

May 22, 2001

**MUNICIPALITY OF NORTH MIDDLESEX
COMMITTEE OF ADJUSTMENT**

8:00 P.M.

MINUTES

The North Middlesex Land Division Committee met on Tuesday May 22, 2001 in the Council Chambers.

Members present were: Chuck Hall, Ian Brebner, Ken Johnston,
Michael Conlin, Lawrence McLachlan,
Lucy Hendrikx, Shirley Scott, Joe Adams
Barbara Rosser

Also Present: Philip & Deryck Walden, Linda and Morley Eagleson
Greg Sadler, William & Marilyn Heaman, Carol Hall,
Bill Peters, Rick and Marlene Davidson

**HEARING: Application S-4-2001: Morley & Linda Eagleson
Lot 9 Aux Sable Concession and Lot 9 Concession 28
(former McGillivray Township)**

Planner Barb Rosser reviewed her report with the committee. The committee was advised that her recommendation to the application is premature and should be deferred until the Municipality considers the proposed road closings according to the process set out in the Municipal Act.

The correspondence from the County was reviewed. The view of the County is that the application is premature until the issue of the road closure is dealt with by the Municipality. The County would like an opportunity to review the application and provide comments once the road issue has been settled.

The correspondence from the A.B.C.A. was reviewed. They advised they have no objections to the application as proposed.

Joe Adams, Public Works Superintendent, advised council that due to the municipal drain structure, in that area, he would not recommend the road closures. West Corners Road and Hagmeir Road closures are acceptable.

Mr. Walden, Solicitor for the applicant provided photo's to the committee of the roads that would be affected.

Mr. Heaman presented his letter of concerns to the committee regarding this application. There was major concern with the spreading of manure. The Planner indicated the zoning by-law does not control the spreading of manure. The building code only controls the buildings and structures. The Nutrient Management By-law is applicable when an application to build is submitted. There are several acts to prohibit pollution.

After considerable discussion the following motion was introduced:

**HENDRIKX-CONLIN: BE IT RESOLVED THAT Application S-4-2001 for
Consent to Sever – Morley and Linda Eagleson Lot 9, Aux
Sable Concession and Lot 9, Concession 28 (former
Township of McGillivray) be deferred until the issue of
road closure has been addressed by Council.**

CARRIED

Mr. Walden asked that he be notified of any future meetings regarding the road closures.

MINUTES

JOHNSTON-MCLACHLAN: BE IT RESOLVED THAT the Land Division Committee Minutes from May 7, 2001 printed and delivered to each member be accepted.

CARRIED

**HEARING: MV-2-2001: Elizabeth Carney
Lot 2 Plan 33M-250
3 Cauder Street, Nairn (former East Williams Township)**

Walter Cooper, Solicitor representing Elizabeth Carney, owner and Jeremy Kreese, house builder.

Planner Barb Rosser reviewed her report with the committee. Ian Brebner inquired as to how this situation was discovered. He was advised that the new purchaser had a surveyor out and it was then brought to their attention.

The County of Middlesex indicated they had no objection to the application.

MCLACHLAN-BREBNER: BE IT RESOLVED THAT Application MV-2-2001 for Minor Variance – Lot 2, Registered Plan No.33M-250 (3 Cauder Street) former East Williams Township be granted:

Relief Granted: 0.5 metres from front yard setback
Regulations

CARRIED

**HEARING: MV-1-2001: Jack & Joanna Kustermans
Part of Lot 10 Concession 11
31073 Kerwood Road (former West Williams Township)**

Marysia Coutts declared a pecuniary interest in the matter of Land Division File #MV-1-2001. Planner Barb Rosser advised that additional information had been obtained regarding this application. The application was applied for as the applicants wished to build a front porch. The setback was determined by using the lot line not from the centre line in the road. The property complied with the regulations of the former zoning by-law. The A.B.C.A has established where the tile bed is and their requirements can be met. Based upon new information regarding setbacks it was determined that a minor variance may not have been necessary.

The A.B.C.A. advised that a minor works permit will be required. A scaled sited plan would be in their best interest.

The County of Middlesex advised that they have no objections to the application.

HENDRIKX-BREBNER: BE IT RESOLVED THAT Application MV-1-2001 for Minor Variance- Jack and Joanna Kustermans part of Lot 10 Concession 11, 31073 Kerwood Road (former Township of West Williams) be deferred until such time as the owners confirm in writing that they still require the minor variance.

CARRIED

HENDRIKX-COUTTS: BE IT RESOLVED THAT Land Division Committee adjourn at 9:10 p.m.

CARRIED

CHAIRMAN

SECRETARY