

MUNICIPALITY OF MIDDLESEX CENTRECOMMITTEE OF ADJUSTMENT MINUTES

HEARING NUMBER 8/09

NOVEMBER 23, 2009

The eighth hearing of 2009 was held by the Committee of Adjustment this date at the Middlesex Centre Municipal Offices, Coldstream, Ontario at 7:00 p.m.

PRESENT

Stephen Harvey
Sharon McMillan
Ken Nixon
Don Rows

STAFF PRESENT

Benjamin Puzanov, Secretary-Treasurer
Marc Bancroft, Assistant Secretary-Treasurer

DECLARATIONS OF PECUNIARY INTEREST

There were no declarations of pecuniary interest stated by any of the members.

MINUTES

Moved by Sharon McMillan
Seconded by Ken Nixon

THAT the minutes of the September 28, 2009 Hearing of the Municipality of Middlesex Centre Committee of Adjustment, be approved.

Carried

APPLICATION NO. B-10/09 – Richard and Christine Rankin, Charlotte and Bob Traher (Agents), Part of Lot 17, Concession 13 (geographic Township of London); 14278 Thirteen Mile Road, Birr

Chair Rows read the purpose and effect of the subject application, which is to sever a lot from an existing 2.02 hectare (4.99 ac) lot located in the hamlet of Birr. The parcel to be severed would have a lot frontage of approximately 53.34 metres (175 ft) along Thirteen Mile Road, a lot depth of 135.06 metres (443.12 ft) and a lot area of approximately 0.72 hectares (1.78 ac). The parcel to be retained would have a lot frontage of approximately 102.1 metres (335 ft), an irregular lot depth and a lot area of approximately 1.3 hectares (3.2 acres). The parcel to be retained contains an existing single-detached dwelling and two decommissioned livestock barns. The parcel to be severed is currently vacant.

Richard Rankin and Bob Traher were in attendance to speak to the application. Mr. Traher indicated that, in his opinion, reducing the frontage of the parcel proposed to be severed, as recommended by staff, would create a retained lot that is difficult to maintain due to the row of trees that are located on the subject lands. Mr. Rankin indicated that him and his wife have no intention of severing an additional lot from the subject property and as such, the distance between the existing single-detached dwelling and the lot proposed to be severed was not relevant to the subject application.

Benjamin Puzanov read the correspondence from the County of Middlesex, the Municipal Public Works and Engineering Department, the Municipal Chief Building Official and the Upper Thames River Conservation Authority.

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Mr. Puzanov indicated that the maintenance of the subject property would not be any more difficult than is currently the case as the applicants currently own several acres of land that extend west beyond the row of trees. Mr. Puzanov noted that while he acknowledges the fact that the Rankins do not plan to sever an additional lot between the parcel proposed to be severed and the existing single-detached dwelling on the subject property, staff is planning for the future of Birr and is of the opinion that reducing the lot frontage of the parcel proposed to be severed by 7.62 metres (25 ft.) will facilitate the ability to sever an additional 45.72 metre (150 ft) wide lot from the subject lands and would thus constitute a more efficient use of land within the hamlet. Mr. Puzanov further indicated that the severance, as proposed by the Rankins, would create a large lot that is not typical of the lots on the north side of Thirteen mile within the hamlet of Birr.

Mr. Puzanov stated that he is recommending that the Committee amend the application in respect of the following:

1. The lot frontage of the parcel proposed to be severed be reduced from 53.34 metres (175 feet) to 45.72 metres (150 feet); and
2. The lot area of the parcel proposed to be severed be reduced from 0.72 hectares (1.78 ac) to 0.61 hectares (1.52 ac).

Mr. Puzanov indicated that if the amended consent application is approved, staff is recommending the following conditions: that the Certificate of Consent under Section 53(42) of the Planning Act be given within one year of the date of the notice of the decision; that the applicants pay a \$1,000.00 cash-in-lieu of parkland dedication to the Municipality for the new building lot; that the applicants enter into a Severance Agreement with the Municipality, and that the Agreement be registered on title of the subject land, which addresses among other matters, entrance location and construction, lot grading and drainage, building envelopes, potable water supply, septic system and 100% related contingency area, all to the satisfaction of the Municipality; and that the applicants provide an affidavit indicating that the existing barns on the subject property have been decommissioned and no longer house livestock.

