

APRIL 9, 2014 MUNICIPALITY OF NORTH MIDDLESEX 7:00 P.M
COMMITTEE OF ADJUSTMENT
MINUTES

A Public Meeting was held on Wednesday April 9, 2014 in the Council Chambers, Parkhill to consider planning applications with a quorum present.

ROLL CALL

Present: Mayor Don Shipway
Councillor Ward One – Doreen McLinchey
Councillor Ward Two – Brian Ropp
Councillor Ward Three – Gord Moir
Councillor Ward Four – Andrew Hemming
Councillor Ward Five – Adrian Cornelissen
CAO Linda Creaghe
Clerk Jackie Tiedeman
Planner Barbara Rosser

DISCLOSURE OF PECUNIARY INTEREST

None

7:00 p.m. Application B02/2014 for Land Severance – 1510457 Ontario Inc.

Planner Barbara Rosser advised that the above noted application had been deferred February 12, 2014 to allow the applicant time to consider possible revision of the severance to increase the lot area and implications of the MTO road widening requirement.

After further consideration of the revised proposal that the applicant and agent provided, the following motion was then introduced:

MOIR/CORNELISSEN: That Application B02/2014 be approved with the following conditions:

1. That the depth of the severed parcel as indicated on D. Culbert Ltd Drawing G5327-B be increased by 20 metres along the southerly lot line and the northerly lot line;
2. That North Middlesex Zoning By-law No. 35 of 2004, as amended, be amended to rezone the severed parcel, as revised in accordance with condition a) to the Agricultural Small Holding (AG1) Zone and the retained parcel, as revised in accordance with condition a) to a General Agricultural (A1) Zone Exception prohibitive of residential use;

3. That the Applicant provide a signed affidavit stipulating to the satisfaction of the Municipality of North Middlesex that the lands being retained for agricultural purposes will be used as part of its existing farming operation;
4. That, unless replaced, the existing septic tank and weeping bed system on the severed parcel be inspected by a licensed septage hauler and the inspection provided to the North Middlesex Chief Building Official;
5. That separate laneway access is required to the retained parcel from Richmond Street (Highway No.4) and, if laneway access does not already exist the Owners are required to obtain entrance permission from the Ministry of Transportation (MTO) prior to the construction of any access;
6. That the Rollings Drainage Works 1995 be reassessed under the Drainage Act, R.S.O. 1990, c.D.17 at the expense of the Owner;
7. That the Owner convey to the MTO by deed, free and clear of all mortgages liens and encumbrances, a 7.5 metre property widening along a 27.4 metre wide portion of the proposed severed parcel's frontage with Highway No. 4. This widening must be illustrated as a part(s) on a reference plan. A draft reference plan must be submitted to the MTO for review and approval prior to being deposited. As well, a draft of the transfer deed and certification of title conveying the part (s) to the MTO must be submitted for MTO review and approval prior to being registered;
8. That a plan of survey, which is to reflect condition a) prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality;
9. That the Applicant's Solicitor submits an undertaking in a form satisfactory to the Secretary of the Committee of Adjustment to register an electronic transfer of title exactly consistent with the acknowledgement and direction executed by the applicants and the decision of the Committee of Adjustment;
10. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, R.S.O. 1990, c.P.13. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision.

CARRIED

A twenty day appeal period will follow from the date of notice of decision.

HEMMING/ROPP: That the Committee of Adjustment meeting adjourn and return to regular meeting at 7:15 p.m.

CARRIED

CHAIRMAN

SECRETARY