



**MUNICIPALITY OF SOUTH WEST MIDDLESEX
COMMITTEE MINUTES**

WEDNESDAY, MARCH 24, 2021 7:00 PM
via Electronic Participation

COMMITTEE OF ADJUSTMENT MINUTES

SOUTHWEST MIDDLESEX COMMITTEE OF ADJUSTMENT

The Municipality of South West Middlesex Committee of Adjustment met in Regular Session on March 24, 2021 at 7:00 p.m.

MEMBERS PRESENT:

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

REGRETS:

STAFF PRESENT:

Secretary/Treasurer – Jill Bellchamber-Glazier, Planner – Stephanie Poirier

ALSO PRESENT:

Ed Vandergroot

Stan and Monica Van Vooren

Members of the Public and Press

1. CALL TO ORDER

Chairperson Mayhew calls the meeting to order at 7:09 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

#2021-COA-005

Moved by M. McGill

Seconded by M. Vink

THAT the February 24, 2021 Committee of Adjustment Meeting minutes are received and approved by the committee.

Carried

4. COMMITTEE OF ADJUSTMENT

4.1 Minor Variance Application A1/2021 – Glover

Chair Mayhew calls the Public Meeting for A1/2021 – Con 3 S Pt Lot 2, Falconbridge Drive, Glover to order at 7:10 p.m.

The Chair noted the purpose of the meeting to give the public an opportunity to hear all interested persons with respect to a Minor Variance Application by Andrew P. Hentz for Jean Glover, and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The Planner presented their report, including 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 5.2.1 in order to permit a reduced minimum lot frontage of 227.8 m (747.4 ft), whereas the minimum lot frontage is 300 m (984.3 ft), and a reduced minimum lot area of 28.8 ha (71.2 ac) whereas the required minimum lot area is 40 ha (98.84 ac).

The lands are designated 'Agricultural' in the Municipality's Official Plan and are zoned 'General Agricultural (A1)' in the Municipality's Zoning By-law.

The minor variance application is related to consent file B08-2020 that was conditionally approved to add lands with an abutting property.

The Chair provided the applicant with the opportunity to speak to the application. The applicant was not present.

The Chair invited members to give remarks.

The Chair provided opportunity for registered delegates to give oral submission. There were no registered delegates.

The Chair inquired with the Secretary if there were written submissions. There were none.

The Chair recessed the meeting for a five-minute recess to allow opportunity for other participants to speak to the application.

The Chair resumed the meeting. There were no submissions.

Committee Member Sholdice is no longer present at 7:19 p.m.

Chair Mayhew declares the Public Meeting for A1/2021 (Glover) closed.

Minor Variance A1/2021

#2021-COA-006

Moved by I. Carruthers

Seconded by D. Bartlett

THAT Application for Minor Variance A1-2021 filed by Andrew P. Hentz on behalf of Jean Glover to permit a severance and lot addition with a reduced minimum lot area of 28.8 ha (71.2 ac) whereas the required minimum lot area is 40 ha (98.84 ac) be **GRANTED**.

AND THAT the reasons for granting Minor Variance A1-2021 are:

- The request complies with the general intent and purpose of Southwest Middlesex's Official Plan;
- The request complies with the general intent and purpose of Southwest Middlesex's Comprehensive Zoning By-law;
- The request is minor in nature; and
- The request represents appropriate development on the subject property.

Carried

4.2 Minor Variance Application A2/2021 – Vandergroot

Chair Mayhew calls the Public Meeting for A2/2021 – Con 3 S Pt Lot 2, Falconbridge Drive, Vandergroot to order at 7:20 p.m.

The Chair announced the purpose of the meeting to give the public an opportunity to hear all interested persons with respect to a Minor Variance Application by Andrew P. Hentz for Edward and Michelle Vandergroot, and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The planner presented their report, including 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 5.2.1 in order to permit a reduced minimum lot frontage of 149 m (488.8 ft), whereas the minimum lot frontage is 300 m (984.3 ft), and a reduced minimum lot area of 2.3511 ha (5.8097 ac) where the minimum lot area is 40 ha (98 ac).

The lands are designated 'Agricultural' in the Municipality's Official Plan and are zoned 'General Agricultural (A1)' in the Municipality's Zoning By-law.

The minor variance application is related to consent file B08-2020 that was conditionally approved to add lands with an abutting property.