Stephen Harvey asked staff why the two existing barns on the subject property were not being removed as a condition of the severance being granted. Mr. Puzanov indicated that the applicants stated that the barns do not house any livestock and that they would be required to submit an affidavit indicating as such. He further noted that the outbuildings will be considered as accessory uses within the Hamlet Residential First Density (HR1) Zone.

Sharon McMillan asked staff about how the aforementioned affidavit would be enforced. Mr. Puzanov indicated that the affidavit would be a commissioned, legal document that would be utilized in the by-law enforcement process should livestock be housed illegally in the barns.

There were no members of the public present to speak to the application.

Sharon McMillan moved that the application, as amended, be approved with the conditions recommended by staff. There was no committee member willing to second the motion.

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Moved by Stephen Harvey
Seconded by Ken Nixon

THAT application B-10/09, as filed by Richard and Christine Rankin (Charlotte and Bob Traher, agents) for consent to sever a parcel of land having a lot frontage of approximately 53.34 metres on Thirteen Mile Road, a lot depth of approximately 135.06 metres and a lot area of approximately 0.72 hectares; for a property described as Part of Lot 17, Concession 13 (geographic Township of London), Municipality of Middlesex Centre, and known municipally as 14278 Thirteen Mile Road; BE GRANTED.

Lost

Moved by Sharon McMillan
Seconded by Ken Nixon

THAT application B-10/09, as amended by staff, for consent to sever a parcel of land having a lot frontage of approximately 45.72 metres on Thirteen Mile Road, a lot depth of approximately 135.06 metres and a lot area of approximately 0.61 hectares; for a property described as Part of Lot 17, Concession 13 (geographic Township of London), Municipality of Middlesex Centre, and known municipally as 14278 Thirteen Mile Road.; BE GRANTED.

Carried

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 the notice of the decision.
2. That the applicants pay a \$1,000.00 cash-in-lieu of parkland dedication to the Municipality for the new building lot;
3. That the applicants enter into a Severance Agreement with the Municipality, and that the Agreement be registered on title of the subject land, which addresses among other matters, entrance location and construction, lot grading and drainage, building envelopes, potable water supply, septic system and 100% related contingency area, all to the satisfaction of the Municipality; and
4. That the applicants provide an affidavit indicating that the existing barns on the subject property have been decommissioned and no longer house livestock.

Reasons:

The Committee stated that the general intent and purpose of the Middlesex Centre Official Plan would be maintained if the consent is granted. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan. It was noted by the Committee that the application is in conformity with the Middlesex Centre Comprehensive Zoning By-law.

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The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to infilling in a hamlet area.

APPLICATION NO. A-15/09 – Nora Trethewey, Aaron Baker (agent), Part of Lot 13, Concession 2 (geographic Township of Lobo); 22734 Nairn Road

Chair Rows read the purpose and effect of the subject application, which is to seek relief from the setback requirement from the centreline of Nairn Road (County Road 17) according to the Middlesex Centre Comprehensive Zoning By-law No. 2005-005. A minimum setback of 38.0 metres (125 ft) from the centreline of County Road 17 is required whereas the applicant is proposing to demolish the existing single detached dwelling and replace it with a new single detached dwelling with a setback of 27.92 metres (91.6 ft). The existing dwelling is setback approximately 19.25 metres (63.16 ft) from the same centreline

Aaron Baker was in attendance and did not have anything to add to Chair Rows' description of the application.

Stephen Harvey asked staff whether or not the footprint of the proposed single-detached dwelling is too large for the triangular lot. Mr. Puzanov indicated that the proposed single-detached dwelling meets all of the requirements of the zoning by-law, with the exception of the setback from the centreline of County Road 17, which is proposed to be recognized through the subject minor variance application.

Benjamin Puzanov read the correspondence from the County of Middlesex, the Upper Thames River Conservation Authority, the Municipal Public Works and Engineering Department and the Municipal Deputy Chief Building Official.

Mr. Puzanov indicated that staff is supportive of the application as the minor variance complies with the general intent and purpose of the Municipal Official Plan and Comprehensive Zoning By-law, is considered to be minor in nature and represents an appropriate development and use of the subject property.

Mr. Puzanov recommended that no conditions be imposed on the decision if the Committee was to approve the application for minor variance.

