

**COMMITTEE OF ADJUSTMENT
MINUTES**

A Public Meeting was held on Monday August 12, 2013 in the Council Chambers to consider planning applications with a quorum present.

ROLL CALL

Present: Mayor Don Shipway
Deputy Mayor Chuck Hall
Councillor Ward One – Doreen McLinchey
Councillor Ward Two – Brian Ropp
Councillor Ward Three – Gord Moir
Councillor Ward Five – Adrian Cornelissen
CAO Linda Creaghe

Planner Barbara Rosser was present.

DISCLOSURE OF PECUNIARY INTEREST

None

MINUTES

CORNELISSEN/MOIR: That the June 4 meeting minutes be accepted as presented.

CARRIED

APPLICATION MV-2-2013 FOR MINOR VARIANCE

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

Description of Land: Lot 5,6,7 Registered Plan 324 (c) 192 William Street, Parkhill

Owner: Brad Abbott

The purpose of this Application is to request permission to vary Section 10.2 h) Maximum height of an accessory building is 5.5 m in accordance with Section 6.3.3 Lot Coverage and Height Requirement for Accessory Buildings and Structures, specifically Section 6.3.3. a) 5.5 m in a Residential Zone. The application would permit an accessory building on the subject property with a height of 6.25 metres entailing a variance of .75 metres from the by-law.

Agency Comments:
County of Middlesex – no objections
ABCA – No objections

Planner Barbara Rosser then reviewed her planning report dated August 7, 2013

CORNELISSEN/ROPP: That Application No. MV-2-2013 for Minor Variance to the North Middlesex Committee of Adjustment be granted on the basis that the variances proposed would:

- a) Maintain the spirit and intent of the North Middlesex Official Plan;
- b) Maintain the spirit and intent of North Middlesex Zoning By-law No. 35 of 2004, as amended;

- c) Be desirable for the appropriate development of the property;
- d) Be minor

And that the development proceed in accordance with the site plan submitted.
CARRIED

It was noted that the application is subject to a 20 day appeal period from the date of notice of decision.

APPLICATION B-16-2013 FOR LOT ADDITION

Planner Barb Rosser advised that an application had been received and circulated according to the Planning Act.

Description of Land: Part Lot 25 Con 20 Part Pt. 1 33R14165
211 Queen Street, Ailsa Craig

Owner: Peter Twynstra

The purpose and effect of this application would be to sever a parcel of land from an existing 5.2 hectare property as a lot addition severance. The land to be severed would be approximately 2,284.87 square metres in size with 14.942 metres frontage on Queen Street and would consist of vacant land. Its configuration is irregular and is intended to provide an appropriate setback from the open drain located on the subject property. The proposal is to add the severed parcel to the abutting lot to the southeast at 215 Queen Street which consists of approximately 0.2 hectares currently there by creating a lot with an area of approximately 0.42 hectares with total frontage of 60.66 metres on Queen Street. The abutting lot contains a single detached dwelling and an accessory building. The application would retain approximately 5 hectares containing a single detached dwelling and an accessory building.

Agency Comments: ABCA – no concern

Public Works – no servicing concerns, however reassessment of the Cameron-Thirlwall Drain should be a requirement of severance

Planner Barbara Rosser then reviewed her planning report dated August 7, 2013.

ROPP/MOIR: That Application No.B16/2013 be granted subject to the following conditions:

- a) That the Cameron-Thirlwall Municipal Drain be reassessed under the Drainage Act, R.S.O. 1990, c.D.17 at the expense of the Owner;
- b) That the owner dedicate lands up to 18 metres from the centerline of Middlesex County Road 19 (Queen Street) along the frontage of the severed parcel to the County of Middlesex, if the right-of-way is not already to that width;
- 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, if required;
- f) That the Applicants 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

Mr. Twynstra advised that the Cameron-Thirwall Drain is not flowing. Also, he requested consideration of reduction in the planning fee. The CAO was asked to look into the matter and provide a response to Mr. Twynstra.

A 20 day appeal period will apply from the date of notice of decision.

APPLICATION B14/2013 AND DEFERRAL OF ZBA #7/2013

Applicant: James and Susan Looman

Description of Land: Part Lot 1 Con 3, Part 2, Plan 33R-8666, 9516 Argyle Street, former Township of East Williams.

Planner Barbara Rosser then advised the Committee that further to her report of May 2013 concerning the above noted applications, the consent application was granted by the Committee subject to conditions but Application ZBA#7/2013 was deferred pending resolution of condition a) to the consent requiring reduction of the depth of the severed parcel by approximately 7 metres to exclude land currently under cultivation. She advised that she has reviewed the proposed reduction and am satisfied that it adequately addresses the Committee's condition. She therefore recommends that the by-law be given three readings and finally passed by Council during the regular meeting.

MCLINCHEY/CORNELISSEN: That the planning report be accepted as presented.

CARRIED

HALL/MOIR: That Committee of Adjustment adjourn and return to regular meeting.

CARRIED


CHAIRMAN


SECRETARY