



**August 10, 2016**

**MUNICIPALITY OF NORTH MIDDLESEX  
COMMITTEE OF ADJUSTMENT  
MINUTES**

**7:15 P.M**

A Public Meeting was held on Wednesday August 10, 2016 in the Council Chambers, Parkhill to consider planning applications with a quorum present.

**ROLL CALL**

Present: Mayor Don Shipway  
Deputy Mayor Brian Ropp  
Councillor Ward One – Doreen McLinchey  
Councillor Ward Two – Joan Nichol  
Councillor Ward Three – Gord Moir (Absent)  
Councillor Ward Four – Andrew Hemming (Absent)  
Councillor Ward Five – Adrian Cornelissen  
CAO Marsha Paley  
Planner Barbara Rosser  
Clerk Jackie Tiedeman

**DISCLOSURE OF PECUNIARY INTEREST**

None

**MINUTES**

**ROPP/MCLINCHEY:** That the minutes dated June 15 and July 13, 2016 be accepted as presented.

CARRIED

**7:15 p.m. HEARING – Applications B09/2016 and ZBA#8/2016 for Lot Addition  
VanOsch Farms Limited**

Planner Barbara Rosser advised that the above noted applications had been received and circulated according to the Planning Act.

Description of Land: Part Lot 4 and 5, Concession 16  
former Township of McGillivray (Adare/Lieury Drive)  
Applicant: VanOsch Farms Limited  
Agent: Shawn and Crista Glavin

The purpose and effect of these applications would be to sever a parcel of land consisting of approximately .3533 hectares from an existing 51.3533 hectare parcel of land as a lot addition in order to enlarge the area of an abutting property. It is proposed that the severed parcel be joined with the abutting parcel at 3220 Adare Drive (Part Lot 5, Concession 16, former McGillivray Township) now consisting of approximately .2023 hectares which contains a single detached dwelling. The enlarged parcel would consist of approximately .5556 hectares. The Applicant would retain approximately 51 hectares with no development proposed. The property which is subject of this application is vacant of buildings and structures. If the consent is granted, an amendment to the zoning by-law will be required in order to permit the lot area of the severed parcel in conjunction with the parcel to which it is to be added.

Ms. Rosser then reviewed her planning report dated August 4, 2016.

### **WRITTEN AND ORAL SUBMISSIONS**

- Hydro One: No concerns;
- Ausable Bayfield Conservation Authority: no report received;
- County of Middlesex: No objection to the approval of the consent and rezoning proposed;
- Public Works: No objection, conditions applied to consent;
- Public Input: None received;
- Oral Submissions: None

### **CONCLUSION**

Ms. Rosser concluded that based upon the foregoing analysis, it is her conclusion that the severance proposed by Application No. B09/2016 would be consistent with the PPS, and in conformity with the Middlesex County Official Plan and the North Middlesex Official Plan subject to appropriate conditions.

The following motion was then introduced:

**CORNELISSEN/NICHOL:** That Application No.B09/2016 be granted subject to the following conditions:

- a) That North Middlesex Zoning By-law No. 35 of 2004, as amended, be amended to rezone the severed parcel and the adjoining lot to which it is to be added to

General Agricultural (A1) Zone Exception to deem the lot area resulting from the severance as a lot of record;

- b) That the Arnold McCann Drain 1973 and the Arnold McCann Drain Extension 1974 be reassessed under the Drainage Act, R.S.O. 1990 c.D.17 at the expense of the Owner in the format recommended by the Drainage Superintendent;
- c) That the severed parcel be registered in exactly the same name and title as the parcel to which it is to be added;
- d) That Section 50(3) or (5) of the Planning Act, R.S.O. 1990, c.P.13 apply to any subsequent transaction or conveyance of the severed parcel;
- e) That a plan of survey prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality;
- f) 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;
- g) 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 apply from the date of notice of decision.

**Zoning By-law Amendment Application No. ZBA #9/2016**

Planner Barbara Rosser also recommended the by-law for the above noted application be given three readings and finally passed during the regular meeting of council.

**ROPP/MCLINCHEY:** That Committee of Adjustment meeting adjourn to Public Meeting at 7:30 p.m.

CARRIED

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CHAIRMAN

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SECRETARY