There were no comments from the public regarding this application.

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT application A-15/09, filed by Nora Trethewey (Aaron Baker, agent) for relief from the setback requirement from the centreline of Nairn Road (County Road 17); specifically to decrease the minimum setback required from the centreline of County Road 17 to 27.92 metres; whereas the Middlesex Centre Comprehensive Zoning By-law 2005-005 requires a minimum setback of 38.0 metres; for a property described as Part of Lot 13, Concession 2 (geographic Township of Lobo),

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Municipality of Middlesex Centre and known municipally as 22734 Nairn Road; BE GRANTED.

Carried

Reasons:

The Committee was of the opinion that the extent of the variance is “minor” in nature from the provisions of the Middlesex Centre Comprehensive Zoning By-law. The Committee stated that the general intent and purpose of both the Middlesex Centre Official Plan and Zoning By-law are maintained with the granting of the minor variance application. The Committee was satisfied that the variance was desirable for the appropriate development and use of the subject property; and, that the variance was in keeping with the general development of the area. It was also noted that the variance would not have detrimental effect on adjacent or surrounding land uses and that there were valid reasons why the Zoning By-law requirement cannot be met.

APPLICATION NO. B-12/09 – Jack and Alice Vanderweg, Part of Lot 15, Concession 8 (geographic Township of London); 14494 Eight Mile Road

Chair Rows read the purpose and effect of the subject application, which is to sever and convey as a lot addition a 1.55 hectare (3.8 ac) parcel of land from the original 2.43 hectare (6 ac) parcel. The lot to be severed would have no frontage on a public road, a depth of 254 metres (833 ft) and a lot area of approximately 1.55 hectares (3.8 ac). The applicants indicate that the lot to be severed is to be merged with the abutting property which contains a single detached dwelling, known municipally as 14498 Eight Mile Road, located to the immediate southeast. Following the lot addition severance, the lot to be retained would have a lot frontage of approximately 50 metres (164 ft) along Eight Mile Road, a lot depth of 176 metres (577.4 ft) and a lot area of approximately 0.88 hectares (2.17 ac). The lot to be retained contains an existing single detached dwelling.

Jack and Alice Vanderweg were in attendance to speak to the application. The applicants indicated that they applied for the same consent back in 2002. The Committee of Adjustment granted conditional approval to the consent but the conditions were not fulfilled in time, and as such, the consent lapsed.

Ken Nixon asked the applicants why they did not finalize the 2002 consent application. Mr. Vanderweg indicated that he attempted to clear the conditions of the severance approximately one month prior to the lapsing date. Mr. Vanderweg further noted that because a zoning by-law amendment was a condition of the severance, the one month timeframe did not provide them with sufficient time to finalize the consent.

Chair Rows asked staff why a rezoning was required at the time of the original consent application but was not included as a recommended condition of the subject application. Mr. Puzanov indicated that the comprehensive zoning by-law had changed since the 2002 consent application was filed and a rezoning was no longer necessary to facilitate the severance.

Benjamin Puzanov read the correspondence from the County of Middlesex, the Municipal Public Works and Engineering Department, the Municipal Chief Building Official and the Upper Thames River Conservation Authority.

Mr. Puzanov indicated that the receiving lot with the addition of the lot to be severed would have a lot frontage of approximately 32.3 metres (106 ft) and a lot area of approximately

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2.11 hectares (5.2 ac). The lot to be retained would have a lot frontage of approximately 50 metres (164 ft) along Eight Mile Road and a lot area of approximately 0.88 hectares (2.17 ac). Mr. Puzanov noted that a minor variance would be required as a condition of the severance because the proposed receiving and retained lots will exceed the maximum lot area of 0.6 hectares (1.5 ac) for undersized, residential lots in agricultural areas.

George Fairles of 14512 Eight Mile Road was in attendance to speak to the application. Mr. Fairles asked about the purpose of the subject severance. Mr. Vanderweg indicated that he is planning to build a new, smaller single-detached dwelling on the receiving lot, known municipally as 14494 Eight Mile Road, and as such would like to demolish the existing single-detached dwelling on the parcel proposed to be retained, known municipally as 14498 Eight Mile Road. Mr. Vanderweg noted that he is seeking the severance in order to maintain the same amount of land that he currently owns on the property known municipally as 14498 Eight Mile Road.

