

**MINUTES**

The North Middlesex Committee of Adjustment met on Monday, June 18, 2001 in the Council Chambers.

Those present were: Chuck Hall-Chairman, Ian Brebner, Marysia Coutts, Ken Johnston, Lawrence McLachlan, Mike Conlin, Lucy Hendrikx, Secretary Shirley Scott and Planner Barb Rosser

**APPLICATION MV-3-2001: ESTATE OF LEONA GOODING**

Philip Walden was present on behalf of the applicant for the above noted application. Planner Barb Rosser reviewed her report with the committee. The purpose of the application is to vary Section 6.1.1iii) of the zoning by-law which permits accessory uses and 6.1.2ii) of the zoning by-law which permits accessory buildings and structures for the permitted uses subject to the definition of "accessory" provided in Section 3.2 thereof. This application seeks temporary relief from these regulations of the by-law as a condition of a decision to sever the subject lands (Application # S-3-2001).

The temporary relief would apply only to the severed parcel proposed by the application for severance.

Correspondence received from County of Middlesex suggesting that they have no concerns with the approval.

After reviewing thoroughly, the following motion was made.

HENDRIKX-CONLIN: BE IT RESOLVED THAT the Minor Variance Application MV-3-2001 for the Estate of Leona Gooding – 105 Mill Street, Parkhill be granted for a period of one year only from the consent and that the applicant acknowledges and shall advise future owners that this permission shall expire one year from the date of the consent and the existing garage shall then constitute a violation of the Zoning By-law unless a primary residential building on the subject property is erected prior to that date. The Municipality shall not be prejudiced or stopped by the granting of this permission from exercising any Zoning By-law infraction measures available to its by-law. The permission only extends to the severed parcel as per Application # S-3-2001 to the Committee of Adjustment for the Municipality of North Middlesex.

CARRIED.

**MINUTES**

BREBNER-McLACHLAN: BE IT RESOLVED THAT the Committee of Adjustment meeting held on May 22, 2001 printed and delivered to each member be adopted as if read.

CARRIED.

**APPLICATION S-5-2001: COLLEEN LARSEN**

Wilf Conway was present to represent the applicant. Planner Barb Rosser reviewed her report regarding the application. It is proposed that the subject property be severed into two parcels, both of which would front on Bethany Street. The severed parcel is the westerly parcel and would consist of approximately 731.52 sq metres with 16 metres frontage on Bethany Street.

The retained parcel would comprise approximately 1316.6 sq metres having 28.8 metres frontage on Bethany Street. With removal of the accessory building, the retained parcel would be vacant while the severed parcel would contain the single detached dwelling. It is proposed that the westerly severed parcel be developed for residential purposes.

Correspondence was received from the County of Middlesex, advising that they have no concerns.

Mr. Conway was advised that when removal was required, it would have to be done before the deed could be stamped. The following motion was then made.

McLACHLAN-COUTTS: BE IT RESOLVED THAT Application S-5-2001 for consent to sever, Alice Colleen Larsen, 305 Main Street, Parkhill be granted subject to the following conditions:

1. That prior to certification of the deeds the secretary-treasurer be advised that the accessory building in existence at the time of the application be fully removed from the severed parcel;
2. That a fee be paid to the municipality in the amount of 5% of the value of the severed parcel for park or other recreational purposes;
3. That the necessary deeds, transfers, or charges be submitted in triplicate (2 originals and one photocopy); ALL of which are to be signed and fully executed (no photocopies) prior to certification. The deeds shall be accompanied by a copy of the plan of survey and not a legal metes and bounds description of the lands to be severed and that such plan of survey be registered in the Middlesex County Registry Office prior to certification of the deeds;
4. That the conditions imposed herein are to be completed within one (1) year from the date of notice of this decision. Under section 53(41) of the Planning Act, R.S.O. 1990 as amended, where such conditions are not fulfilled within the year this application will be deemed to be refused.

