



Committee of Adjustment Agenda September 3, 2025 – 2:00 PM

MEETING DETAILS

In-Person Meeting Location: Mulmur Township Offices, located at 758070 2nd Line East

Phone Connection: 1 647 374 4685 Canada / 1 647 558 0588 Canada

Video Connection: <https://us02web.zoom.us/j/84829988171>

Meeting ID: 848 2998 8171

1.0 Call To Order

2.0 Land Acknowledgement

3.0 Approval Of The Agenda

Recommendation: That the agenda be approved.

4.0 Minutes of the Previous Meeting

Recommendation: That the minutes of June 4, 2025 are approved.

5.0 Disclosure Of Pecuniary Interests

6.0 Applications

6.1 B03-2025 KOTYCK

Recommendation: That application B03-2025 be approved subject to receiving public and agency comments.

7.0 Adjournment

Recommendation: That the Committee adjourns the meeting at _____ to meet again at the call of the Chair.



Committee of Adjustment Minutes June 4, 2025 – 9:00 AM

Present: Janet Horner, Chair
Earl Hawkins
Patricia Clark
Andrew Cunningham
Kim Lyon
Tracey Atkinson – CAO/Planner
Roseann Knechtel – Clerk/Planning Coordinator

1.0 Call To Order

The Chair called the meeting to order at 9:00 a.m.

2.0 Land Acknowledgement

We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole.

3.0 Approval of the Agenda

Moved by Clark and Seconded by Lyon

That the agenda be approved.

Carried.

4.0 Minutes of the Previous Meeting

Moved by Cunningham and Seconded by Hawkins

That the minutes of April 2, 2025 are approved.

Carried.

5.0 Disclosure Of Pecuniary Interests - None

6.0 Applications

6.1 B02-2025 FLEIMAN

Planner Tracey Atkinson presented the application for a boundary adjustment between 757270 2nd Line E (R# 3-02700) and 627214 15 Sideroad (R#3-02750) highlighting Official Plan designations, natural features, and draft conditions of consent approval.

The Applicant stated the boundary adjustment is to move all structures to the west lot.

There were no comments from the public.

Moved by Lyon and Seconded by Clark

That Application No. B02-2025 submitted by Hanan Fleiman for a boundary adjustment between 757270 2nd Line E (R# 3-02700) and 627214 15 Sideroad (R#3-02750) be approved subject to the following:

- That the consent applies to a boundary adjustment of approximately 5.5 ha (13.6 acres) when rounded to two decimal places from CON 2 E E PT LOT 15 RP 7R3878 PART 4 (757270 2nd Line E / R# 3-02700) to CON 2 E E PT LOT 15 RP 7R3878 PART 3 (627214 15 Sideroad / R#3-02750).
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being June 4, 2027 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- The severed parcel shall be subject to Section 50(3) of the Planning Act, as applicable.
- The solicitor for the owner of the lot to which the severed parcel is to be added shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed for the resulting enlarged parcel, and to provide the Township with documentation which demonstrates that the consolidation has taken place.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places.

- The solicitor for the owner shall provide an Acknowledgement and Direction, with the draft transfer in preparation attached, for signature by the signing officers for the municipality, including authorization to permit electronic registration of the transfer. The solicitor shall prepare an undertaking to transfer said road widening to the Township within 30 days of the completion
- Road Widening and Site Triangle: The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being a sight triangle measuring 12m south on 2nd Line East and 12m west along 15 Sideroad, as well as a road widening being 3.05m, along the frontage on 15 Sideroad and 2nd Line East, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance. Surveys are to be submitted to the Municipality, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Infrastructure.
- The registered owner shall obtain, from the Municipality, any required entrance approvals.
- An emergency number be installed at each entrance of a retained lot as per County Regulations.
- Parkland: Cash in lieu of parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment.
- Taxes: Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.

Carried.

7.0 Adjournment

Moved by Lyon and Seconded by Cunningham

That the Committee adjourns the meeting at 9:17 a.m. to meet again at the call of the Chair.

