

**COMMITTEE OF ADJUSTMENT  
MINUTES**

A Public Meeting was held on Monday October 7, 2013 in the Council Chambers to consider planning applications with a quorum present.

**ROLL CALL**

Present: Mayor Don Shipway  
Deputy Mayor Chuck Hall  
Councillor Ward One – Doreen McLinchey  
Councillor Ward Two – Brian Ropp  
Councillor Ward Three – Gord Moir  
Councillor Ward Four – Andrew Hemming  
Councillor Ward Five – Adrian Cornelissen  
CAO Linda Creaghe

Planner Barbara Rosser was present.

**DISCLOSURE OF PECUNIARY INTEREST**

None

**MINUTES**

CORNELISSEN/HEMMING: That the August 12th meeting minutes be accepted as presented.

CARRIED

**APPLICATION B15/2013 AND B18/2013 FOR CONSENT TO SEVER LAND**

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

Description of Land: B15/2013 – Part of Brickyard, Lot 1 Plan 324 (Town of Parkhill) 297 Station Street

Applicant: Laura Ann Nicholson  
Agent: Philip Walden

The purpose and effect of this Application is to sever a parcel of land from a property now consisting of approximately 9020 square metres and located at the northwest corner of William and Station Streets in Parkhill. The land to be severed would contain an existing single detached residence and would be approximately 705.3 square metres in area with 22.6 metres frontage on Station Street. The retained parcel would be vacant and consist of approximately 8315.356 square metres with frontage on both Station and William Streets (30.15 and 16.78 metres and 56.39 metres respectively.) Both parcels are within the Residential Low Density (R1) Zone. The subject land is also the subject of a land severance application under the Planning Act (Application No. B18/2013)

Description of Land B18/2013 – Part of Brickyard Lot 1 Plan 324 (Town of Parkhill) 297 Station Street

Applicant: Laura Ann Nicholson  
Agent: Philip Walden

The purpose and effect of this application is to sever a parcel of land from a property now consisting of approximately 9020 square metres and located at the northwest corner of William and Station Streets in Parkhill. The application is based on Consent Application No. B15/2013 to the North Middlesex Committee of Adjustment proposing severance of a lot consisting of approximately 705 square metres fronting on Station Street to contain the existing single detached dwelling. The land to be severed by this application would consist of approximately 1747 square metres with 25.20 metre frontage on William Street and would be vacant. The land to be retained by this application would consist of approximately 2165.5 square metres in total and contain the existing single detached dwelling. However, if Application No B15/2013 is granted the effect of the current application would be the creation of 2 additional vacant lots fronting on Station Street with areas of 520 square metres (to the north) and 940 square metres (to the south) for a total of 3 residential lots fronting on Station Street. All parcels are within the Residential Low Density One (R1) Zone. The subject land is also the subject of a land severance application under the Planning Act (Application No B15/2013)

Planner Barbara Rosser then reviewed her planning report dated October 2, 2013. Comments were taken into account from responding agencies. No public comments or written submissions were received.

MOIR/HALL: That Consent Application Nos. B15/2013 and B18/2013 be granted subject to the following conditions:

1. That this approval applies to Applications for Consent No B15/2013 and B18/2013 by Laura Ann Nicholson proposing the creation of a total of four lots by land severance (Parcels A,B,C and D) as depicted on the Archibald, Gray & McKay Ltd. Severance Sketch (File No. 1-A-3116-C);
2. That Parcels A,B and D be addressed to the satisfaction of the Municipality in consultation with the County of Middlesex;
3. That the Owner provide a cash-in-lieu of parkland dedication to the Municipality pursuant to Section 53(25), 51(25) and 51.1 of the Planning Act equal to 5% of the value of the land for Parcels A,B and D;
4. That the servicing of Parcel A be addressed by the servicing drawings and plans to be included in the severance agreement applicable to Consent Applications No. B06/2013, B07/2013 and B08/2013 to be entered into between Nicholson Walden Inc and the Municipality pursuant to Section 53 (12) and Section 51 (26) of the Planning Act to be registered on the title of the land to which it applies prior to the severances being registered and subject to all terms and conditions of those provisional consents;
5. That the Cameron-Gillies Drain 2012 be reassessed under the Drainage Act, R.S.O. 1990, c.D.17 at the expense of the Owner;
6. That a plan of survey prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality for each consent application;
7. That the Applicant's Solicitor submits an undertaking for each consent in a form satisfactory to the Secretary of the Committee of Adjustment to register an electronic transfer of title exactly consistent with the acknowledge and direction executed by the applicants and the decision of the Committee of Adjustment;
8. 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. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused.

CARRIED

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

## **APPLICATION B21/2013 FOR CONSENT TO SEVER LAND**

Description of land: Part Lot 24 Con 3, 26479 New Ontario Road  
(former East Williams Twp)

Applicant: Sunnydale Acres Limited and Thomas C. Kroesbergen  
Agent: Robert G. Waters (Kate Waters attended on his behalf)

The purpose and effect of this application would be to sever a parcel of land from an existing 62.7 hectare property as a lot addition severance. The land to be severed would be approximately 20.2 hectares in size with 244.701 frontage on Argyle Street and would consist of vacant land. The proposal is to add the severed parcel to the abutting 40.3 hectare lot to the southwest described as Lot 23, Con 3 geographic East Williams Township which is vacant currently thereby creating a lot with an area of approximately 60.5 hectares with total approximate frontage of 735 metres on Argyle Street. The Applicant would retain approximately 42.5 hectares containing a single detached dwelling. Agriculture and single detached residential use is proposed for the severed parcel merged with the adjoining lot.

Planner Barbara Rosser then reviewed her planning report dated October 3, 2013. Comments were taken into account from responding agencies. No public comments or written submissions were received.

HEMMING/MCLINCHEY: That Application No. B21/2013 be granted subject to the following conditions:

- a) That the severed parcel be registered in exactly the same name and title as the parcel to which it is to be added;
- b) That Section 50 (3) or (5) of the Planning Act, R.S.O. 1990, c.P.13 apply to any subsequent transaction or conveyance of the severed parcel;
- c) That a plan of survey prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality, if required;
- d) 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 of Adjustment;
- e) 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 refuse. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of decision.

CARRIED

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

HALL/CORNELISSEN: That Committee of Adjustment adjourn and return to regular meeting.

CARRIED

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CHAIRMAN

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SECRETARY