



**MUNICIPALITY OF SOUTH WEST MIDDLESEX  
COMMITTEE MINUTES**

WEDNESDAY, NOVEMBER 27, 2019 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 November 27, 2019 at 7:00 p.m.

#### **MEMBERS PRESENT:**

Allan Mayhew (Chair presiding), Marigay Wilkins, Doug Bartlett, Ian Carruthers, Christa Cowell, Mark McGill, Mike Sholdice, Martin Vink

#### **STAFF PRESENT:**

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

#### **ALSO PRESENT:**

Members of the public and press

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

Chairperson Mayhew calls the meeting to order at 7:08 p.m.

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

#2019-COA-017

Moved by Councillor Cowell

Seconded by Councillor Carruthers

THAT the Committee of Adjustment agenda dated November 27, 2019 be accepted as presented.

Carried

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

None declared

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

#### **1. Severance Application Public Meeting - Severance Application B-4/2019**

Chair Mayhew calls the Public Meeting for B-4/2019 Harvey and Kathy Wernham to order at 7:09 p.m.

The Chair announced the purpose of the meeting is to give the public an opportunity to hear all interested persons with respect to a **Severance Application by Harvey and Kathy Wernham** and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect of this application for consent is to sever a parcel of land for the creation of a residential lot with a frontage of approximately 19.20 m (63 ft) along Main Street and an area of approximately 0.786 ha (1.9 ac). The severed lands are currently vacant whereas municipal services are available along Main Street.

The Chair invited the Planner to present the staff report and recommendation.

The Chair invited the applicant to speak to the application. Harvey Wernham spoke to the application, noting that a developer is interested in the severed parcel.

The Chair invited members of the public to speak for or against the application. No members of the public spoke for or against the application.

The Chair invited members of the committee to ask questions and make comments.

Chair Mayhew declared the Public Meeting for B4/2019 (Harvey and Kathy Wernham) closed.

#### **Severance Application B4 2019**

#2019-COA-018

Moved by Councillor Bartlett

Seconded by Councillor Sholdice

**THAT** Application for Consent B04-2019, submitted under Section 53 of the Planning Act, which proposes to sever a 0.786 ha (1.9 ac) parcel of land from the property legally described as Concession 2, North Part Lot 1, RP 34R885 Part 2, Reg Comp Plan 413, Lot 5 (geographic Township of Glencoe), 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 lands to be severed be rezoned to prevent the premature development of the lands and to ensure an efficient use of land and infrastructure; through the application of a Future Development (FD) Zone, to the satisfaction of the Municipality.
5. That the owner will be required to dedicate lands up to 15 m from the centerline of construction of County Road 80 (Main Street) to the County of Middlesex across both the severed and retained parcels for the purposes of road widening if the right of way is not already to that width.
6. That the existing well on the severed lands be decommissioned and the existing dwelling on the retained lands obtain a municipal water connection, to the satisfaction of the Municipality.
7. 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.
8. 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

## **2. Minor Variance Public Meeting - Minor Variance A-4/2019**

Chair Mayhew calls the Public Meeting for A-4/2019 (Mike and Eryn Cummings) to order at 7:20 p.m.

The Chair announced the purpose of this meeting to give the public an opportunity to hear all interested persons with respect to a **Minor Variance Application by (Mike and Eryn Cummings)** and for Southwest Middlesex council to consider the proposal.

The purpose and effect of the application for Minor Variance is to seek relief from the Southwest Middlesex Comprehensive Zoning By-law No. 2011/065 Section 6.3.2f) and 6.3.2h) in order to construct an accessory building with an area of 227 m<sup>2</sup> (2,440 sq ft) and a height of 5.5 m (18 ft), whereas the maximum floor area for an accessory building cannot exceed 100 m<sup>2</sup> (1,076 sq ft) and the maximum height for an accessory building cannot exceed 4.5 m (15 ft). The applicants are also seeking relief from Section 9.1.2, to permit the accessory use of a swimming pool, whereas it is not a permitted use within the Future Development Zone.

The Planner presented the staff report and recommendation. No comments were received.

The Chair invited the applicant to speak to the application. Mike Cummings, 343 Appin Road, the applicant noted that there is municipal water on site but a private septic system. The intent of the applicant is for continued current use. The applicant noted that the existing building is legal non-conforming and they wish to expand the size of the building.

The Chair invited members of the public wishing to speak for, or against, the application to address the committee. No members of the public spoke for or against the application – one question was asked about the building height by Donald McDonald from 3579 Coltsfoot Drive.

The Chair invited committee members to ask questions of the applicant and/or staff. Members of the committee had questions for the planner and the applicant.

Chair Mayhew declared the Public Meeting for A-4/2019 (Mike and Eryn Cummings) closed.

## **Minor Variance Application A-4/2019**

#2019-COA-019

Moved by Deputy Mayor Wilkins

Seconded by Councillor Cowell

**THAT** Application for Minor Variance A4-2019 filed by Mike & Eryn Cummings in order to construct an accessory building with an area of 227 m<sup>2</sup> (2,440 sq ft) and a height of 5.5 m (18 ft), whereas the maximum floor area for an accessory building cannot exceed 100 m<sup>2</sup> (1,076 sq ft) and the maximum height for an accessory building cannot exceed 4.5 m (15 ft), and to permit the accessory use of a swimming pool, whereas it is not a permitted use within the Future Development Zone be **Approved**.

Carried

## **5. MINUTES OF PREVIOUS MEETINGS**

1. Committee of Adjustment Meeting Minutes – August 28, 2019

#2019-COA-020

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

THAT the minutes of the meeting of the Committee of Adjustment dated August 28, 2019 be adopted as printed.

Carried

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

None

## **7. NOTICE OF FUTURE MEETINGS (subject to change)**

- January 22, 2020 – Council – 7:00 p.m.

## **8. ADJOURNMENT**

The Chairperson adjourned the meeting at 7:40 p.m.

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Chairperson

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Secretary