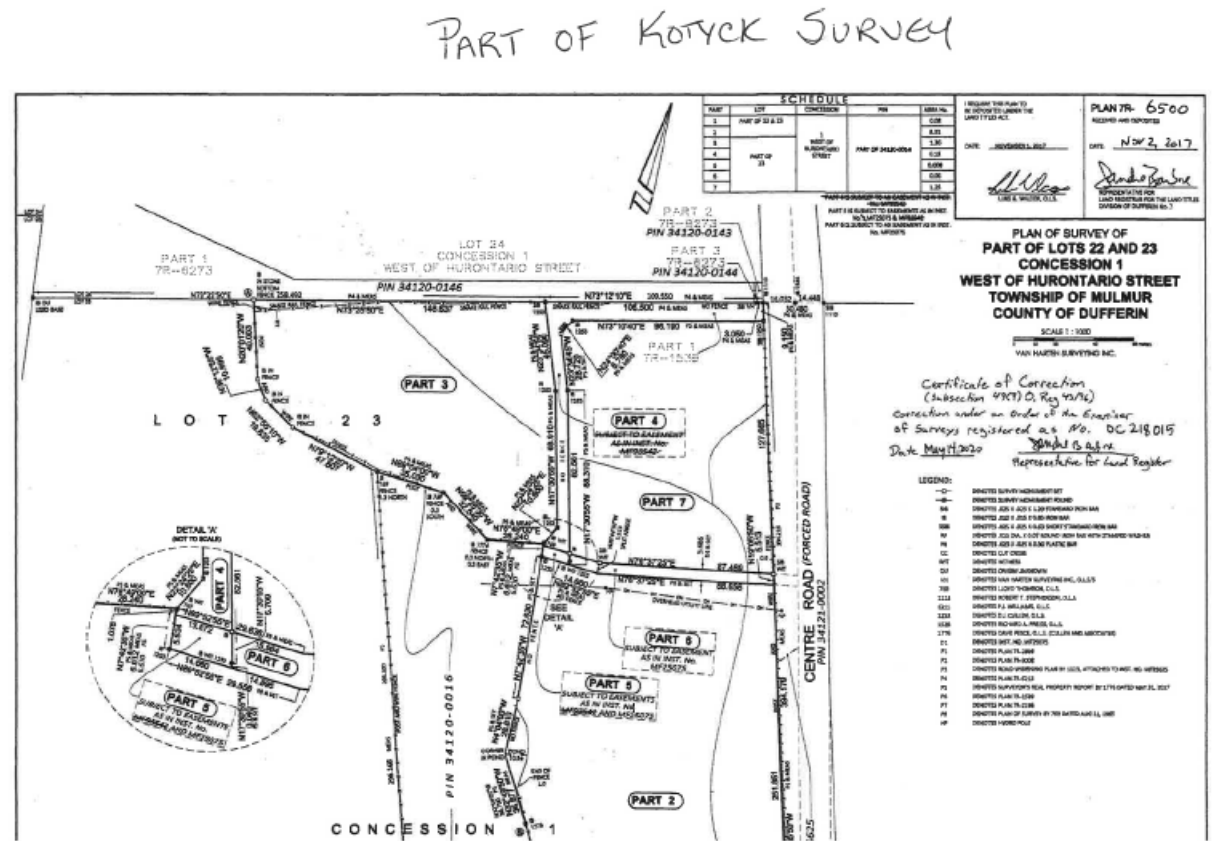
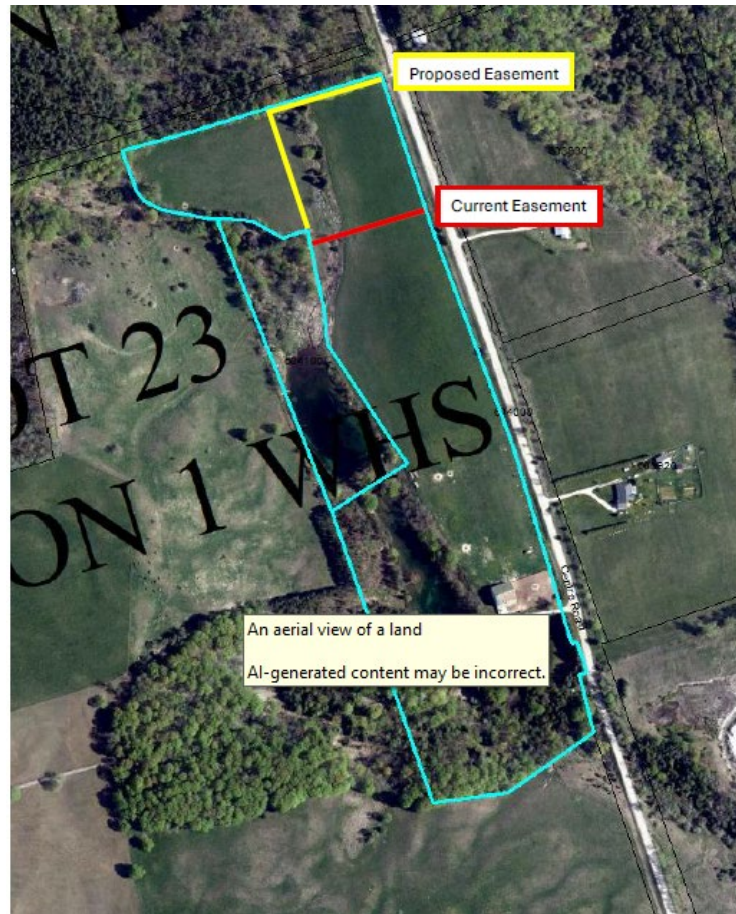
Carried.



