

WEDNESDAY, JUNE 24, 2020 7:00 PM
Meeting via electronic participation

AGENDA

COMMITTEE AGENDA

SOUTHWEST MIDDLESEX COMMITTEE OF ADJUSTMENT AGENDA

- **Meeting can be viewed live at:**
<https://www.youtube.com/channel/UC6oo98BZcAvuVMKLDx88I4A>

COUNCIL PRESENT:

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

REGRETS:

STAFF PRESENT:

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

ALSO PRESENT:

Members of the public and press

1. CALL TO ORDER

Chairperson Mayhew calls the meeting to order at _____ p.m.

Today's meeting is being held as a virtual meeting due to the declared emergency. In order to keep everyone safe, we are taking this measure to help stop the spread of COVID-19.

Although this is a virtual meeting, we will attempt to record, stream live and publish in accordance with council's Electronic Recording of Meetings Policy.

Due to the pandemic and the requirement for social distancing, to keep you safe, we are not able to allow public to attend this meeting. Normally by attending an open public meeting of the Municipality of Southwest Middlesex you are consenting to your image, voice and/or comments being recorded and published.

Anyone who is invited to speak may be recorded and their voice, image and/or comments will form part of the live stream and recording.

The chair and/or the clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Today's meeting may be streamed live as well as recorded and published on the Southwest Middlesex website.

Thank you.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

<u>Name</u>	<u>Item</u>	<u>Nature</u>
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Conflict of Interest Reporting Form

- **Councillor**[02 00 C CONFLICT OF INTEREST REPORTING FORM 2018 Councillor](#)
- **Deputy Mayor**[02 00 DM CONFLICT OF INTEREST REPORTING FORM 2018 Deputy Mayor](#)
- **Mayor**[02 00 M CONFLICT OF INTEREST REPORTING FORM 2018 Mayor](#)

3. ADDITIONS TO THE AGENDA

#2020-

Moved by _____

Seconded by _____

THAT the Regular Agenda of Committee of Adjustment dated June 24, 2020 be accepted as presented.

4. DELEGATIONS AND PRESENTATIONS

5. MINUTES

5.1 SWM Committee of Adjustment Minutes – February 26, 2020

[05 01 Feb 26 2020 Committee Adjustment Minutes](#)

#2020-COA-

Moved by _____

Seconded by _____

THAT the February 26, 2020 Committee of Adjustment meeting minutes be approved.

6. COMMITTEE OF ADJUSTMENT

1. Severance Application Public Meeting:

Severance Application B04-2020

Members of the public wishing to comment on the application are encouraged to provide written submissions to the Clerk by e-mail jbellchamber-glazier@southwestmiddlesex.ca or by mail 153 McKellar Street, Glencoe ON N0L 1M0 by noon on Tuesday June 23rd, 2020 before the meeting in order to provide comment/oral submissions as a Delegate during the Oral Submissions of Delegates (Part D) part of the meeting.

Written submissions must include your full name, address, and an email or telephone number at which you can be reached. Written submissions must also indicate if you wish to make oral submissions at the meeting.

The Clerk will contact all persons who indicate in their written submissions that they intend make oral submissions at the meeting to provide electronic access instructions.

Members of the public who do not provide written submissions to the Clerk in advance of the meeting and decide to provide comment/oral submissions while the meeting is ongoing will need to confirm their interest in doing so during the Comments Recess (Part F) of the Meeting and make their comment/oral submission during the Oral Submission of Other Participants (Part G) part of the meeting.

◦ Notice [06 01 B04 2020 Notice 40 Middlemiss Ave Karsh](#)

[06 01 B04 2020 Notice Key Map 40 Middlemiss Ave Karsh](#)

Chair Mayhew calls the Public Meeting for B04-2020 – 40 Middlemiss Ave., Karsh to order at _____p.m.

