



**COMMITTEE OF ADJUSTMENT
MINUTES
MAY 18, 2022 | 1:00PM**

Present: Earl Hawkins, Chair
Janet Horner, Ex Officio
Kim Lyon, Member
Bart Wysokinski, Member
Tracey Atkinson – Planner
Roseann Knechtel – Deputy Clerk

Absent: Ken Cufaro, Member

1.0 CALL TO ORDER

The meeting was called to order at 1:15 p.m. by Chair Hawkins. Approximately 3 residents were in attendance.

2.0 APPROVAL OF THE AGENDA

Moved by Horner and Seconded by Lyon

THAT the agenda be approved.

CARRIED.

3.0 MINUTES OF THE PREVIOUS MEETING

Moved by Lyon and Seconded by Horner

THAT the minutes of January 26, 2022 be approved.

CARRIED.

4.0 DISCLOSURE OF PECUNIARY INTERESTS - NONE

5.0 PUBLIC MEETINGS

Township Planner Tracey Atkinson confirmed that notice was given in accordance with the Planning Act on all applications, being a first-class mailout to all landowners within 120m of the subject properties and required agencies a minimum of 20 days before the meeting and a yellow notice sign for each property.

5.1 B09-2021 STROUD LOT CREATION

Township Planner Tracey Atkinson provided a summary of the application for B9-2021 and confirmed the lot lines have been reconfigured to address comments and concerns raised by the NVCA as well as remove Robert Bryan as an interested

party.

The Planner confirmed that no public comments were received at the January 26, 2022 statutory public meeting for the application nor were any received during this meeting

Members discussed potential driveway and building locations. Discussion ensued surrounding the establishment of a building envelope.

Moved by Lyon and Seconded by Horner

THAT Application No. B09-2021 submitted by Murray Stroud for a lot creation from CON 4 EHS PT LOT 4 RP 7R6596 PART 4 (R#2 02600) be approved subject to the following:

- This consent applies to a lot creation of a minimum 2 ha, having a frontage of approximately 100m and a depth of approximately 240m from the south-west corner of the subject lands.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- 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.
- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two years after the date of decision, being May 18, 2024 less two weeks for processing for review and approval.
- 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.
- 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 registered owner shall obtain, from the Director of Public Works, any required entrance approvals.
- An emergency number be installed at the entrance of a retained lot as per County Regulations.
- The registered owner shall enter into a development agreement pursuant to

section 51 (26) of the Planning Act to address all planning matters, including EIS mitigation to the satisfaction of the Township and NVCA.

- Cash in lieu of Parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment. (Applies to new lots, including farm surplus dwelling severances). The Parkland dedication fee at the time of conditional approval is \$5,000.00.
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CARRIED.

5.2 B01-2022 DRYMAN CONSULTING SERVICES / MACEACHREN BOUNDARY ADJUSTMENT

Township Planner Tracey Atkinson provided a summary of the application for B01-2022, noting policy for boundary adjustments in prime agricultural areas, current property uses, as well as comments received from third party agencies and the applicants.

The applicants spoke to reasons for requesting the boundary adjustment to keep the pond and forest in the family. The applicants confirmed that the northern property contains a pole barn and two sheds and stated there is no home there.

Public comment was received from Wayne Goodfellow in support of the application and recommended the use of a one-foot reserve to prohibit future severance.

Members discussed the possibility of restricting future severance opportunities and the maintenance of agricultural lands. Members sought clarification on the buildings that currently exist on the northern lot.

The owner of the Northern (receiving) parcel stated that she was in support of a restrictive agreement to prohibit future severances, or any other tool that the Township may choose to use to ensure that the property remains in-tack.

Moved by Horner and Seconded by Wysokinski

THAT Application No. B01-2022 submitted by Norman MacEachern for Dryman Consulting Services for a boundary adjustment adding lands from CON 2 W E PT LOTS 31 & 32 RP 7R4087 PART 4 (746269 30 SIDEROAD) Roll 6-10100 to CON 2 WHS PT LOT 32 RP 7R5109 PART 3, Roll 6- 10200, be approved subject to the following:

- This consent applies to a boundary adjustment of approximately 16 ha, from CON 2 W E PT LOTS 31 & 32 RP 7R4087 PART 4 (746269 30 SIDEROAD) Roll 6-10100 to CON 2 WHS PT LOT 32 RP 7R5109 PART 3, Roll 6-10200.
- Taxes and/or penalties must be paid in full up to and including the current fiscal year on all related properties, if the amount is known.
- 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.

- Compliance with all bylaws, including, but not limited to zoning, site plan and property standards.
- The draft transfer for the subject severance must be presented to the Secretary Treasurer prior to two year after the date of decision, being May 18, 2024 less two weeks for processing for review and approval.
- 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.
- 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.
- Road widening of 3.05m taken from the severed and retained lands and dedicated to the Township to the satisfaction of the Township Director of Public Works.
- 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
- That the owner provide a one foot reserve, register an agreement on title, re-zone, or redesignate to restrict future severance opportunities at the Township's preference and to the Township's satisfaction.

CARRIED.

5.3 B02-2022 GOODFELLOW LOT CREATION

Township Planner Tracey Atkinson provided a summary of the application for B02-2022. The Planner confirmed comments were received from the NVCA which

recommended deferral and noted the lands fall within the Provincial Prime Agricultural area mapping.

The applicant confirmed the NVCA's requests were reasonable and stated the land is sand and should not be included as part of the Province's mapping. The applicant noted the 2016-2036 Dufferin County Forest Management Plan and the Report on the Reforestation of Waste Lands in Southern Ontario in which large scale land clearing has resulted in sandy soil without stabilization making farming unsupportable.

No public comments were received.

Members asked the applicant if they would like to move forward with a decision or defer their application.

The applicant submitted a written request to have the application withdrawn.

6.0 ADJOURNMENT

Moved by Lyon and Seconded by Horner

THAT Committee adjourns the meeting at 2:41 pm to meet again at the call of the Chair.

CARRIED.