND INFORM THE ENGINEER IF THE MINIMUM 2.0% GRADE CANNOT BE MAINTAINED PRIOR TO PLACING OF CONCRETE FOOTING.
- BUILDER TO VERIFY LOCATION ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MINIMUM DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.
- BUILDER TO STAKE OUT DRIVEWAY CURB DEPRESSION AT TIME OF TOP CURB INSTALLATION.
- THE PROPOSED GRADING AND APPURTENANT DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING PRINCIPALS.
- THE PROPOSED GRADING IS IN CONFORMITY WITH THE GRADING PLANS APPROVED FOR THIS LOT SPECIFIC AND WILL NOT ADVERSELY AFFECT ADJACENT LANDS.
- THE PROPOSED BUILDING IS COMPATIBLE WITH THE PROPOSED GRADING.
- THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL UTILITIES ON THE SITE, WHICH ARE NOT 1.0 METERS CLEAR FROM EDGE OF DRIVEWAY, INCLUDING STREET CATCH BASIN.
- APPROVED PERMIT DRAWINGS AND CONSTRUCTION NOTES MUST BE REVIEWED AND FOLLOWED IN CONJUNCTION WITH THE SITING AND GRADING PLAN. BUILDER TO VERIFY BUILDING ENVELOPE ON SITE PLAN MATCHES APPROVED PERMIT DRAWINGS & CONSTRUCTION NOTES PRIOR TO POURING CONCRETE. IF THERE ARE ANY DISCREPANCIES, THEY ARE TO BE BROUGHT TO THE ATTENTION OF KHALSA DESIGN INC.
- UNLESS NOTED ON BUILDING ENVELOPE OR APPROVED PERMIT DRAWINGS AND CONSTRUCTION NOTES, ALL TOP OF FOUNDATION WALLS, INCLUDING GARAGE WALLS ARE TO BE CONSISTENT WITH THE ELEVATION PROVIDED FOR THE TRW ON SITING AND GRADING PLAN. THE EXTERIOR OF THE FOUNDATION WALL TO BE PROVIDED WITH A REDUCTION IN THICKNESS FOR MASONRY VENEER AS REQUIRED.

THE BUILDER / APPLICANT AGREES THAT BY REQUESTING THIS LOT GRADING CERTIFICATION BEFORE THE AVAILABILITY OF INVERT CONNECTION, THE BUILDER / APPLICANT ASSUMES ALL RESPONSIBILITIES, OR ANY POTENTIAL COMPLICATIONS DUE TO THE ULTIMATE SEWER CONNECTION ELEVATIONS AT THE STREET LINE.

LEGEND:

(395.70)	- PROPOSED ELEVATION	BELL	BELL PEDESTAL
394.82	- EXISTING ELEVATION	UP	UTILITY POLE
—	- SLOPE	HP	HYDRO POLE
—	- DIRECTION OF FLOW	CB	CATCHBASIN
—	- PERFORATED PIPE	MH	MANHOLE
TP1	- TEST PIT	FDH	FIRE HYDRANT
W	- WELL	BOLL	BOLLARD
—	- AREA OF SAND	GW	GUY WIRE
—	- AREA OF STONE	LV	LIGHT STANDARD
—	- TREE	GV	GAS VALVE
—	- TREELINE	GM	GAS METER
—	- R/WL	WV	WATER VALVE
		W	WELL
		TP1	TEST PIT
		R	RAINWATER LEADER

SEPTIC DESIGN
PREPARED BY ALTO
CONSTRUCTION LTD.

PROPOSED GRADING
PLAN PREPARED BY
VAN HARTEN
SURVEYING INC.

EXISTING SURVEY
PREPARED BY VAN
HARTEN SURVEYING
INC.

GRADING SHALL NOT
NEGATIVELY EFFECT
ADJACENT PROPERTIES

PROJECT NAME
13 RUTLEDGE HEIGHTS
MELANCTHON, ON

PROJECT ADDRESS
13 RUTLEDGE HEIGHTS
MELANCTHON, ON

CLIENT
TALCIA FULLER

ARCHITECT
KHALSA DESIGN INC.