The Chair invited the applicant with the opportunity to speak to the application. The applicant was available for questions.

The Chair invited members to give remarks.

The Chair provided opportunity for registered delegates to give oral submission. There were no registered delegates.

The Chair inquired with the Secretary if there were written submissions. There were none.

The Chair recessed the meeting for a five-minute recess to allow opportunity for other participants to speak to the application.

The Chair resumed the meeting. There were no submissions.

Councillor Sholdice is now present at 7:29 p.m.

Chair Mayhew declares the Public Meeting for A2/2021 (Vandergroot) closed.

Minor Variance A2/2021

#2021-COA-007

Moved by C. Cowell

Seconded by M. McGill

THAT Application for Minor Variance A2-2021 filed by Andrew P. Hentz on behalf of Edward and Michelle Vandergrout to permit a severance and lot addition with a reduced minimum lot frontage of 149 m (488.8 ft) whereas the minimum lot frontage is 300 m (984.3 ft), and a reduced minimum lot area of 2.3511 ha (5.8097 ac) whereas the required minimum lot area is 40 ha (98.84 ac) be **GRANTED**.

AND THAT the reasons for granting Minor Variance A2-2021 are:

- The request complies with the general intent and purpose of Southwest Middlesex's Official Plan;
- The request complies with the general intent and purpose of Southwest Middlesex's Comprehensive Zoning By-law;
- The request is minor in nature; and
- The request represents appropriate development on the subject property.

Carried

4.3 Minor Variance Application A3/2021 – Van Vooren

Chair Mayhew calls the Public Meeting for A3/2021 – 196 McKellar Street, Van Vooren to order at 7:31 p.m.

The Chair noted the purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a Minor Variance Application by Monica Van Vooren, and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The Planner presented their report and noted 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 6.2.1 a) to recognize the reduced setbacks of an existing single detached dwelling. This includes a reduced Side Yard Width – Exterior of 4.14 m (13.6 ft) whereas the Side Yard Width – Exterior is 7.5 m (24.6 ft); a reduced Front Yard Depth of 7.0 m (23 ft) whereas the minimum Front Yard Depth is 7.5 m (24.6 ft); and a reduced Rear Yard Depth of 4.91 m (16.1 ft) whereas the minimum Rear Yard Depth is 7.5 m (24.6 ft).

The lands are designated 'Residential' in the Municipality's Official Plan and are zoned 'Residential First Density (R1(1))' in the Municipality's Zoning By-law.

The minor variance application is related to consent file B05-2020 that was conditionally approved to create a new residential lot on Elizabeth Street. The severance of the land changed

the location of the front and exterior side yards for the lot thereby requiring the above noted variances for the existing dwelling.

The Chair invited the applicant to speak to the application.

The Chair provided opportunity for registered delegates to give oral submission. There were no registered delegates.

The Chair inquired with the Secretary if there were written submissions. There were none.

The Chair recessed the meeting for a five-minute recess to allow opportunity for other participants to speak to the application.

The Chair resumed the meeting. There were no submissions.

Chair Mayhew declares the Public Meeting for A3/2021 (Van Vooren) closed.

Minor Variance A3/2021

#2021-COA-008

Moved by I. Carruthers

Seconded by M. Sholdice

THAT Application for Minor Variance A3-2021 filed by Monica Van Vooren to recognize an existing dwelling with a minimum Side Yard Width – Exterior of 4.14 m (13.6 ft) whereas the Side Yard Width – Exterior is 7.5 m (24.6 ft); a minimum Front Yard Depth of 7.0 m (23 ft) whereas the minimum Front Yard Depth is 7.5 m (24.6 ft); and a minimum Rear Yard Depth of 4.91 m (16.1 ft) whereas the minimum Rear Yard Depth is 7.5 m (24.6 ft), be **GRANTED**.

AND THAT the reasons for granting Minor Variance A2-2021 are:

- The request complies with the general intent and purpose of Southwest Middlesex's Official Plan;
- The request complies with the general intent and purpose of Southwest Middlesex's Comprehensive Zoning By-law;
- The request is minor in nature; and
- The request represents appropriate development on the subject property.

Carried

4.4 Minor Variance Application A4/2021 – Southwest Middlesex

Chair Mayhew calls the Public Meeting for A4/2021 – 301 Main Street, Southwest Middlesex to order at 7:41 p.m.

