

COMMITTEE OF ADJUSTMENT

MINUTES

The North Middlesex Committee of Adjustment met on Monday, October 1, 2001 in the Council Chambers.

Those present were: Chuck Hall-Chairman, Ian Brebner, Marysia Coutts, Lawrence McLachlan, Mike Conlin, Lucy Hendrikx Secretary Shirley Scott; as well as Applicant Brian Lewis and Fred Lewis

APPLICATION S-8-2001: 911670 ONTARIO LIMITED

The purpose of the application is to enable the deed of the land to which the poultry barns are situated to be in the same name as the owner of the poultry quota. The effect of the application is to sever a parcel of land consisting of approximately 110 acres which would be comprised of the south and north parts of Part Lot 33 and the south part of Part Lot 32 Con.1 former McGillivray Township. The severed parcel would then be conveyed to 1455029 Ontario Limited. The retained portion would consist of approximately 117 acres and be comprised of the south part of Part lot 31 and northerly part of Part Lot 32 Con.1 former McGillivray Township. The retained portion would then remain in 911670 Ontario Limited.

Correspondence was reviewed from the Ausable Bayfield Conservation Authority and advised that they have no objection to the proposed application. The letter from the County of Middlesex was then read. It was noted that this property fronts on County Road 20, Denfield Road. The portion of Denfield Road in front of this property does not currently have the standard right of way width. It was requested that a condition of the consent, that widening be deeded to the County across the frontage of the severed parcel to a distance of 15 metres from centre line of the original road allowance. Provided that this condition is added they would have no objection to the application.

The report from Planner Barb Rosser was then reviewed.
After reviewing thoroughly the following motion was introduced:

BREBNER-CONLIN: BE IT RESOLVED THAT Application S-8-2001 for 911670 Ontario Limited c/o Brian Lewis, Part of Lot 31, Lot 32, Part of Lot 33 Concession No.1 (former Township of McGillivray) be GRANTED subject to the following conditions:

1. That a road widening be deeded to the County of Middlesex to provide for a minimum 15 metres from the centre line of Denfield Road;
2. That written approval of the Ontario Ministry of Agriculture, Food and Rural Affairs of an amended Nutrient Management Plan for the severed parcel be obtained demonstrating that the retained parcel is either not required or is available by registered agreement on file with the Municipality for the purposes of manure disposal in accordance with the Nutrient Management By-law of the former Township of McGillivray;
3. That the Schedule of Assessment for any drainage works under the Drainage Act pertaining to the subject property be modified in accordance with this severance with such modification is to be filed with the Municipality along with a copy of a paid invoice for the work undertaken prior to the certification of any document for the transfer of the severed parcel;

4. the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant;
 5. The applicant's solicitor submits an undertaking, in a form satisfactory to the Secretary-Treasurer, to register an electronic transfer of title consistent with the Acknowledgement and Direction and the decision of the Committee of Adjustment;
 6. That two copies of the reference plan are submitted to the satisfaction of the Municipality;
 7. 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 c.P.13 where such conditions are not fulfilled within the year this application will be deemed to be refused.
- reviewing thoroughly, the following motion was made:

CARRIED

MINUTES

BREBNER-COUTTS: BE IT RESOLVED THAT the minutes from the meeting held on September 4, 2001 printed and delivered to each member be adopted.

CARRIED

HENDRIKX-COUTTS: BE IT RESOLVED THAT Council move back into regular session at 8:15 p.m.

CARRIED

MAYOR

ADMINISTRATOR CLERK