2023 AERIAL IMAGEREY





























PROPOSED EASEMENT

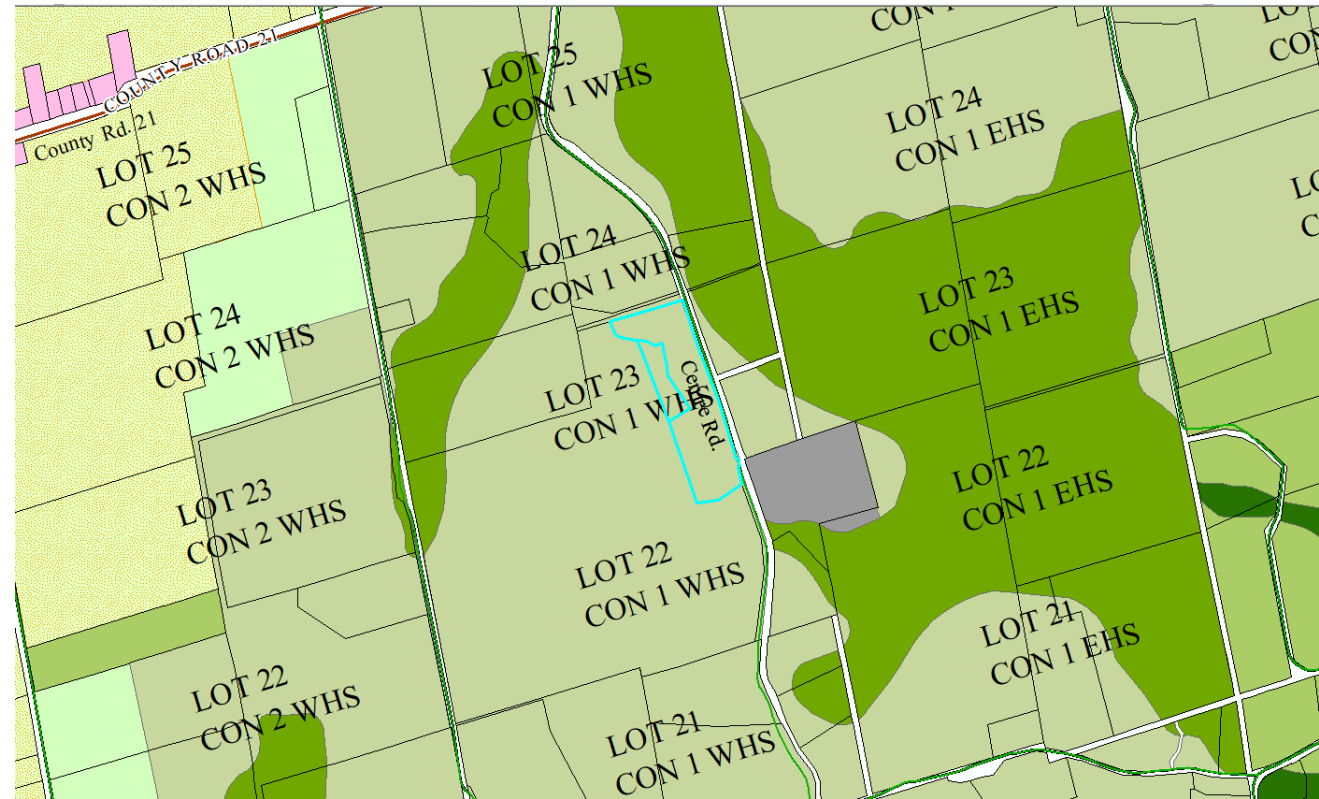


OFFICIAL PLAN DESIGNATION: NEC - RURAL

- In Niagara Escarpment Commission Development Control Areas, the policies of the Niagara Escarpment Plan apply.
- The Township shall weigh the impacts of a proposed development, including *rural character* against other impacts, including but not limited to social, economic and community benefits, and the policies of this Plan generally, in order to make a determination as to the desirability, and ultimately the appropriateness of any such development.
- Developments and site alterations that have a substantial detrimental impact on *rural character*, that, in the opinion of the Township, outweigh the benefits of the proposal, shall not generally be approved.