Mr. Fairles questioned why the applicants are not instead transferring the parcel proposed to be severed to the adjacent farm to the east, known municipally as 14520 Eight Mile Road and also owned by the applicants. Mr. Vanderweg indicated that they do not need additional land for the farm property.

Mr. Puzanov stated that staff supports the application as it is consistent with the Provincial Policy Statement, is in conformity with the County of Middlesex and Municipality of Middlesex Centre Official Plans and would conform to the Municipality of Middlesex Centre Comprehensive Zoning By-law 2005-005 through an approved minor variance.

Mr. Puzanov indicated that if the consent application is approved, staff is recommending the following conditions: that the Certificate of Consent under Section 53(42) of the Planning Act be given within one year of the date of the notice of the decision; that the lot to be severed be deeded in the same name and title as the abutting parcel to the immediate southeast known municipally as 14498 Eight Mile Road and that Section 50(3) of the Planning Act apply to any further conveyance or transaction of the subject lands; and that a minor variance be required for relief from the maximum lot area requirement of the A1 zone in respect of the retained lot known municipally as 14494 Eight Mile Road and the receiving lot known municipally as 14498 Eight Mile Road, and that the minor variance be approved and in full force and effect.

Moved by Ken Nixon

Seconded by Stephen Harvey

THAT application B-12/09, filed by Jack and Alice Vanderweg for consent to sever and convey as a lot addition a 1.55 hectare parcel of land to the abutting property located to the immediate southeast, with the parcel to be severed having no frontage on a public road, a depth of 254 metres and a lot area of approximately 1.55 hectares; for a property described as Part of Lot 15, Concession 8 (geographic Township of London), Municipality of Middlesex Centre and known municipally as 14494 Eight Mile Road; BE GRANTED.

Carried

Conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act be given within one year of the date of the notice of the decision.

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2. That the lot to be severed be deeded in the same name and title as the abutting parcel to the immediate southeast known municipally as 14498 Eight Mile Road and that Section 50(3) of the Planning Act apply to any further conveyance or transaction of the subject lands.
3. That a minor variance be required for relief from the maximum lot area requirement of the A1 zone in respect of the retained lot known municipally as 14494 Eight Mile Road and the receiving lot known municipally as 14498 Eight Mile Road, and that the minor variance be approved and in full force and effect.

Reasons:

The Committee stated that the general intent and purpose of the Middlesex Centre Official Plan would be maintained if the consent is granted. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan. It was noted by the Committee that the application will be in conformity with the Middlesex Centre Comprehensive Zoning By-law following the approval of a minor variance application.

The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to lot enlargements.

APPLICATION NOs. B-11/09, B-13/09, B-14/09 and B-15/09 – Brian and Hendrica Ritchie, Lots 46 and 47, Plan 113, Part of Lots 31 to 33, 48 to 59 and 170 to 183, Part of Blocks S and Z, Part Lane, Part 3, Reference Plan 33R 995 (geographic Township of Lobo); 22862 Komoka Road, Komoka

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT Applications for Consent B-11/09, B-13/09, B-14/09 and B-15/09 be heard concurrently.

Carried

Chair Rows read the purpose and effect of the subject applications, which is to sever four separate parcels of land and convey each as a lot addition to four residential lots fronting on Union Avenue in Komoka. The proposed receiving lots are known municipally as 115, 117, 121 and 125 Union Avenue. The property at 115 Union Avenue is a vacant lot and the other receiving lots contain existing single-detached dwellings. The easterly parcel that would be conveyed to 125 Union Avenue is approximately 1,578.2 square metres (0.39 ac) in size; the parcel that would be conveyed to 121 Union Avenue is approximately 1,856 square metres (0.45 ac) in size; the parcel that would be conveyed to 117 Union Avenue is approximately 2,499.8 square metres (0.61 ac) in size; and the parcel to be conveyed to 115 Union Avenue, owned by Hendrica Ritchie, is approximately 3,962.7 square metres (0.98 acres) in size. Three of the parcels to be conveyed are vacant, with the exception being the parcel to be conveyed to 115 Union Avenue, which contains an existing accessory building. The parcel to be retained contains an existing single-detached dwelling and an accessory building, has a lot frontage of approximately 35.05 metres (115 ft) along

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Komoka Road (County Road 16), a lot depth of approximately 120.7 metres (396 ft) and a lot area of approximately 0.42 hectares (1.04 ac).