Announcement of Chair:

The purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a **Severance Application by Ed, Eddy and Eric Karsch**, and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect of Application for Consent B4-2020, submitted under Section 53 of the Planning Act, is proposing to sever two residential lots, with the first severed lot having an area of approximately 2,100 m² (0.519 acres) with a frontage of approximately 34.892 metres (114.5 feet) and the second severed lot having an area of approximately 2,089 m² (0.515 acres) with a frontage of approximately 34.891 metres (114.4 feet) from a property legally described as Plan 313, Lot 1, Municipality of Southwest Middlesex (Ekfrid)

Meeting Order

- a) The Planner will present the staff report and recommendation and will provide any comments received from circulated agencies and the public.
- b) The applicant will be allowed the opportunity to speak to the application.
- c) Member Remarks.

- d) Oral Submission of Delegates.
- e) Written Submissions.
- f) Comments Recess.
- g) Oral Submissions of Other Participants.
- h) Applicant Final Remarks.
- i) Council Decision.

Chair Mayhew declares the Public Meeting for B04-2020 (Ed, Eddy and Eric Karsch) closed.

The Chair will now consider motions regarding the application.

Severance Application B04-2020

[06 01 B04 2020 Consent 40 Middlemiss Karsch](#)

#2020-COA-

Moved by _____

Seconded by _____

THAT Application for Consent B4-2020, submitted under Section 53 of the Planning Act, which proposes to sever two residential lots, with the first severed lot having an area of approximately 2,100 m² (0.519 acres) with a frontage of approximately 34.892 metres (114.5 feet) and the second severed lot having an area of approximately 2,089 m² (0.515 acres) with a frontage of approximately 34.891 metres (114.4 feet) from a property legally described as Plan 313, Lot 1, Municipality of Southwest Middlesex (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 shall provide a private servicing concept plan demonstrating that the three proposed lots are large enough to support three dwellings, three wells, and three septic systems in accordance with the setback requirements of the Ontario Building Code, and any other applicable requirements to the satisfaction of the Municipality.
5. That an adequate and potable water supply be demonstrated to exist on the two severed lots and the retained lot to the satisfaction of the Municipality.
6. That the owner enter into a Development Agreement with the Municipality and undergo all the necessary works for the completion of the construction of 'Mill Street' to a public road standard and that the owner make request of the municipality to have 'Mill Street' changed to an open public road allowance and this change is completed, at the cost of the owner, to the satisfaction of the Municipality.

7. The owner provide a lot grading drawing, stamped by a professional engineer and OLS, to the satisfaction of the municipality.
8. That the owner retain a qualified professional to undertake a soils investigation to confirm independent sewage disposal systems are capable of supporting the proposed residential development based on existing site conditions and surrounding uses.
9. That the owner pay 5% of the value of the land as cash-in-lieu of parkland dedication for each of the severed lots of Consent B4-2020, to the satisfaction of the municipality.
10. 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.
11. 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 Zoning By-law and Official Plan would be maintained;

Severance Application B04-2019

- Notice [06 02 B04 2019 Notice 280 Main St Wernham](#)

[06 02 B04 2019 Consent 280 Main St Wernham](#)

#2020-COA-

Moved by _____

Seconded by _____

THAT the conditions of consent for B04-2019 be amended as recommended and that a notice respecting the changes be circulated to prescribed persons and public bodies;

Proposed Amended Conditions of Consent B04-2019 (changes underlined)

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 severed lands be rezoned to the Residential Third Density (R3) Zone, to the satisfaction of the Municipality.
5. That the owner provide 5% in cash-in-lieu of parkland dedication for the severed lot of Consent B04-2019 in accordance with the Municipality's Fees and Charges By-law.

6. 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.

7. That verification of the septic location being wholly contained within the proposed severed lands be submitted to the satisfaction of the Municipality.

8. 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.

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.

7. FUTURE MEETINGS (subject to change)

July 8, 2020

8. ADJOURNMENT

The Mayor adjourned the meeting at ____p.m.