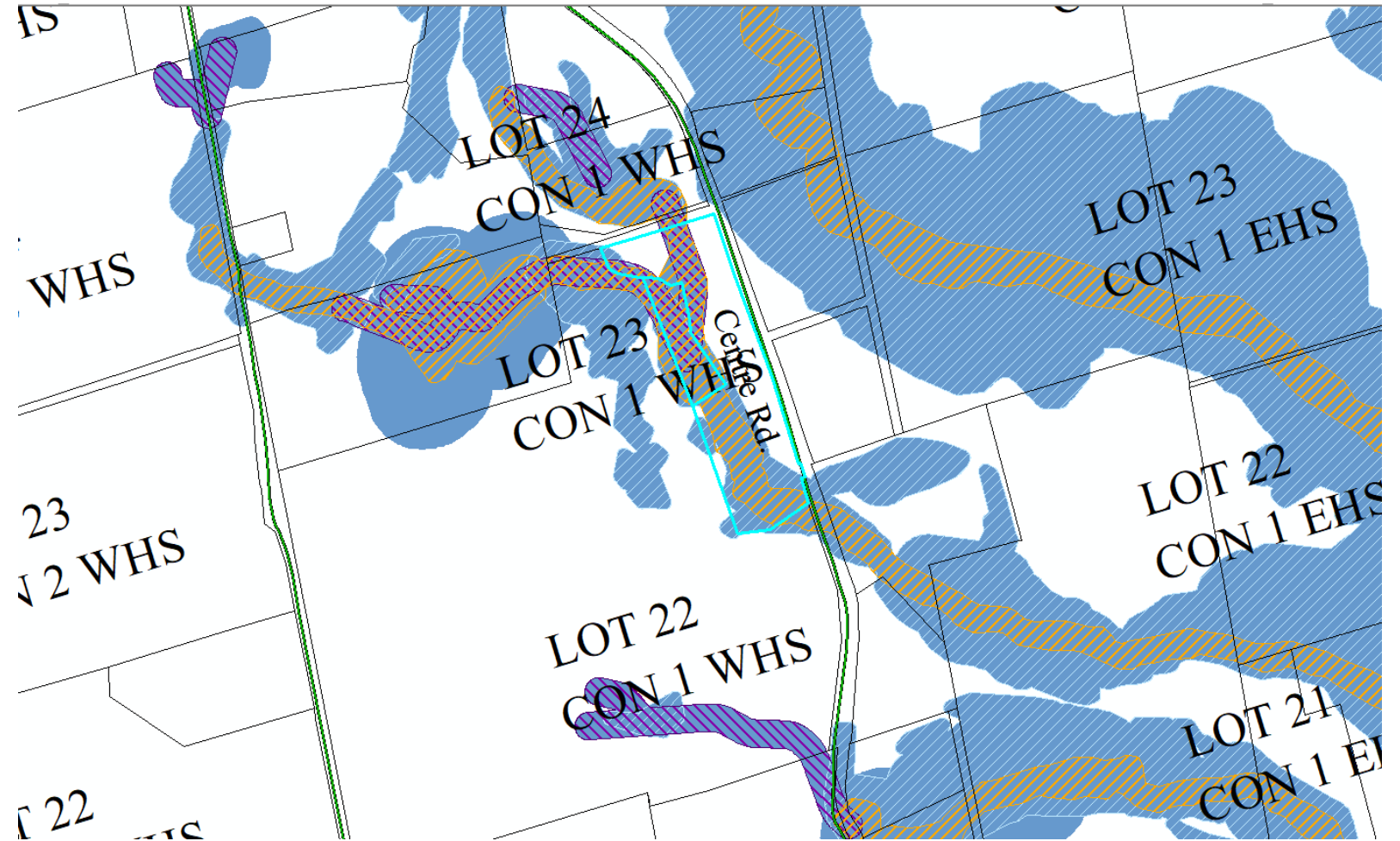
OFFICIAL PLAN DESIGNATION

-  Agricultural
-  Business Park Core
-  Open Space Recreation
-  Open Space
-  Hamlet
-  Business Park Gateway
-  Business Park Transition
-  Agricultural Special Policy Area One
-  Rural
-  Rural Special Policy Area One
-  Natural Area
-  Community
-  Hamlet Residential
-  Estate Residential
-  Estate Residential Special Policy Area One
-  Highway Commercial
-  Commercial
-  Institutional
-  Recreational
-  Extractive Industrial
-  Former Waste Disposal Area
-  Waste Disposal Area
-  Niagara Escarpment - Rural
-  Niagara Escarpment - Natural Area
-  Niagara Escarpment - Protected Area
-  Niagara Escarpment - Extractive Industrial



