



**MUNICIPALITY OF SOUTH WEST MIDDLESEX
COMMITTEE AGENDA**

WEDNESDAY, FEBRUARY 28, 2018 7:00 PM
Council Chambers

COMMITTEE MINUTES

SOUTHWEST MIDDLESEX COMMITTEE OF ADJUSTMENT AGENDA

The Municipality of South West Middlesex Committee of Adjustment met in Regular Session in the Council Chamber on February 28, 2018 at 7:25 p.m.

MEMBERS PRESENT:

Vance Blackmore (Chair presiding), Marigay Wilkins, Doug Bartlett, Rick Cowell, John Kavelaars, Martin Vink and Don McCallum

REGRETS:

Karen Aranha

STAFF PRESENT:

CAO/Clerk - Jill Bellchamber-Glazier, Facilities & Recreation Manager – Steve MacDonald, Interim Public Works Manager – Larry McGregor, Treasurer – Kristen McGill, Planner – Marc Bancroft, Planner – Stephanie Poirier

ALSO PRESENT:

Members of the public and press

1. CALL TO ORDER

Chairperson Blackmore calls the meeting to order at 7:05 p.m.

2. APPROVAL OF AGENDA

#2018-COA-001

Moved by Councillor Cowell

Seconded by Councillor Vink

THAT the Committee of Adjustment Agenda dated February 28, 2018 be accepted as presented.

Carried

3. DISCLOSURE OF PECUNIARY INTEREST

None declared

4. DEPUTATIONS AND PETITIONS

7:25 p.m. – Minor Variance A-1/2018 – 1856 Longwoods Road

Marc Bancroft, Planner, provided a summary of the purpose of the application. The property is designated as residential and accordingly zoned under the zoning by-law. Analysis has been undertaken and the planner confirmed that the tests have been satisfied.

Mr. Bancroft noted that consultation was undertaken and comments were received. The Conservation Authority noted that slope and erosion hazards, the landowner has been in touch with the authority and the requirements for set-back. Mr. Bancroft did receive a written submission from Denise Cornell.

The Applicant was invited to speak to the application and answered questions related to the proposal.

The public was invited to speak either for or against the application.

Council members were invited to ask questions and make comments about the proposal.

#2018-COA-002

Moved by Councillor McCallum

Seconded by Deputy Mayor Wilkins

THAT the Application for Minor Variance A-1/2018 filed by Walter & Debbie Moskal for relief from Section 6.2.1 of the Municipality of Southwest Middlesex Comprehensive Zoning By-law to permit a reduced front yard depth to 3.9 m (12.8 ft) and a reduced floor area for a dwelling to 80.1 sq m (862 sq ft) be denied.

Recorded vote

Deputy Mayor – Yes

Vink – Yes

Bartlett – No

Blackmore – No

Cowell – No

Kavelaars – No

McCallum – Yes

Defeated

#2018-003

Moved by Councillor Cowell

Seconded by Councillor Bartlett

THAT Application for Minor Variance A-1/2018 filed by Walter & Debbie Moskal for relief from Section 6.2.1 of the Municipality of Southwest Middlesex Comprehensive Zoning By-law to permit a reduced front yard depth to 3.9 m (12.8 ft) and a reduced floor area for a dwelling to 80.1 sq m (862 sq ft) be **GRANTED** subject to the following condition:

1. That the applicant receive a permit from the Lower Thames Valley Conservation Authority to allow the construction of the proposed dwelling on the subject lands.

Reasons

- The intent of the Municipality of Southwest Middlesex Official Plan is maintained;
- The intent of the Municipality of Southwest Middlesex Zoning By-law is maintained;
- The variance is considered minor in nature;
- The variance is desirable for the appropriate use and development of the lands.

Carried

7:35 p.m. – Minor Variance A-2/2018 – 185 Elizabeth Street

Marc Bancroft, Planner, provided a summary of the purpose of the application. Analysis has been undertaken and the planner confirmed that the tests have been satisfied.

Mr. Bancroft noted that consultation was undertaken and comments were received. The Conservation Authority was notified and there were no objections to the application. Canadian National (CN) rail was notified and offered no objections but made recommendations with respect to acoustic mitigation measures.

The Applicant was invited to take questions and respond to the recommendations from CN. The Applicant noted that he was not aware of specific requirements for acoustic mitigation measures as part of the development agreement for the property.

The Planner noted that Council does not have to take CN's recommendations but did recommend that the application be granted subject to a development agreement to implement CN's recommendations and that the agreement be registered on title.

Members of the public were invited to come forward and make comments either for or against the application.

Members of Council were invited to make comments and ask questions about the application.

#2018-COA-004

Moved by Councillor Cowell

Seconded by Councillor Bartlett

THAT Application for Minor Variance A-2/2018 filed by Utopia Custom Homes Inc. (Marco DeMelo) for relief from Section 6.2.1 (A6) of the Municipality of Southwest Middlesex Comprehensive Zoning By-law to permit a reduced exterior side yard width to 6.02 m (19.8 ft) be **GRANTED**.

Subject to the following condition:

That the applicant enter into a development agreement to reflect the conditions recommended by the railway authority as per comments received.

Reasons

- The intent of the Municipality of Southwest Middlesex Official Plan is maintained;
- The intent of the Municipality of Southwest Middlesex Zoning By-law is maintained;
- The variance is considered minor in nature;
- The variance is desirable for the appropriate use and development of the lands.

Carried

7:45 p.m. – Minor Variance A-3/2018 – 2533 Longwoods Road

Marc Bancroft, Planner, provided a summary of the purpose of the application. Analysis has been undertaken and the planner confirmed that the tests have been satisfied.

Mr. Bancroft noted that consultation was undertaken and comments were received. The Conservation Authority noted that a permit will be required by the Conservation Authority for the proposal.

The Applicant was invited to come forward to speak to the proposal and take question.

Members of the public were invited to come forward with comments either for or against the application.

Members of Council were invited to ask questions or provide comments.

#2018-COA-005

Moved by Deputy Mayor Wilkins

Seconded by Councillor Kavelaars

It is recommended that Application for Minor Variance A-3/2018 filed by Ryan Tuer and Karen McLagan for relief from Section 5.2.1 (C9) and Section 5.3.4 c) of the Municipality of Southwest Middlesex Comprehensive Zoning By-law to permit an increased floor area for an accessory building used and occupied by a home occupation from 200 sq m to 242.5 sq m be **GRANTED, subject to the following condition:**

That an Applicant obtain a permit from the conservation authority

Reasons

- The intent of the Municipality of Southwest Middlesex Official Plan is maintained;
- The intent of the Municipality of Southwest Middlesex Zoning By-law is maintained;
- The variance is considered minor in nature;
- The variance is desirable for the appropriate use and development of the lands.

Carried

5. NOTICE OF FUTURE MEETINGS (subject to change)

- March 28, 2018 – Council – 7:00 p.m.

6. ADJOURNMENT

The Chairperson adjourned the meeting at 8:09 p.m.