

**COMMITTEE OF ADJUSTMENT  
MINUTES**

A Public Meeting was held on Monday June 4, 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 was present.

**DISCLOSURE OF PECUNIARY INTEREST**

None

**MINUTES**

CORNELISSEN/MOIR: That the May 6<sup>th</sup> minutes be accepted as presented.  
CARRIED

**APPLICATION B14/2013 for Consent to Sever Land – Susan & James Looman**

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

Description of Land: Part Lot 1, Con 3 Part 2 on 33R-8666  
9516 Argyle Road (former East Williams Township)

Owner: Susan Noreen Looman, James Martin Looman

The purpose and effect of Application B14/2013 would be sever a parcel of land from an existing 20.6 hectare farm parcel as a surplus farm dwelling severance. The land to be severed would be approximately .4350 hectares in size and would contain the existing single detached dwelling and accessory building. The applicants would retain approximately 20.2 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.

The purpose of the proposed zoning by-law amendment is to amend North Middlesex Zoning By-law No. 35 of 2004, as amended, to rezone the severed parcel to Agricultural Small Holding (AG1) Zone permissive of single detached residential development. The retained parcel would be rezoned to a special General Agricultural (A1) Zone prohibitive of residential use as required by the North Middlesex Official Plan and to recognize the reduced lot area.

Agency Comments:

Middlesex County – reduction of proposed residential lot recommended  
Public Works Dept – no servicing concerns – drain reassessment requirement  
Hydro One – no concerns

Planner Barbara Rosser then reviewed her planning report dated May 29, 2013.

HEMMING/HALL: That Application No. B14/2013 for land severance to the North Middlesex Committee of Adjustment be granted subject to the following conditions:

- a) That the depth of the severed parcel be reduced by approximately 7 metres to exclude land currently under agricultural cultivation;
- b) 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;
- c) 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;
- d) That a certified laboratory test confirming the availability of a potable well water supply be provided. If potability is not established, installation of a connection to the municipal water will be required according to the requirements of the Municipality of North Middlesex prior to finalization of consent;
- e) That laneway access is required to the retained parcel from either Argyle Street or McCubbin Road and the Owners are required to obtain permission from the North Middlesex Public Works Department prior to the construction of any access;
- f) That the Cowie Municipal Drain be reassessed under the Drainage Act, R.S.O., c.D.17 at the expense of the Owner;
- g) That a plan of survey prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality, if required;
- h) 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;
- i) 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 the application is subject to a 20 day appeal period from the date of notice of decision.

Zoning By-law Amendment Application No. ZBA #01/2013 – due to the required reduction to the survey which will impact the setbacks on the proposed by-law it is being recommended that the passage of by-law be deferred until this has been completed to the satisfaction of the Municipality.



The Owner has agreed to this recommendation from the Planner.

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

CARRIED

  
CHAIRMAN

  
SECRETARY