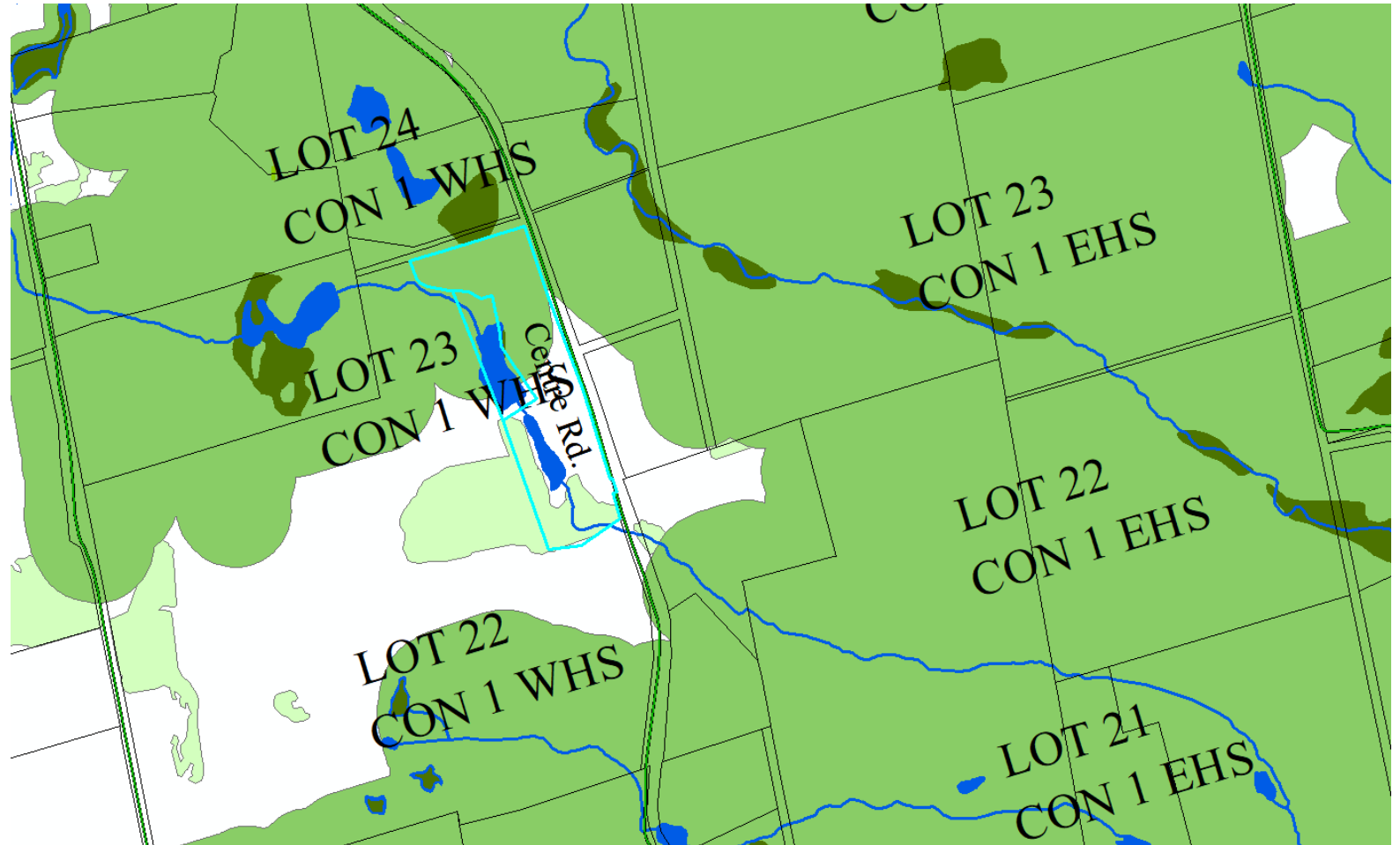
OFFICIAL PLAN Appendix 2

- ☒ Flood Hazard
- ☒ Meander Belts
- ☒ Slope Hazard
- ☒ NVCA Regulated Areas



OFFICIAL PLAN Schedule B

- ☒ Watercourses
—
- ☒ Waterbody
■
- ☒ Category One Features
■ Wetland
- ☒ Category Two Features
■ Woodlands, Unevaluated Wetland
- ☒ Category Three Features
■



ZONING

This property is located in the Niagara Escarpment and therefore falls outside of municipal zoning.

ROAD WIDENING

A Road Widening of 3.05 m, along the frontage of Centre Road, and in addition, any bulged sections is being requested.



AGENCY COMMENTS

- NVCA – The Nottawasaga Valley Conservation Authority (NVCA) has reviewed the proposed easement approximately 0.19 ha (0.46 aces) in size to service the subject property with the 1966 easement of approximately 0.06 ha (0.15 acres) being retired. It is understood by NVCA that there is an existing access in the area where the proposed easement is located. Based upon our mandate and policies, we have no objection to the approval of this application.
- NEC – Pending.

PUBLIC COMMENTS

- None received at time of agenda preparation.

RECOMMENDATION

- That application B03-2025 be approved subject to receiving public and agency comments.



DECISION OF COUNCIL WITH REASONS
(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)

FILE NO. B03-2025 Kotyck Easement RE: Consent Application

The following decision was reached by the Committee of Adjustment for the Township of Mulmur at the meeting on September 3, 2025:

That Application No. B03-2025 submitted by Natalie Kotyck for an easement to provide access to 678178 Centre Road (R#6-04100) over 678126 Centre Road (R#6-04000) be approved subject to the following:

- That the easement applies to an approximate 0.19 ha (0.46 acres) located along the north lot line of Roll#6-04000 and extending south to the benefiting property.
- That the language of the new easement is to the Township solicitor's satisfaction.
- That the 1966 easement of approximately 0.06 ha (0.15 acres) be retired to the satisfaction of the Township
- All costs pertaining to this application, survey expenses and all others applicable shall be borne by the applicant. All legal costs, engineering peer reviews, and consultant fees be paid, including a 10% administration fee, as per the Township's Tariff of Fees By-law. Where the costs are unknown at the time of issuance of a Certificate of Official, a deposit shall be required in the amount of \$2,000
