



**MUNICIPALITY OF SOUTH WEST MIDDLESEX  
COMMITTEE MINUTES**

WEDNESDAY, DECEMBER 16, 2020 7:00 PM

Via. Electronic Participation

## **COMMITTEE OF ADJUSTMENT MINUTES**

**Meeting can be viewed at:**

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

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

The Municipality of Southwest Middlesex Committee of Adjustment met in Regular Session on December 16, 2020.

#### **MEMBERS PRESENT:**

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

#### **REGRETS:**

Doug Bartlett

#### **STAFF PRESENT:**

CAO/Clerk - Jill Bellchamber-Glazier, Director of Operations – Greg Storms, Treasurer – Kristen McGill, Planner – Stephanie Poirier

#### **ALSO PRESENT:**

Members of the public

## **1. CALL TO ORDER**

Chairperson Mayhew called the meeting to order at 7:46 p.m.

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. MINUTES**

#2020-COA-028

Moved by M. McGill

Seconded by I. Carruthers

THAT the November 25, 2020 Committee of Adjustment Meeting minutes are received and approved by the committee.

Carried

## **4. COMMITTEE OF ADJUSTMENT**

### **4.1 Severance Application B11/2020 – Strathroy Turf Farms Ltd.**

Chair Mayhew calls the Public Meeting for B11-2020 – 5733 Falconbridge Road, Strathroy Turf Farms Ltd. to order at 7:48 p.m.

The purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to **Strathroy Turf Farms Ltd.** Consent application for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect is to sever a 0.676 ha (1.67 ac) parcel of land from the property legally described as Concession 2, North Part Lot 8, Municipality of Southwest Middlesex (Ekfrid).

The planner presented their report.

The Chair invited the applicant to speak to the application. The applicant was not present at the meeting.

The Chair invited members to speak to the application.

The Chair invited oral submissions of delegates, speaking either for or against the application. There were no registered delegates.

The Chair asked the Secretary of the Committee of Adjustment if there were any written submissions. There were no written submissions.

The Chair recessed the meeting at 7:52 p.m. to allow for interested parties to register to speak to the application.

The Chair resumed the meeting at 7:58 p.m. No persons registered to speak to the application.

Chair Mayhew declared the Public Meeting for B-11/2020 closed.

### **Severance Application B-11/2020**

#2020-COA- 029

Moved by I. Carruthers

Seconded by M. McGill

**THAT** Application for Consent B11-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 0.676 ha (1.67 ac) parcel of land from the property legally described as Concession 2, North Part Lot 8, 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 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 the habitability of the single detached dwelling be confirmed to the satisfaction of the Municipality.
6. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Municipality.
7. That the accessory building located on the retained land be issued a Change of Use permit to prohibit livestock and allow for farm equipment storage only, or be removed to the satisfaction of the Municipality.
8. That the existing accessory buildings on the severed and retained lands be inspected by a qualified professional and the inspection report be provided to the Municipality for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for a residential/agricultural accessory building, or be removed to the satisfaction of the Municipality.
9. 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. The qualified septic installer shall also confirm the location of the existing septic system is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.
10. That the applicants establish access to the retained agricultural lands, if necessary, to the satisfaction of the Municipality.
11. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B11-2020 be in full force and effect.
12. That a preliminary survey showing the lands being severed, any required land dedication, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well and septic system be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.
13. 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

### 4.2 **Severance Application B12/2020 – Minnema Farms Inc.**

Chair Mayhew calls the Public Meeting for B12-2020 – 6079 Longwoods Road, Minnema Farms to order at 7:59 p.m.

The purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a **Minnema Farms** consent application for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect is to sever a 0.24 ha (0.59 ac) parcel of land from the property legally described as Range 1, SLR, Part Lot 5, Municipality of Southwest Middlesex (Ekfrid), and to establish an easement for access to the well that is located on the lands to be retained in favour of the lands to be severed.

The planner presented their report.

The Chair invited the applicant to speak to the application. The applicant was not present at the meeting.

The Chair invited members to speak to the application.

The Chair invited oral submissions of delegates, speaking either for or against the application. There were no registered delegates.

The Chair asked the Secretary of the Committee of Adjustment if there were any written submissions. There were no written submissions.

The Chair recessed the meeting at 8:08 p.m. to allow for interested parties to register to speak to the application.

The Chair resumed the meeting at 8:12 p.m. No persons registered to speak to the application.

Chair Mayhew declared the Public Meeting for B-12/2020 closed.

### **Severance Application B-12/2020**

#2020-COA- 030

Moved by M. Sholdice

Seconded by M. Vink

**THAT** Application for Consent B12-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 0.24 ha (0.59 ac) parcel of land from the property legally described as Range 1, SLR, Part Lot 5, Municipality of Southwest Middlesex (Ekfrid), and to establish an easement for access to the well that is located on the lands to be retained in favour of the lands to be severed, 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 the habitability of the single detached dwelling be confirmed to the satisfaction of the Municipality.
6. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Municipality.
7. That the two barns on the retained land be demolished, to the satisfaction of the Municipality.
8. That the existing accessory building on the severed lands be inspected by a qualified professional and the inspection report be provided to the Municipality for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for a residential accessory building, or be removed to the satisfaction of the Municipality.