Hendrica Ritchie was in attendance to speak to the application. Mrs. Ritchie indicated that the Moncks and Fergusons, owners of two of the proposed receiving lots, were unable to attend the meeting but indicated that they supported staff's recommendation.

Ken Nixon asked staff where the watercourse that runs through the parcels proposed to be conveyed ceases to become private and turns into a municipal drain. Mr. Puzanov indicated that the municipal drain begins just southwest of the subject property, as the watercourse enters the Komoka Station subdivision.

Benjamin Puzanov read the correspondence from the County of Middlesex, the Municipal Public Works and Engineering Department, the Municipal Chief Building Official, the Municipal Drainage Superintendent and the Upper Thames River Conservation Authority.

Mr. Puzanov indicated that the existing accessory building that is proposed to be conveyed to 115 Union Avenue is accessory to the existing single-detached dwelling located on the subject property. If the applicants wish to keep the accessory building, a temporary use by-law would be required to allow the existing accessory building that is to be located on the proposed parcel to be severed to remain for a period not to exceed 3 years in the absence of a single-detached dwelling. Once a dwelling is erected within the 3 year period, the building will become accessory to the dwelling and will be deemed to conform with the Zoning By-law.

John Driver, owner of one of the proposed receiving lots, known municipally as 125 Union Avenue, was in attendance to speak to the application. Mr. Driver indicated that the proposed parcels to be severed do not contain a municipal drain. Mr. Puzanov confirmed Mr. Driver's statement.

There were no other members of the public present to speak to the application.

Mr. Puzanov stated that staff supports the proposed consent applications as they are consistent with the Provincial Policy Statement, are in conformity with the County of Middlesex and Municipality of Middlesex Centre Official Plans and would all be in conformity with the Municipality of Middlesex Centre Comprehensive Zoning By-law 2005-005 through an approved temporary use by-law for the property known municipally as 115 Union Avenue. Mr. Puzanov indicated that if the consent applications are approved, there are four sets of conditions included in the report that should be applied to the applications, one set of conditions for each proposed consent.

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT application B-11/09, filed by Brian and Hendrica Ritchie for consent to sever and convey as a lot addition a parcel of land approximately 3,962.7 square metres in size, to the abutting property known municipally as 115 Union Avenue; for a property described as Lots 46 and 47, Plan 113, Part of Lots 31 to 33, 48 to 59 and 170 to 183, Part of Blocks S and Z, Part Lane, Part 3, Reference Plan 33R 995 (geographic Township of Lobo), Municipality of Middlesex Centre, and known municipally as 22862 Komoka Road; BE GRANTED.

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Carried

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 the notice of the decision.
2. That the parcel to be severed be deeded in the same name and title as the receiving lot, known municipally as 115 Union Avenue, and that Section 50(3) or (5) of the Planning Act apply to any further conveyance or transaction of the subject lands.
3. That a Zoning By-law Amendment/Temporary Use By-law be approved and in full force and effect to allow the existing accessory building located on the lot to be conveyed to 115 Union Avenue to remain for a period not to exceed 3 years in the absence of a single detached dwelling not being erected thereon within the said 3 years.
4. That the concerns, if any, of the Ministry of Natural Resources be addressed to the Ministry's satisfaction and that the Municipality receive written confirmation of same from the said Ministry.
5. That consents B-15/09, B-14/09 and B-13/09 be approved and all conditions of said consents be finalized, to the satisfaction of the Municipality.

Reasons:

The Committee stated that the application complies with the Municipality of Middlesex Centre Official Plan. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan. It was noted by the Committee that the application will be in conformity with the Middlesex Centre Comprehensive Zoning By-law following the passing of a temporary use by-law.

The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to lot enlargements. In addition, the Committee was satisfied that the concerns of circulated agencies were adequately addressed.

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT application B-13/09, filed by Brian and Hendrica Ritchie for consent to sever and convey as a lot addition a parcel of land approximately 2,499.8 square metres in size, to the abutting property known municipally as 117 Union Avenue; for a property described as Lots 46 and 47, Plan 113, Part of Lots 31 to 33, 48 to 59 and 170 to 183, Part of Blocks S and Z, Part Lane, Part 3, Reference Plan 33R 995 (geographic Township of Lobo), Municipality of Middlesex Centre, and known municipally as 22862 Komoka Road; BE GRANTED.