- The deed for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision; being September 3, 2027 less two weeks for processing for review and approval.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- Two paper copies of the registered plan of survey and one pdf copy. The copy of the draft R-plan shall be circulated to the Township for review prior to registration.
- One digital autocadd (.dwg) drawing be provided, including documentation (such as email confirmation) from the surveyor certifying that the digital copy was created from the same file that was used to plot the original paper copies of the R-plan.
- That the survey for the parcels reflects the approved configuration and is within +/- 5%, of the approved area/dimensions, when rounded to two decimal places.
- Road Widening: The applicant shall, at his/her own expense, convey to the Municipality sufficient lands, being generally a road widening of 3.05 m, along the frontage of Centre Road, fronting the applicant's property to meet the requirements of the Township for road widening as well as any land between the travelled road and the municipal road allowance and in addition, any bulged sections. Surveys are to be submitted to the Municipality, for review and approval, prior to registration. Deeds are to be submitted to the Municipality, for review and approval, accompanied by a solicitor's certificate indicating that the title is free and clear of all encumbrances and the Municipality has a good and marketable title. A copy of the plan of survey depicting the widening shall be provided to the Municipality for their records. The Municipality shall be consulted prior to commencing a survey to determine the amount of road widening required. All diseased and dead trees and livestock fences shall be relocated to the satisfaction of the Director of Infrastructure.
- The registered owner shall obtain, from the Municipality, any required entrance approvals.
- An emergency number be installed at each entrance of a retained lot as per County Regulations.
- Parkland: Cash in lieu of parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment.

