

**SEPTEMBER 3, 2014      MUNICIPALITY OF NORTH MIDDLESEX      7:00 P.M**  
**COMMITTEE OF ADJUSTMENT**  
**MINUTES**

A Public Meeting was held on Wednesday September 3, 2014 in the Council Chambers, Parkhill 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 Marsha Paley  
Clerk Jackie Tiedeman  
Planner Barbara Rosser

**DISCLOSURE OF PECUNIARY INTEREST**

None

**HEARING**

**7:00 P.M. - Application B06/2014 for Consent to Sever Land and Application ZBA #6/2014 – Mark and Sandra Thomson**

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

Description of Land: Part Lot 6, Concession 11(former East Williams twsp)  
3034 Elm Tree Drive

Applicant: Mark and Sandra Thomson

Agent: Philip Walden

The purpose and effect of this application would be to sever a parcel of land from an existing 40 hectare farm parcel as a surplus farm dwelling severance. The land to be severed would be approximately .573 hectares in size and would contain the existing single detached dwelling and drive shed. The applicant would retain 40.735 hectares comprising the farmland portion. An amendment to the zoning by-law was submitted concurrently to prohibit future residential use of the retained farmland parcel in accordance with the policy of the North Middlesex Official Plan relative to surplus farm dwelling severances and to rezone the severed (residential) parcel for residential use.

The Planner then reviewed her planning report which contains the agency comments received to date. She stated her opinion is that the lot area should be revised through reduction of the depth of the lot to be in closer conformity with the AG1 zone rear yard minimum for the dwelling. If the Committee agrees, this would require deferral of the application to allow the Applicants the opportunity to submit a revised severance sketch for review and for revision of the zoning by-law amendment.

If the Committee considers approving this application as presented, it should be clearly understood the by Applicants that livestock is not permitted and that the zoning by-law will be enforced in that respect. Also, a condition of severance should include removal of the former liquid manure tank in the interests of safety and ease of cultivation of the retained parcel.

Mr. Walden, agent for the applicant, presented pictures of the subject property. His client would like the application considered as submitted as the land configuration would allow sufficient area for a replacement septic system in the future, in their opinion.

HEMMING/MOIR: That Application B06/2014 for Consent to Sever Land from Mark and Sandra Thomson be approved with the following conditions:

- a) That North Middlesex Zoning By-law No. 35 of 2004, as amended, be amended to rezone the retained parcel to the Agricultural Small Lot (AG1) Zone and the retained parcel to a General Agricultural (A1) Zone Exceptions prohibitive of residential use;
- b) That the Applicants provide a signed affidavit stipulating to the satisfaction of the Municipality of North Middlesex that the lands being retained for agricultural purposes will be used as part of their existing farming operation;
- c) That, unless replaced, the existing septic tank and weeping bed system on the severed parcel be inspected by a licensed septage hauler and the inspection provided to the North Middlesex Chief Building Official;
- d) That the former liquid manure tank located on the retained parcel be fully removed to the satisfaction of the Municipality;
- e) That a plan of survey prepared by an Ontario Land Surveyor in a form suitable for registration be submitted to the Municipality, if required;
- f) 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 the title exactly consistent with the acknowledgement and direction executed by the applicants and the decision of the Committee of Adjustment;

- g) 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 refused. 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.

The Secretary of the Committee of Adjustment then noted for the Committee and the Applicant that the Notice of Proposed Zoning for these subject lands could not be considered at this meeting as the required 20 days had not be met as of today. Therefore, consideration of that application will occur on September 17<sup>th</sup>.

HALL/CORNELISSEN: That the Committee of Adjustment meeting adjourn and return to regular meeting at 7:30 p.m.

CARRIED

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CHAIRMAN

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SECRETARY