



**MUNICIPALITY OF SOUTH WEST MIDDLESEX**

WEDNESDAY, AUGUST 29, 2018 7:00 PM  
Council Chambers

# **COMMITTEE MINUTES**

## **SOUTHWEST MIDDLESEX COMMITTEE OF ADJUSTMENT MINUTES**

The Municipality of South West Middlesex Committee of Adjustment met in Regular Session in the Council Chamber on August 29, 2018 at 7:00 p.m.

### **MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

CAO/Clerk - Jill Bellchamber-Glazier, Facilities & Recreation Manager – Steve MacDonald, Public Works Manager – Greg Storms, Treasurer – Kristen McGill, Planner – Stephanie Poirier

### **ALSO PRESENT:**

Members of the public and press

### **1. CALL TO ORDER**

Chairperson Blackmore calls the meeting to order at 7:27 p.m.

### **2. APPROVAL OF AGENDA**

#2018-COA-019

Moved by Committee Member Bartlett

Seconded by Committee Member Cowell

THAT the Committee of Adjustment Agenda dated August 29, 2018 be accepted as presented.

Carried

### **3. DISCLOSURE OF PECUNIARY INTEREST**

None declared.

### **4. DEPUTATIONS AND PETITIONS**

None scheduled

### **5. PLANNING**

a. B-4/2018 – Application for Consent – MacDougall – 4986 Hyndman Drive

The Chair stated the purpose of the meeting and the Planner provided her report to the Committee.

The Applicant was invited to speak to the application, the Applicant had no comments.

The public was invited to ask questions or to make comments about the application, no members of the public came forward.

Committee invited to ask questions to applicant or staff, and those were addressed.

#2018-COA-020

Moved by Committee Member Wilkins

Seconded by Committee Member McCallum

**THAT** Application for Consent B-4/2018, submitted under Section 53 of the Planning Act, which proposes to sever a 0.4 ha (1 ac) parcel of land from the

property legally described as South Part Lot 14, Range 2S (geographic Township of Ekfrid), be **GRANTED** subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled.
2. That the owners' Solicitor submits an undertaking in a form satisfactory to the Secretary-Treasurer 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.
3. That the taxes on the subject property are paid in full.
4. That the owner initiate and assume, if required, all costs associated with the preparation of a revised assessment schedule for all drainage works affected in accordance with the Drainage Act, as amended, such costs to be paid in full to the Municipality prior to submitting a registered copy of the transfer.
5. That unless replaced, the existing septic system is to be inspected by a qualified septic installer and the inspection report be provided to the Municipality for determination as to any replacement or remedial works that may be required. Confirmation of the location of the existing septic system shall also be provided.
6. That all outbuildings be removed on the retained parcel, to the satisfaction of the Municipality.
7. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B04-2018 be in full force and effect.
8. That an access be established on the retained parcel, if not already existing, to the satisfaction of the Municipality.
9. That a preliminary survey showing the lands being severed, be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.

10. That two copies of the reference plan are submitted to the satisfaction of the Municipality.

### **Reasons**

Consistency with the Provincial Policy Statement would be maintained;

Conformity with the County of Middlesex Official Plan would be maintained;

Conformity with the Municipality of Southwest Middlesex Official Plan would be maintained;

The requirements of the Municipality of Southwest Middlesex Zoning By-law would be maintained.

Carried

- b. B-5/2018 – Application for Consent – Angyal – 5344 Century Drive

The Chair stated the purpose of the meeting and the Planner provided her report to the Committee.

The applicant or their agent was invited to speak to their application. Mr. George Sinker, agent for applicant addressed the application.

The public was invited to ask questions or to make comments about the application. Dan Jeffrey inquired about the location of a pond on the property.

The applicant, Nicky Angyal, asked about the requirement for a septic system inspection.

Ms. Poirier provided clarification about the requirement.

The Chair invited Committee members to ask questions to applicant or staff, and those were addressed.

#2018-COA-021

Moved by Councillor McCallum

Seconded by Councillor Kavelaars

**THAT** Application for Consent B-5/2018, submitted under Section 53 of the Planning Act, which proposes to sever a 0.78 ha (1.9 ac) parcel of land from the property legally described as South Part Lot 11, Concession 4 (geographic

Township of Ekfrid), be **GRANTED**, as amended subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled.
2. That the owners' Solicitor submits an undertaking in a form satisfactory to the Secretary-Treasurer 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.
3. That the taxes on the subject property are paid in full.
4. That the owner initiate and assume, if required, all costs associated with the preparation of a revised assessment schedule for all drainage works affected in accordance with the Drainage Act, as amended, such costs to be paid in full to the Municipality prior to submitting a registered copy of the transfer.
5. That unless replaced, the existing septic system is to be inspected by a qualified septic installer and the inspection report be provided to the Municipality for determination as to any replacement or remedial works that may be required. Confirmation of the location of the existing septic system shall also be provided.
6. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B05-2018 be in full force and effect.
7. That the severed lands be conveyed and transferred to Braithland Farm Inc. to ensure the consolidation with their farming operation.
8. That a preliminary survey showing the lands being severed, be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.
9. That two copies of the reference plan are submitted to the satisfaction of the Municipality.

## **Reasons**

Consistency with the Provincial Policy Statement would be maintained;

Conformity with the County of Middlesex Official Plan would be maintained;

Conformity with the Municipality of Southwest Middlesex Official Plan would be maintained;

The requirements of the Municipality of Southwest Middlesex Zoning By-law would be maintained.

Carried

## **6. MINUTES OF PREVIOUS MEETINGS**

### **1. Committee of Adjustment Meeting Minutes – June 27, 2018**

#2018-COA-022

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

THAT the minutes of the meeting of the Committee of Adjustment dated June 27, 2018 be adopted as printed.

Carried

### **2. Committee of Adjustment Meeting Minutes – July 25, 2018**

#2018-COA-023

Moved by Councillor Kavelaars

Seconded by Councillor McCallum

THAT the minutes of the meeting of the Committee of Adjustment dated July 25, 2018 be adopted as printed.

Carried

## **7. BUSINESS ARISING FROM THE MINUTES**

None

## **8. UNFINISHED BUSINESS**

None

**9. INFORMATION CORRESPONDENCE**

None

**10. COMMENTS AND ENQUIRIES**

None

**11. NOTICE OF FUTURE MEETINGS (subject to change)**

- September 26, 2018 – Council – 7:00 p.m.

**12. ADJOURNMENT**

The Chairperson adjourned the meeting at 7:47 p.m.

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Chair

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Secretary