CARRIED.

#### **APPLICATION S-6-2001 & Z-3-2001: TWILIGHT ACRES**

Applicant, Peter Twynstra attended the meeting.

Planner, B. Rosser reviewed her report on the severance, advising that it is proposed by the application that two parcels be severed from the subject property. The westerly-severed parcel would consist of approximately 3.7881 hectares, with 207 metres and 183 metres frontage on New Ontario Road and Petty Street respectively. The easterly-severed parcel would consist of approximately 1.2635 hectares, having 64 metres frontage on New Ontario Street. It is proposed that the severed parcels be consolidated with the 2.1 hectare parcel to comprise a total area of 7 hectares. Then the front lot line would be that which abuts Petty Street on the basis that it would represent the shorter of the two lot lines with road frontage in accordance with Section 3.59 of the former Township zoning by-law. The remnant parcel would consist of approximately 114.36 hectares, consisting of land that is cash cropped and no buildings currently.

B. Rosser reviewed her report on the rezoning, and recommended that the easterly parcel only be considered for rezoning, at this time.

Correspondence was received from ABCA, advising of no objections, and County of Middlesex stating they have no objections provided the severed and abutting parcels are deeded in the same name and interest.

Mr. Twynstra stated that he preferred to have the dwelling unit remain on the property as accessory use to the overall facility, and to provide security and off-hour service. B. Rosser suggested that this would be designated as a special zone. After careful consideration, the following motions were made.

BREBNER-HENDRIKX: BE IT RESOLVED THAT Application S-6-2001 for consent to sever, Twilight Acres Farms Ltd. Part of Lot 26 Conc 18 (East Williams Township) be granted subject to the following conditions:

1. That each of the severed lots become joined to and be placed in the same name and title as the existing lot which is presently owned by the Great Canadian Bean Company Incorporated and that Section 50(3) of the Planning Act, R.S.O. 1990, c.P 13 apply to any subsequent conveyance or transaction concerning both of the severed lots and that at the time of certification the deeds which are to be certified are to be accompanied by a copy of the deed belonging to the portion of lands to which the severed lots will be added;
2. That the retained lot is to remain in the same name and title as the existing lots to the east, being Lot 27 and 28 Conc 18 in the former Township of East Williams, which are presently owned by Twilight Acre Farms Limited, and that Section 50(3) of the Planning Act, R.S.O. 1990, c. P13 apply to any subsequent conveyance or transaction concerning the retained lot and that at the time of certification the deeds which are to be certified are to be accompanied by a copy of the deed belonging to the portion of lands to which the retained lot will be added;
3. That prior to certification of the deeds the Secretary-Treasurer is to be advised that the proposed consent conforms with Zoning By-law #24/1981, as amended, of the former Township of East Williams insofar as the zoning of the easterly severed parcel is concerned;
4. That the necessary deeds, transfers, or charges be submitted in triplicate (2 originals and one photocopy); ALL of which are to be signed and fully executed (no photocopies) prior to certification. The deeds shall be accompanied by a copy of the plan of survey and not a legal metes and bounds description of the lands to be severed and that such plan of survey be registered in the Middlesex County Registry Office prior to certification of the deeds;
5. That the conditions imposed herein are to be completed within one (1) year from the date of notice of this decision. Under section 53(41) of the Planning Act, R.S.O. 1990 as amended, where such conditions are not fulfilled within the year this application will be deemed to be refused.

CARRIED.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the by-law for the proposed rezoning of Part of Lot 26, Conc. 18 be developed on the basis of rezoning the easterly parcel only at this time and that a defined area zoning approach be utilized to permit the use of the existing single detached dwelling located on the easterly parcel for a caretaker, watchman or other person employed on the premises.

CARRIED.

HENDRIKX-COUTTS: BE IT RESOLVED THAT Committee of Adjustment adjourn at 9:30 p.m.

CARRIED.

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CHAIRMAN

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SECRETARY