Carried

Conditions:

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1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within one year of the date of the notice of the decision.
2. That the parcel to be severed be deeded in the same name and title as the receiving lot, known municipally as 117 Union Avenue, and that Section 50(3) or (5) of the Planning Act apply to any further conveyance or transaction of the subject lands.
3. That the concerns, if any, of the Ministry of Natural Resources be addressed to the Ministry's satisfaction and that the Municipality receive written confirmation of same from the said Ministry.
4. That consents B-15/09 and B-14/09 be approved and all conditions of said consents be finalized, to the satisfaction of the Municipality.

Reasons:

The Committee stated that the application complies with the Municipality of Middlesex Centre Official Plan and the Comprehensive Zoning By-law. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan.

The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to lot enlargements. In addition, the Committee was satisfied that the concerns of circulated agencies were adequately addressed.

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT application B-14/09, filed by Brian and Hendrica Ritchie for consent to sever and convey as a lot addition a parcel of land approximately 1,856 square metres in size, to the abutting property known municipally as 121 Union Avenue; for a property described as Lots 46 and 47, Plan 113, Part of Lots 31 to 33, 48 to 59 and 170 to 183, Part of Blocks S and Z, Part Lane, Part 3, Reference Plan 33R 995 (geographic Township of Lobo), Municipality of Middlesex Centre, and known municipally as 22862 Komoka Road; BE GRANTED.

Carried

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 the notice of the decision.
2. That the parcel to be severed be deeded in the same name and title as the receiving lot, known municipally as 121 Union Avenue, and that Section 50(3) or (5) of the Planning Act apply to any further conveyance or transaction of the subject lands.

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3. That the concerns, if any, of the Ministry of Natural Resources be addressed to the Ministry's satisfaction and that the Municipality receive written confirmation of same from the said Ministry.
4. That consent B-15/09 be approved and all conditions of said consent be finalized, to the satisfaction of the Municipality.

Reasons:

The Committee stated that the application complies with the Municipality of Middlesex Centre Official Plan and the Comprehensive Zoning By-law. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan.

The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to lot enlargements. In addition, the Committee was satisfied that the concerns of circulated agencies were adequately addressed.

Moved by Stephen Harvey
Seconded by Sharon McMillan

THAT application B-15/09, filed by Brian and Hendrica Ritchie for consent to sever and convey as a lot addition a parcel of land approximately 1,578.2 square metres in size, to the abutting property known municipally as 125 Union Avenue; for a property described as Lots 46 and 47, Plan 113, Part of Lots 31 to 33, 48 to 59 and 170 to 183, Part of Blocks S and Z, Part Lane, Part 3, Reference Plan 33R 995 (geographic Township of Lobo), Municipality of Middlesex Centre, and known municipally as 22862 Komoka Road; BE GRANTED.

Carried

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 the notice of the decision.
2. That the parcel to be severed be deeded in the same name and title as the receiving lot, known municipally as 125 Union Avenue, and that Section 50(3) or (5) of the Planning Act apply to any further conveyance or transaction of the subject lands.
3. That the concerns, if any, of the Ministry of Natural Resources be addressed to the Ministry's satisfaction and that the Municipality receive written confirmation of same from the said Ministry.

Reasons:

The Committee stated that the application complies with the Municipality of Middlesex Centre Official Plan and the Comprehensive Zoning By-law. The Committee also stated that the application complies with the applicable policies of the County of Middlesex Official Plan.

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The Committee further noted that the subject application does not require a Plan of Subdivision. It was also noted by the Committee that the application satisfies the general consent policies of the Middlesex Centre Official Plan. The Committee was also satisfied that the proposal is generally compatible with surrounding lands and that the application meets the requirements of the Official Plan with regards to lot enlargements. In addition, the Committee was satisfied that the concerns of circulated agencies were adequately addressed.

NEXT MEETING:

**Monday, December 21, 2009 at the Middlesex Centre Municipal Offices, 10227
Ilderton Road, Coldstream, at 7:00 p.m.**

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED

IT WAS RESOLVED

THAT this meeting adjourn now at 8:05 p.m.

Chair

Secretary