DESIGN
KHALSA

BRAMPTON, ON
TELEPHONE: 647-468-2940

CONSULTANTS:

COPYRIGHT KHALSA DESIGN © 2021
THESE DRAWINGS ARE NOW AND DO REMAIN
THE SOLE PROPERTY OF KHALSA DESIGN
INC. USE OF THESE PLANS OR ANY FORM OF
REPRODUCTION OF THIS DESIGN IN WHOLE
OR IN PART WITHOUT EXPRESS WRITTEN
CONSENT IS PROHIBITED AND SHALL
RESULT IN THE FULLEST EXTENT OF
PROSECUTION UNDER LAW

Project number 22028
Date 12/13/2022
Drawn by AB
Checked by KDI
Scale As indicated

REVISIONS

No.	Description	Date

PROPOSED SITE PLAN

ASP-1
13 RUTLEDGE HEIGHTS
MELANCTHON, ON



MEMORANDUM

To: Chair White and Members of Committee
Copy: Ms. Denise Holmes, Secretary-Treasurer
From: Silva Yousif, Senior Planner
Meeting Date: March 16, 2023
Re: Change of Condition - Consent Application B5/22

BACKGROUND

On December 15, 2022, the Township approved an application for consent for lands located in Lots 3-6, Plan 332. The application was to create two new residential lots in Riverview in the settlement area.

The provisional consent included the following condition:

That rezoning is required for the severed and retained parcels.

PROPOSED CHANGE TO CONDITION

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

Upon review of the April 18, 2022 Memorandum from Mr. Chris Jones, MCIP, RPP, the subject lands are currently zoned Hamlet Residential (R1) as per Zoning By-law Amendment 6-1991, and the severed and retained lots would comply with the zone regulations of the R1 zone.

Therefore, on this basis, the above condition is achieved.

RECOMMENDATION

If Committee concurs with the findings of this report it is recommended that Condition 2 to Provisional Consents B5/22, be removed and that prior to entering into an agreement with the Township, Condition 3, 4 & 5 must be further achieved to the satisfaction of the Township. Furthermore, it is recommended that Committee resolve that no further notice is required for this change as it is minor in nature.

Respectfully Submitted by,

A handwritten signature in blue ink, appearing to be 'SY' or similar initials, written in a cursive style.

Silva Yousif – Sr Planner



**TOWNSHIP OF MELANCTHON COMMITTEE OF ADJUSTMENT
NOTICE OF DECISION UNDER THE PLANNING ACT**

FILE NO. B5/22

Take notice that the Committee of Adjustment of the Township of Melancthon hereby approved the following decision at an electronic meeting of Melancthon Township held on the 15th day of December, 2022.

The said decision was reached on the application of: Steven Belford/Joel D. Faber to sever 1.174 acres (.475 ha) (Lots 5 & 6, Plan 332) from Lots 3-6, Plan 332

DECISION: APPROVED (if granted, is subject to the following conditions which must be, in the opinion of the Committee, substantially complied with or waived by the party requesting the condition:)

1. A legal plan of survey is required and is to be submitted to the Township for review and approval prior to registration.
2. That rezoning is required for the severed and retained parcels.
3. That an entrance to the severed and retained parcel be approved by the Township's Public Works Superintendent and be installed before the deed is submitted for endorsement.
4. That a County Rural Civic Address must be assigned to the entrance for the severed and retained parcel before the deed is submitted for endorsement.
5. Written approval must be received from the County of Dufferin Building Department for both the severed and retained parcels before the deed is submitted for endorsement.
6. That the applicant enters into a Consent Agreement with the Township requiring the installation of a drilled well, compliant with Provincial standards, the submission of a lot grading plan for review by the Municipality, and approval from the Grand River Conservation Authority prior to the issuance of a building permit for both the severed and retained parcels.
7. All costs associated with the Consent Agreement must be paid when 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 two years from the mailing date of the Notice of Decision, as signed by the Secretary.

REASONS FOR DECISION: There were no public comments brought forward with this application for the Committee to consider. This application conforms with the Official Plan and Zoning By-law for the Township and is consistent with the Provincial Policy Statement.

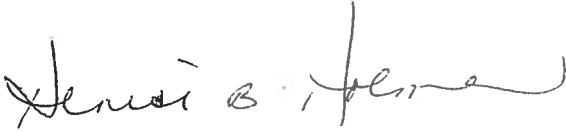
Any person or public body may, not later than 20 days after the giving of notice under Subsection (17) of the Planning Act is completed, appeal the decision or any condition imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the clerk of the municipality a notice of appeal setting out the reasons for the appeal, accompanied by the fee of \$400.00 payable to the Minister of Finance.

Only individuals, corporations and public bodies may appeal decision in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent. Additional information regarding the application for consent is available to the public for review at the Township Office during regular hours.

The last date on which this decision may be appealed to the Ontario Land Tribunal is the 9th day of January, 2023.

Dated this 19th day of December, 2022.

A handwritten signature in black ink, appearing to read "Denise B. Holmes". The signature is fluid and cursive, with the first name "Denise" being more legible than the last name "Holmes".

Denise B. Holmes, AMCT
Committee of Adjustment Secretary-Treasurer
Township of Melancthon
157101 Highway 10
Melancthon ON L9V 2E6