

**COMMITTEE OF ADJUSTMENT  
MINUTES**

A Committee of Adjustment meeting was held on Monday, January 21, 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 Four- Andrew Hemming  
Councillor Ward Five – Adrian Cornelissen  
CAO - Linda Creaghe  
Clerk – Jackie Tiedeman  
Planner Barbara Rosser

**DISCLOSURE OF PECUNIARY INTEREST**

None

**MINUTES**

CORNELISSEN/HEMMING: That the December 3, 2012 minutes be accepted, as presented.

CARRIED

**APPLICATION B01/2013 and ZBA#1/2013 – Mark & Joe Thomson**

Planner Barbara Rosser then presented the above applications stating that it had been received and circulated according to the Planning Act.

The purpose and effect of this application would be to sever a parcel of land from an existing 38.6 hectare farm parcel as a surplus farm dwelling severance. The land to be severed would be approximately .6303 hectares in size and would contain the existing single detached dwelling. The Applicants would retain 37.96 hectares comprising the farmland portion. An amendment to the zoning by-law will be required to prohibit future residential use of the retained (farmland) parcel in accordance with the policy of the North Middlesex Official Plan relative to surplus farm dwelling severances and to recognize the reduced lot area as well as to rezone the severed (residential) parcel for residential use.

An Application for zoning amendment (ZBA #1/2013) was submitted concurrently with the consent application.

Description of Land: Part Lot 6, Concession 20 Part 1 RP33R13088  
3025 McGuffin Hills Road (former East Williams)

Applicant: Mark Douglas Thomson, Joseph Carlyle Thomson  
Agent: Philip Walden

Ms. Rosser then proceeded with a review of the planning report dated January 15, 2013 which takes into consideration all comments received from agencies and the public to date.

After the Planners review of the applications in detail, the following motion was then brought forth:

**MOIR/HALL:** That Application B01/2013 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 to the Agricultural Small Holding (AG1) Zone and the retained parcel to a General Agricultural (A1) Zone Exception prohibitive of residential use;
- b) That the Applicants 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 their existing farming operation;
- c) That the location of the tile bed for the existing septic system be conclusively verified to be fully contained on the severed parcel to the satisfaction of the North Middlesex Building Official and that, unless replaced, the existing septic tank and weeping bed system be inspected by a licensed septage hauler and the inspection provided to the North Middlesex Chief Building Official;
- d) That the existing driveway be upgraded to the satisfaction of the North Middlesex Public Works Department
- e) That Parcel "B" indicated on the severance drawing be registered on the title to the severed lot as a shared driveway easement in favour of the retained lot;
- f) That a plan of survey prepared by an Ontario land Surveyor in a form suitable for registration be submitted to the Municipality, if required.
- g) 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 applicants and the decision of the Committee of Adjustment;
- h) 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

Clerk Jackie Tiedeman advised that a 20 day appeal period will apply from the date of notice of decision.

Planner Barbara Rosser also provided the draft zoning by-law pertaining to this application and recommended that council give all three readings during the regular portion of the meeting.

Being no further planning applications, the regular meeting then resumed.

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CHAIRPERSON

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SECRETARY