



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

A Meeting was held on Wednesday October 3, 2018 at 7:01 p.m. in the Council Chambers, Shared Services Building, 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 - Absent
Councillor Ward Three – Gord Moir
Councillor Ward Four – Andrew Hemming
Councillor Ward Five – Adrian Cornelissen
CAO/Director of Finance (Treasurer), Nandini Syed
Deputy CAO/Director of Operations, Jonathon Graham
Director of Economic Development and Community Services, Justin Dias
Clerk Jackie Tiedeman
Planner Stephanie Poirier

DISCLOSURE OF PECUNIARY INTEREST

None

ADOPTION OF PAST MINUTES

COA MOTION/2018

CORNELISSEN/HEMMING: That the minutes from September 5, 2018 be approved as presented.

CARRIED

7:00 p.m. Application for Minor Variance – 105 Parkhill Main Street, Parkhill

Planner Stephanie Poirier advised that the above noted application was deemed complete on August 21, 2018.

Description of Land: Pt Lot 84 Plan 562
(geographic Town of Parkhill)
105 Parkhill Main Street
Agent: Gil Scholyar

The purpose and effect of this application is to seek relief from the North Middlesex Zoning By-law No. 35/2004 in order to permit the construction of a canopy to cover existing gas pumps on an existing lot of record. Specifically, the applicant is seeking relief from Section 17.2 (c) of the Zoning By-law to permit a canopy that has a front yard setback of 9 metres (30 feet) whereas the required front yard setback is 15 metres (49 feet).

WRITTEN AND ORAL SUBMISSIONS

- Ausable Bayfield Conservation Authority: no concerns
- Municipal Operations: no concerns
- Public Written Comments: none received
- Oral Submissions at meeting: Wayne Paton, abutting neighbour and former owner of the gas station. He had no objection to the minor variance however he wished clarification on the property line depicted the map that was circulated for the subject land and whether it was a true reflection of property lines? He advised that he had purchased an additional 35 feet to add to his property prior to the sale of the gas station.

Ms. Poirier advised that it is assessment mapping and that it may vary somewhat from a legal survey.

ANALYSIS

The subject lands are located within the “General Commercial” land use designation of the North Middlesex Official Plan and within the “General Commercial (C2) Zone” of the Zoning By-law. . Section 17.1 g) of the Zoning By-law permits the use of a convenience retail establishment with or without a gas bar. Section 5.89 of the North Middlesex Zoning By-law defines a gasoline bar as one or more pump islands, each consisting of one or more gasoline or diesel pumps, and shelter having a gross floor area of not more

than 10.0 square metres, excluding washrooms, which shall not be used for the sale of any product other than liquids and small accessories required for the operation of motor vehicles and shall not be used for repairs, oil changes or greasing.

CONCLUSION

In summary, Staff are satisfied that the setback requested is appropriate and do not anticipate negative impacts on surrounding properties. The application appears to satisfy the requirements and four tests for a minor variance as set out in the Planning Act.

COA MOTION/2018

MCLINCHEY/HEMMING: Decision: That Application for Minor Variance MV-8-2018, filed by Gil Schoylar for relief from section 17.2 (c) of the Zoning By-law to permit the construction of a canopy that has a front yard setback of 9 metres (30 feet) outlined in the key map attached to File No. MV-8-2018, 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

CARRIED

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

COA MOTION/2018

ROPP/MOIR: That Committee of Adjustment meeting adjourn and return to Regular Meeting at 7:10 p.m.

CARRIED

CHAIRMAN

SECRETARY