9. 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. The qualified septic installer shall also confirm the location of the existing septic system is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.
10. That the applicants establish access to the retained agricultural lands off of Springfield Road, if an access does not already exist, to the satisfaction of the Municipality.
11. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B12-2020 be in full force and effect.
12. That the owner be required to dedicate lands up to 18 m from the centerline of construction of County Road 2 (Longwoods Road) across the severed and retained parcels to the County of Middlesex for the purposes of road widening if the right of way is not already to that width, to the satisfaction of the County of Middlesex.
13. That a preliminary survey showing the lands being severed, any required land dedication, the well easement and the location of all buildings and structures including their setbacks from the property lines and the location of the private water 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.

#### 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

#### 4.3 **Severance Application B13/2020 – Minnema Farms**

Chair Mayhew calls the Public Meeting for B13-2020 – 3872 Parkhouse Drive, Minnema Farms to order at 8:14 p.m.

The purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to **Minnema Farms** Consent application for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect is to sever a 0.2 ha (0.49 ac) of land from the property legally described as Concession 1, South Part Lot 23, Municipality of Southwest Middlesex (Ekfrid).

The planner presented their report.

The Chair invited the applicant to speak to the application. The applicant was not present at the meeting.

The Chair invited members to speak to the application.

The Chair invited oral submissions of delegates, speaking either for or against the application. There were no registered delegates.

The Chair asked the Secretary of the Committee of Adjustment if there were any written submissions. There were no written submissions.

The Chair recessed the meeting at 8:16 p.m. to allow for interested parties to register to speak to the application.

The Chair resumed the meeting at 8:21 p.m. No persons registered to speak to the application.

Chair Mayhew declares the Public Meeting for B-13/2020 closed.

### **Severance Application B-13/2020**

#2020-COA- 031

Moved by M. Sholdice

Seconded by I. Carruthers

**THAT** Application for Consent B13-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 0.2 ha (0.49 ac) of land from the property legally described as Concession 1, South Part Lot 23, 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 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 the habitability of the single detached dwelling be confirmed to the satisfaction of the Municipality.
6. 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. The qualified septic installer shall also confirm the location of the existing septic system is wholly contained on the severed lands.
7. That the applicants establish access to the retained agricultural lands, if an access does not exist, to the satisfaction of the Municipality.
8. That a Zoning By-law Amendment that appropriately rezones the severed lot and the retained lot of Consent B13-2020 be in full force and effect.
9. That a preliminary survey showing the lands being severed, any required land dedication, and the location of all buildings and structures including their setbacks from the property lines and the location of the septic system 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 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

#### 4.4 **Severance Application B14/2020 – Minnema Farms**

Chair Mayhew calls the Public Meeting for B14-2020 – 23517 Dundonald Road, Minnema Farms to order at 8:23 p.m.

The purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to **Minnema Farms** Consent application for Southwest Middlesex Committee of Adjustment to consider the proposal.

The purpose and effect is to sever a 0.2 ha (0.49 ac) parcel of land from the property legally described as Concession 4, North Part Lot 1, Municipality of Southwest Middlesex (Mosa), and to establish an easement for access to the well that is located on the lands to be retained in favour of the lands to be severed.

The planner presented their report.

The Chair invited the applicant to speak to the application. The applicant was not present at the meeting.

The Chair invited members to speak to the application.

The Chair invited oral submissions of delegates, speaking either for or against the application. There were no registered delegates.

The Chair asked the Secretary of the Committee of Adjustment if there were any written submissions. There were no written submissions.

The Chair recessed the meeting at 8:29 p.m. to allow for interested parties to register to speak to the application.

The Chair resumed the meeting at 8:34 p.m. No persons registered to speak to the application.

Chair Mayhew declared the Public Meeting for B-14/2020 closed.

#### **Severance Application B-14/2020**

#2020-COA- 032

Moved by I. Carruthers

Seconded by M. McGill

**THAT** Application for Consent B14-2020, submitted under Section 53 of the Planning Act, which proposes to sever a 0.2 ha (0.49 ac) parcel of land from the property legally described as Concession 4, North Part Lot 1, Municipality of Southwest Middlesex (Mosa), and to establish an easement for access to the well that is located on the lands to be retained in favour of the lands to be severed, 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 interior side lot lines be relocated to the edge of the cultivated lands and the area be recalculated to the satisfaction of the Municipality.
5. 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.
6. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Municipality.
7. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Municipality.
8. That the barn located on the retained land be issued a Change of Use permit to prohibit livestock and allow for farm equipment storage only, or be removed to the satisfaction of the Municipality.
9. That the existing barn on the severed lands be inspected by a qualified professional and the inspection report be provided to the Municipality for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for an agricultural building, or be removed to the satisfaction of the Municipality.

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. The qualified septic installer shall also confirm the location of the existing septic system is wholly contained on the severed lands and confirm that the clearance distance from the septic system to the well is adequate.
11. That the applicants establish access to the retained agricultural lands, if an access does not exist, 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 B14-2020 be in full force and effect.
13. That the owner be required to dedicate lands up to 15 m from the centerline of construction of County Road 80 (Dundonald Road) across the severed and retained parcels to the County of Middlesex for the purposes of road widening if the right of way is not already to that width, to the satisfaction of the County of Middlesex.
14. That a preliminary survey showing the lands being severed, any required land dedication, the well easement and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well, and septic system be submitted to the satisfaction of the Municipality prior to being deposited at the Land Registry Office.
15. 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

#### **5. FUTURE MEETINGS (subject to change)**

- January 27, 2021

## **6. ADJOURNMENT**

The Chairperson adjourned the meeting at 8:37 p.m.