



**MUNICIPALITY OF SOUTH WEST MIDDLESEX
SPECIAL MEETING**

WEDNESDAY, SEPTEMBER 2, 2020 6:30 PM

Via. Electronic Participation

SPECIAL MEETING COMMITTEE MINUTES

Meeting can be viewed live at:

<https://www.youtube.com/channel/UC6oo98BZcAvuVMKLDx88I4A>

SOUTHWEST MIDDLESEX SPECIAL COMMITTEE OF ADJUSTMENT MEETING MINUTES

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.

STAFF PRESENT:

CAO/Clerk - Jill Bellchamber-Glazier

1. CALL TO ORDER

Chairperson Mayhew calls the meeting to order at 6:30 p.m.

Councillor Sholdice is not present at the call of the meeting.

Mayor Mayhew noted that the meeting is being held as a virtual meeting due to the declared emergency, in order to help stop the spread of COVID-19.

Mayor Mayhew confirmed that the meeting will be recorded and streamed live and published in accordance with council's Electronic Recording of Meetings Policy.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

None Declared

3. DELEGATIONS AND PRESENTATIONS

None.

4. MINUTES

None.

5. COMMITTEE OF ADJUSTMENT

MOTION TO RECONSIDER (2/3 VOTE NEEDED)

#2020-COA-019

Moved by Councillor Vink

Seconded by Deputy Mayor Wilkins

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.

Carried

6.1 Severance Application B07/2020

Chair Mayhew calls the Public Meeting for B07-2020 –4317 Parkhouse Drive, Dennis & Susan Sinclair to order at 6:38 p.m.

Announcement of Chair:

The Chair announced the purpose of the meeting 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.

The Chair invited the Planner to present their report. The Planner noted that the Planning Act allows for the amendment to committee of adjustment conditions.

The applicant was invited to speak, but was not present.

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

The Chair invited the public to make oral submissions. There were no oral submissions to the Committee.

The Chair invited members of the public forward who registered to speak in support or against the application. No members of the public registered to speak to the application.

The Chair asked the Secretary to read any written submissions made prior to the meeting. There Secretary read out a written a submission from Elaine Kosemenko and Greg Merlo of 4291 Parkhouse Drive, Glencoe: Our farm is located at 4291 Parkhouse Drive. We are in complete agreement and will be fully supporting all of the planner “Stephanie Poirier’s” recommendations for 4317 Parkhouse Drive.

The Committee recessed at 6:43 p.m. to allow for public to register and provide comment.

The Committee resumed at 6:48 p.m.

The Chair provided the opportunity for the applicant to make final remarks. The applicant was not present.

Chair Mayhew declares the Public Meeting for B7/2020, Sinclair closed.

Severance Application B07/2020

#2020-COA-020

Moved by Councillor Carruthers

Seconded by Councillor McGill

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.

Carried

#2020-COA-021

Moved by Deputy Mayor Wilkins

Seconded by Councillor Bartlett

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.

Carried

6. FUTURE MEETINGS (subject to change)

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

7. ADJOURNMENT

The Mayor adjourned the meeting at 6:53 pm.