



**November 2, 2016      MUNICIPALITY OF NORTH MIDDLESEX      7:01 P.M**  
**COMMITTEE OF ADJUSTMENT**  
**MINUTES**

A Public Meeting was held on Wednesday November 2, 2016 in the Council Chambers, Parkhill to consider a planning application 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

CAO Marsha Paley

Clerk Jackie Tiedeman

Planner Barbara Rosser

**DISCLOSURE OF PECUNIARY INTEREST**

None

**HEARING – Application for Minor Variance MV#6/2016 – 2254 Bornish Drive**

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

Description of Land: Lot 4 Con 13

2254 Bornish Drive (former West Williams Twsp)

Applicant: Bornish Farm Inc.

This application is for minor variance under section 45(1) of the Planning Act, R.S.O. 1990, c.P.13. The purpose of this application is to request permission to vary Section 6.3.2 Local Requirements for Accessory Buildings, subsection c) of North Middlesex Zoning By-law No. 35 of 2004, as amended, which stipulates that, in all zones other than a Residential Zone, accessory buildings shall be erected only in a side or rear yard

and the setback requirements for the main building shall also apply in the location of an accessory building. The property which is the subject of this application is zoned as 'General Agricultural (A1)' with hazard lands. The variance is related to the Applicant's proposal to erect an accessory building, specifically a building to house an electrical generator to support the poultry barns located on the property, within the front yard of the existing single detached dwelling as illustrated on the severance drawing.

The subject property is not currently the subject of any other application under the Planning Act.

Ms. Rosser presented her planning report dated October 27, 2016 which included the following submissions.

### **WRITTEN AND ORAL SUBMISSIONS**

- County of Middlesex: no concern
- Ausable Bayfield Conservation Authority: no report received. Construction is outside of its regulated area
- North Middlesex Public Works: if required, any new entrances will require approval from Public Works department at owner's expense
- Public Input: None
- Oral Submissions: None

Mr. Hendriks, owner, advised that he felt the survey requirements are costly and unnecessary as this setback could have been done through GPS.

Ms. Rosser replied that in his case it was a matter of contacting the surveyor to add the generator building onto his existing survey. She also reminded Council that the survey requirement is a policy of North Middlesex to ensure accuracy with certain types of applications.

### **CONCLUSION**

Ms. Rosser advised that based upon the foregoing analysis, it was her conclusion that the variance proposed by Application No. MV#6/2016 meets the tests of Section 45(1) of the Planning Act in the respect that the variance would maintain the spirit and intent of the North Middlesex Official Plan and Zoning By-law No. 35 of 2004, as amended, would be desirable for the appropriate development or use of the property and would be minor

**CORNELISSEN/MCLINCHEY:** That Application No. MV#6/2016 for Minor Variance to the North Middlesex Committee of Adjustment be GRANTED on the basis that the variance proposed would:

- a) Maintain the spirit and intent of the North Middlesex Official Plan
- b) Maintain the spirit and intent of North Middlesex Zoning By-law No. 35 of 2004, as amended
- c) Be desirable for the appropriate development of the property
- d) Be Minor

The following condition should apply to the Committee's decision:

- a) That development proceeds in accordance with the site plan submitted.

CARRIED

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

HEMMING/NICHOL: That the Committee of Adjustment Meeting adjourn at 7:15 p.m. and return to Regular Meeting.

CARRIED

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CHAIRMAN

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SECRETARY