



**COMMITTEE OF ADJUSTMENT
MINUTES
NOVEMBER 30, 2022 | 1:30PM**

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

1.0 CALL TO ORDER

The meeting was called to order at 1:34 p.m. by Chair Horner. Approximately 11 residents were in attendance.

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 Lyon and Seconded by Cunningham

THAT the agenda be approved.

CARRIED.

3.0 MINUTES OF THE PREVIOUS MEETING

Moved by Hawkins and Seconded by Lyon

THAT the minutes of May 18, 2022 be approved.

CARRIED.

4.0 DISCLOSURE OF PECUNIARY INTERESTS

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 B03-2022 MANSFIELD CHURCH

Township Planner, Tracey Atkinson, provided a summary of the application for B03-2022 and confirmed official Plan designation, zoning, public comments, and conformity with provincial policies.

Kevin Greer, spoke on behalf of the Mansfield Presbyterian Church and confirmed the consent would allow the church to manage a contained area rather than the whole farm.

There were no oral comments from the public.

Council discussion ensued on wellhead protection and vulnerable aquifers, institutional zoning and the ability for the Mansfield Cemetery to support future demand. Members discussed parkland dedication versus cash-in-lieu of parkland.

Moved by Hawkins and Seconded by Cunningham

THAT Application No. B03-2022 submitted by the Trustees of the Mansfield Presbyterian Church for a lot creation from CON 6 EHS PT LOT 10 (R#1-15700) be approved subject to the following:

- This consent applies to a rectangular lot creation of approximately 2.2ha, having a frontage of approximately 109 m on County Road 18 (Airport Road) and 178m on 9th Sideroad south-eastern corner of the subject lands and including the Church and gravestones
- 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 \$2000.
- 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 November 30, 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 one decimal place.

- 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 County or Township Director of Public Works, any required entrance approvals
- Cash in lieu of Parkland shall be paid in accordance with the Parkland Dedication By-law in effect at the time of the payment. The Parkland dedication fee at the time of conditional approval is \$5000.00

5.2 B04-2022 LAZIER/TICHENOR

Deputy Mayor Hawkins declared pecuniary interest and left the room at 1:57 p.m.

Township Planner Tracey Atkinson provided a summary of the application for B04-2022, noting Provincial Policy Statement (PPS) and confirmed the lands fall outside of the Provincial Agricultural System Mapping. Atkinson recommended keeping all tillable lands together to protect future farming use.

Comments were received from the applicants, Mary Lazier and Mark Tichenor, who confirmed they wanted to leave the severed lands to friends. The applicants questioned the new lot configuration and implications on taxes.

Council discussion occurred on the shape of the lot creation to include all agricultural lands.

Mayor Horner asked the applicants how they would like to proceed.

The applicants requested the application be deferred subject to obtaining greater financial information.

Moved by Clark and Seconded by Lyon

THAT Application No. B04-2022 submitted by Mary Lazier and Mark Tichenor for a lot creation from CON 4 EHS PT LOT 6 (R#1 33900) be deferred.

CARRIED.

Deputy Mayor Hawkins returned to the meeting at 2:18 p.m.

5.3 B05-2022 PEACE VALLEY RANCH

Township Planner Tracey Atkinson provided a summary of the application for B05-

2022, confirming topography, NEC designations, agricultural classes, and woodlots. Atkinson recommended of a boundary adjustment with the Bruce Trail Conservancy lands to the south instead of lot creation.

The applicant was not in attendance.

Public comments were received from Carl Alexander, Bruce Trail Conservancy, who spoke in agreeance of the parking lot location.

Comments received from Joel Swaggerman, Bruce Trail Conservancy, who spoke in favour of the application.

Council discussed approving a boundary adjustment versus a severance, parking lot requirements, costs, and maintenance.

Moved by Hawkins and Seconded by Cunningham

THAT Application No. B5-2022 submitted for the Peace Valley Ranch (Cosack/Kotyck) for a lot creation from CON 2 WHS PT LOT 23 (R#6-09000) be approved subject to the following:

- This consent applies to a lot creation of approximately 2.3ha, creating a corridor having a frontage of approximately 20 m on Prince of Wales Road, and extending along the north and west property lines.
- 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 \$2000.
- 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 Nov 30, 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 one decimal place.
- 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 Township Director of Public Works.
- That the Owner agrees to obtain a Road Occupancy Permit from the Township and create a parking lot designed for a minimum of 6 parallel parking spaces of 3m x 6m to be established within the Road allowance along the side of Prince of Wales Road, adjacent to the Bruce Trail access point, in accordance with Schedule A to By-law 44-2021 and the agreement. This condition can be satisfied through a security deposit in an amount to the satisfaction of the Chief Administrative Officer being provided to the Township.
- The solicitor for the Bruce Trail Conservancy shall provide an undertaking to make an application for consolidation within thirty days following registration of the deed to merge the severed parcel with the Bruce Trail Conservancy lands being Part of Lot 23, Concession 2 WHS, (Roll 6-08900), and to provide the Township with documentation which demonstrates that the consolidation has taken place.

CARRIED.

6.0 ADJOURNMENT

Moved by Lyon and Seconded by Hawkins

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

CARRIED.

Janet Horner

Tracey Atkinson

Janet Horner, Chair

Tracey Atkinson, Secretary/Treasurer