CERTIFICATION
(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))

I, **Roseann Knechtel**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....
Roseann Knechtel, Clerk, Township of Mulmur

NOTICE OF LAST DAY OF APPEALING TO THE ONTARIO LAND TRIBUNAL (OLT)

The applicant, the Minister, or any other person who has an interest in this matter may, within twenty (20) days of the date of this notice, appeal to the Ontario Land Tribunal against the decision of the Committee by serving personally or sending by registered mail to the Secretary-Treasurer of the Committee a Notice of Appeal along with Appellant Form (A1) available from the Township office or from the OLT website at www.olto.gov.on.ca setting out the objection to the decision and the reasons for the objection and accompanied by the fee of \$300.00 payable by certified cheque or money order to the MINISTER OF FINANCE as prescribed by the Ontario Land Tribunal as payable on an appeal from a Committee of Adjustment to the Board.



DECISION OF COUNCIL WITH REASONS

(The Planning Act, R.S.O. 1990, c. 13, s. 45 (8), 1994 c. 23, s.26.)

- Taxes: Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
- NEC: That the language of the new easement is to the satisfaction of the Niagara Escarpment Commission.

Reason: Any public comments, if applicable were addressed, as indicated in the minutes. The approval of the application conforms to the Township's Official Plan with the proposed conditions.

CERTIFICATION

(The Planning Act, R.S.O. 1990 c. p. 13 s. 45 (10))

I, **Roseann Knechtel**, Clerk of the Township of Mulmur, hereby certify that the above is a true copy of the decision of the Committee of Adjustment for the Township of Mulmur with respect to the application recorded herein.

.....
Roseann Knechtel, Clerk, Township of Mulmur

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Roseann Knechtel, Clerk
rknechtel@mulmur.ca / (705) 466-3341 Ext 223

Date of Mailing: **June 9, 2025**

Last day to appeal to OLT: June 30, 2025



Notice of Complete Application and Public Meeting
B03-2025 KOTYCK
Meeting Date: September 3, 2025

Township of Mulmur Committee of Adjustment will hold a public meeting under section 53 (5) of the *Planning Act, R.S.O.1990 c.P.13, as amended*. The meeting may be attended in person or electronically.

Meeting Details

In-Person Meeting Location: Mulmur Township Offices, located at 758070 2nd Line East

Phone Connection: 1 647 374 4685 / 1 647 558 0588

Video Connection: <https://us02web.zoom.us/j/84829988171>

Meeting ID: 848 2998 8171

Meeting Date and Time: September 3, 2025 at 2:00 PM

Application Number: B03-2025

Owner / Applicant: Natalie Kotyck

Location: PT LT 22, CON 1 WHS & PT S 1 OF W 1/2 LT 23, CON 1 WHS & 1/2 LT 23, CON 1 WHS / 678126 Centre Road (R#6-04000)

Purpose: To create an easement approximately 0.19 ha (0.46 acres) in size to service 678178 Centre Road (R#6-04100) with the 1966 easement of approximately 0.06 ha (0.15 acres) being retired.

NOTE: If a person or public body that files an appeal of a decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent does not make written or oral submissions to the Township of Mulmur Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. If you wish to be notified of the decision of the Township of Mulmur Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Mulmur Committee of Adjustment.



Additional information is available for public inspection by request.
Tracey Atkinson, Planner: 705-466-3341x222 | planning@multmur.ca
Dated: July 28, 2025