The Chair noted the purpose of this meeting is to give the public an opportunity to hear all interested persons with respect to a Minor Variance Application by Alison Hannay on behalf of Southwest Middlesex, and for Southwest Middlesex Committee of Adjustment to consider the proposal.

The Planner presented their report, including 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 7.2.1 in order to recognize a deficient front yard setback of 6.94 m (22.7 ft) for the Southwest Middlesex Day Care Centre, whereas the minimum front yard setback required is 7.5 m (24.6 ft).

The agent has advised that during the construction process of the day care centre building, it was identified that the building was built 0.56 m (1.8 ft) too close to the front lot line in error, which requires a minor variance. (See Survey)

The lands are designated 'Residential' in the Municipality's Official Plan and are zoned 'Restricted Commercial Site Specific (C2-7)' in the Municipality's Zoning By-law.

The Chair provided the applicant with the opportunity to speak to the application.

The Chair invited members to give remarks.

The Chair provided opportunity for registered delegates to give oral submission. There were no registered delegates.

The Chair inquired with the Secretary if there were written submissions. There were none.

The Chair recessed the meeting for a five-minute recess to allow opportunity for other participants to speak to the application.

The Chair resumed the meeting. There were no submissions.

Chair Mayhew declares the Public Meeting for A4/2021 (Southwest Middlesex) closed.

Minor Variance A4/2021

#2021-COA-009

Moved by C. Cowell

Seconded by M. Wilkins

THAT Application for Minor Variance A4-2021 filed by Cornerstone Architecture Incorporated on behalf of the Municipality of Southwest Middlesex to recognize the construction of a day care centre with a front yard setback of 6.94 m (22.7 ft) for the Southwest Middlesex Day Care Centre, whereas the minimum front yard setback required is 7.5 m (24.6 ft) be **GRANTED**.

Carried

4.5 Severance Application B1/2021 – 145 Kennedy Street

Chair Mayhew calls the Public Meeting for B1-2021 – 145 Kennedy Street, Ken & Nancy Mott to order at 7:53 p.m.

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

The Planner presented their report, and noted the purpose and effect is to sever a residential lot with a frontage of approximately 20.12 m (66 ft) on Kennedy Street and an area of approximately 831.36 m² (0.205 acres) from a property known municipally as 145 Kennedy Street, Wardsville.

The Chair provided the applicant with the opportunity to speak to the application.

The Chair invited members to give remarks.

The Chair provided opportunity for registered delegates to give oral submission. There were no registered delegates.

The Chair inquired with the Secretary if there were written submissions. There were none.

The Chair recessed the meeting for a five-minute recess to allow opportunity for other participants to speak to the application.

The Chair resumed the meeting. There were no submissions.

Chair Mayhew declares the Public Meeting for B-1/2021 closed.

Severance Application B-1/2021

#2021-COA-010

Moved by M. Wilkins

Seconded by I. Carruthers

THAT Application for Consent B1-2021, submitted under Section 53 of the Planning Act, which proposes to sever a residential lot with a frontage of approximately 20.12 m (66 ft) on Kennedy Street and an area of approximately 831.36 m² (0.205 acres) from a property known municipally as 145 Kennedy Street, Wardsville 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 an entrance permit associated with the establishment of a driveway for the lands to be severed be obtain and the works be completed to the satisfaction of the Municipality.
- 5) That the owner submit a servicing brief including water, sanitary, and stormwater information, to the satisfaction of the Municipality.
- 6) That the owner install separate water and sanitary service connections to the severed parcel prior to consent being granted 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 provide 5% in cash-in-lieu of parkland dedication for the severed lot of Consent B1-2021, to the satisfaction of the municipality.
- 9) That a preliminary survey showing the lot proposed to be severed with a building footprint with setbacks from the interior side lot line, exterior side lot line, front lot line, and rear lot line, location of the new driveway, and clarifier tank for the small bore system, as well as the lot to be retained with setbacks between existing structures and all lot lines and the location of existing clarifier tank be submitted to the Municipality for review prior to being deposited at the Land Registry Office to the satisfaction of the municipality.
- 10) That two copies of the reference plan are submitted to the satisfaction of the Municipality.

Reasons

Consistency with the 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 Zoning By-law and Official Plan would be maintained.

Carried

5. FUTURE MEETINGS (subject to change)

- April 21, 2021

6. ADJOURNMENT

The Chairperson adjourned the meeting at 8:09 p.m.