



**MUNICIPALITY OF SOUTH WEST MIDDLESEX
SPECIAL MEETING AGENDA**

WEDNESDAY, SEPTEMBER 2, 2020 6:30 PM

Via. Electronic Participation

AGENDA

SPECIAL MEETING COMMITTEE AGENDA

Meeting can be viewed live at:

<https://www.youtube.com/channel/UC6oo98BZcAvuVMKLDx88l4A>

SOUTHWEST MIDDLESEX SPECIAL COMMITTEE OF ADJUSTMENT MEETING AGENDA

The Municipality of Southwest Middlesex Committee of Adjustment will meet in a Special Session for the purpose of a motion reconsideration request from a public meeting applicant, the Committee will meet electronically on September 2, 2020 at 6:30 p.m.

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, Planner – Stephanie Poirier

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’s YouTube channel.

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.

Name **Item** **Nature**

Conflict of Interest Reporting Form

- **Councillor** [03 00 C CONFLICT OF INTEREST REPORTING FORM 2018 Councillor](#)
- **Deputy Mayor** [03 00 DM CONFLICT OF INTEREST REPORTING FORM 2018 Deputy Mayor](#)
- **Mayor** [03 00 M CONFLICT OF INTEREST REPORTING FORM 2018 Mayor](#)

3. ADDITIONS TO THE AGENDA

#2020-

Moved by _____

Seconded by _____

THAT the Committee of Adjustment Agenda of Council dated September 2, 2020 be accepted as presented.

4. DELEGATIONS AND PRESENTATIONS

None.

5. MINUTES

None.

6. COMMITTEE OF ADJUSTMENT

MOTION TO RECONSIDER (2/3 VOTE NEEDED)

#2020-COA-

Moved by _____

Seconded by _____

THAT the Southwest Middlesex Committee of Adjustment reconsider the motion Resolution #2020-COA-018, Moved by Deputy Mayor Wilkins and Seconded by Councillor Sholdice, from the August 26, 2020 Committee of Adjustment meeting for application B07/2020 – 4317 Parkhouse Drive which was passed as follows:

THAT Application for Consent B7-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 1.82 ha (4.5 ac) parcel of land from the property legally described as Range

2 North, West Part Lot 19, (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 retained lands be conveyed and transferred to G & M Weber to ensure the consolidation with their farming operation.
5. That the agricultural grain bins be removed from the lands to be severed, to the satisfaction of the Municipality.
6. 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.
7. That the septic system be re-located on the lands to be severed OR a new septic system be installed on the severed lands, to the satisfaction of the Chief Building Official.
8. 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.
9. That the existing well on the severed lands be decommissioned and the existing dwelling on the severed lands obtain a municipal water connection, to the satisfaction of the Municipality.
10. That the livestock be removed from the barn on the severed lands and be decommissioned for future livestock use OR be demolished, to the satisfaction of the Chief Building Official.

11. That the applicants establish access to the retained agricultural lands, if necessary, to the satisfaction of the Municipality.
12. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B7-2020 be in full force and effect.
13. That a preliminary survey showing the lands being severed, including the location of the well and septic system be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.
14. That two copies of the reference plan are submitted to the satisfaction of the Municipality.

6.1 Severance Application B07/2020

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 September 1, 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.

[SinclairNoticeofPublicMeeting05Aug2020](#)

Chair Mayhew calls the Public Meeting for B07-2020 –4317 Parkhouse Drive, Dennis & Susan Sinclair 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 Susan and Dennis Sinclair** and for Southwest Middlesex Committee of Adjustment to reconsider the decision related to the proposal, at the request of the applicant.

The purpose and effect is to which proposes to sever a 1.82 ha (4.5 ac) parcel of land from an agricultural property known municipally as 4317 Parkhouse Drive.

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 B7/2020, Sinclair closed.

The Chair will now consider motions regarding the application.

Severance Application B07/2020

[B7 Sinclair Report](#)

[Key Map 2](#)

#2020-COA-

Moved by _____

Seconded by _____

THAT the Southwest Middlesex Committee of Adjustment amend the original motion to include the following conditions:

- That the eastern lot line be re-located at the edge of the cultivated agricultural land, and the area be recalculated, in order to keep the cultivated land with the remnant agricultural property, to the satisfaction of the Municipality.

- That an easement for a private drain running from the existing dwelling to the municipal drain be established on the retained lands in favour of the severed lands for access and maintenance purposes, to the satisfaction of the Municipality.
- That the agricultural grain bins and silo be removed from the lands to be severed, to the satisfaction of the Municipality.

If motion to amend passes, original motion would be back on the floor

#2020-COA-

Moved by _____

Seconded by _____

THAT Application for Consent B07-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 1.82 ha (4.5 ac) parcel of land from the property legally described as Range 2 North, West Part Lot 19, (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 retained lands be conveyed and transferred to G & M Weber to ensure the consolidation with their farming operation.
5. That the eastern lot line be re-located at the edge of the cultivated agricultural land, and the area be recalculated, in order to keep the cultivated land with the remnant agricultural property, to the satisfaction of the Municipality.
6. That an easement for a private drain running from the existing dwelling to the municipal drain be established on the retained lands in favour of the severed lands for access and maintenance purposes, to the satisfaction of the Municipality.

7. That the agricultural grain bins and silo be removed from the lands to be severed, to the satisfaction of the Municipality.
8. 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.
9. That the septic system be re-located on the lands to be severed OR a new septic system be installed on the severed lands, to the satisfaction of the Chief Building Official.
10. 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.
11. That the existing well on the severed lands be decommissioned and the existing dwelling on the severed lands obtain a municipal water connection, to the satisfaction of the Municipality.
12. That the livestock be removed from the barn on the severed lands and be decommissioned for future livestock use OR be demolished, to the satisfaction of the Chief Building Official.
13. That the applicants establish access to the retained agricultural lands, if necessary, to the satisfaction of the Municipality.
14. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B7-2020 be in full force and effect.
15. That a preliminary survey showing the lands being severed, including the location of the well and septic system be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.
16. That two copies of the reference plan are submitted to the satisfaction of the Municipality.

Reasons

Consistency with Planning Act Section 51 (24) would be maintained;

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;
Conformity with the Southwest Middlesex Zoning By-law would be maintained.

7. FUTURE MEETINGS (subject to change)

- September 23, 2020 – Planning/Council, 7:00 p.m.

8. ADJOURNMENT

The Mayor adjourned the meeting at _____p.m.