



June 7, 2017

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

7:30 P.M

A Public Meeting was held on Wednesday June 7, 2017 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
Councillor Ward Four – Andrew Hemming
Councillor Ward Five – Adrian Cornelissen
Director of Finance and Administrative Services/Treasurer, Nandini Syed
Director of Infrastructure and Operations, Jonathon Graham
Clerk Jackie Tiedeman
Planner Christie Kent

DISCLOSURE OF PECUNIARY INTEREST

None

MINUTES

HEMMING/NICHOL: That the minutes dated May 3, 2017 be accepted as presented.

_____CARRIED

**7:01 p.m. HEARING – Applications B06/2017 for Lot Addition and Application
ZBA 3/2017 – Steve Bannister – 9800 Petty Street**

Planner Christie Kent advised that the above noted applications had been received, deemed complete and circulated according to the Planning Act.

Description of Land: Part of Lot 4 Concession 4
9800 Petty Street
former Township of East Williams
Applicant: Steve Bannister
Agent: Paul Kremer

The purpose and effect of this application is to sever and convey as a lot addition a parcel of land with an area of approximately 8,120 m² (2.0ac) from an agricultural property known municipally as 9800 Petty Street to an abutting rural industrial property (Beechwood Agri-Services) known municipally as 9821 Petty Street. The resulting rural industrial property at 9821 Petty Street would have an area of approximately 1.95 ha (4.82 ac)

A concurrent zoning by-law amendment application has been filed in order to rezone the lands proposed to be severed and conveyed to permit rural industrial uses. Application for Zoning By-law Amendment ZBA 3-2017 seeks to rezone the lands proposed to be severed from General Agricultural (A1) Zone to Rural Industrial (M3) Zone.

WRITTEN AND ORAL SUBMISSIONS

- Ausable Bayfield Conservation Authority: no natural hazard or natural heritage concerns, future development within the regulated area will require a permit under O. Reg 147/06
- County of Middlesex: no concerns
- Ministry of Natural Resources: no comments received
- Hydro One: no concerns
- Public Works: not connected to municipal water. Well Water testing should be done. Municipal water is available along Petty Street
- Assessment schedule for the Rose Drain is required to be reassessed under the Drainage Act
- Presence of an easement registered Enbridge Pipelines Inc. A standard septic review was covered within Site Plan Agreement
- County Engineer: outstanding work orders to the site access to 9821 Petty Street. This applicant is required to construct a left turn slip around lane and right turn taper which was addressed in Site Plan Agreement registered on title to the lands. Entrance permit from the County is required prior to initiating road works
- Public Comments – None received
- Oral Submissions: None

CONCLUSION

The Planner provided the following recommendation. Based upon the above analysis, it is recommended that the applications for consent under Section 53 of the Planning Act be GRANTED as the application: satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Municipality of North Middlesex and the County of Middlesex; is capable of satisfying the requirements of the North Middlesex Zoning By-law; and, represents sound land use planning.

HEMMING/MOIR: That Application B06-2017 be approved subject to the following conditions:

- a. That the North Middlesex Zoning By-law No. 35 of 2004, as amended, be amended to rezone the lands to be severed and conveyed from General Agricultural Zone (A1) to Rural Industrial (M3) Zone to recognize the expansion of the rural industrial use.
- b. That the lands to be severed and conveyed by Consent B06/2017 be merged in the same name and title as the adjacent lot with a Roll Number 39 54 042 030 117 01 and known municipally as 9821 Petty Street to the satisfaction of the Municipality; that the two holds PINS be consolidated; and that Section 50(3) and 50(5) of the Planning Act apply to any future conveyance of the said severed parcel;
- c. That well water testing is conducted on the resulting enlarged lot at 9821 Petty Street, to the satisfaction of the appropriate authority;
- d. That the site plan agreement registered on the title of the resulting enlarged lot at 9821 Petty Street be updated to reflect the lot addition, to the satisfaction of the Municipality;
- e. That the assessment schedule for the Rose Drain be reassessed under the Drainage Act, R.S.O. 1990, c.17 at the expense of the owner(s) in the format recommended by the Drainage Superintendent;
- 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 exactly consistent with the acknowledgement and direction executed by the applicants and the decision of the Committee;
- 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;

AND FURTHER THAT Zoning By-law Amendment Application ZBA03/2017 for the severed lands of Consent B06/2017 in order to implement the proposed lot addition, be approved _____CARRIED

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

MCLINCHEY/ROPP: That Committee of Adjustment meeting adjourn and return to Regular Meeting at 7:13 pm _____CARRIED

CHAIRMAN

SECRETARY