

Committee of Adjustment

Meeting Minutes

Thursday, September 7, 2023

5:30 pm

Hybrid Meeting (Virtual and In-Person)

Present: Member Jesse Terpstra, Chair
Councillor Brian Derbyshire
Councillor Frank Kennes, Vice Chair
Councillor Steve Pelkman
Member Dale Viaene

Absent with Notice: Deputy Mayor Mike McGuire
Member Randeep Kumar

Also Present: Eva Baker, Acting Secretary-Treasurer
Erin Besch, Planner
Brianna Hammer-Keidel, Deputy Clerk (Recorder)

Others Present: Tony Pepe
Ralph Baker
Rick Looman
Ashley Podolinsky

1. Reading and Correction or Approval of Minutes

Moved By Councillor Pelkman

Seconded By Councillor Derbyshire

THAT: the meeting minutes of August 3, 2023 be approved as written.

Carried

1.1 Committee of Adjustment Meeting Minutes - August 3, 2023

2. Declaration of Pecuniary Interest

None.

3. Submissions for Consideration

3.1 Application for Minor Variance (A21-2023) - 2343 Wellington St. Mt Brydges - Report #BBP-2023-108

Owners: Kristina and Joshua Sousa

Request: to seek relief from Section 5.3(6) of the Zoning By-law to permit an increased lot coverage of 33%, whereas a maximum of 30% is permitted for partially serviced lots in the 'R1' zone.

Interested parties present:

- Tony Pepe

Erin Besch, Planner, presented the report, noting the application would facilitate the construction of a 21.4 m² (230.6 ft²) covered deck on the rear of the dwelling that is under construction. The Planner noted that the lot coverage requirement for this property is lower to ensure sufficient space for septic services. No comments or concerns were received from the public and staff recommended approval of the application.

Moved By Councillor Kennes

Seconded By Member Viaene

THAT: Application A21-2023 for minor variance be approved.

Reasons: Satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; and conforms to the Official Plans of both the Municipality and the County of Middlesex. The Committee considered all written and oral submissions received on this application, the effect of which helped the Committee make an informed decision.

Carried

3.2 Application for Minor Variance (A22-2023) - 271 Metcalfe Street East, Strathroy - Report #BBP-2023-111

Owner: Willman Properties Ltd.

Request: to seek relief from Section 11.2(28) of the Zoning Bylaw to permit a large format retail store with a gross floor area of 530 m² (5,704.9 ft²), whereas a minimum of 930 m² (10,010.4 ft²) is required in the 'Highway Commercial (C2) Zone'.

Interested Parties Present:

- Rick Looman (Willman Properties Ltd.)

Erin Besch, Planner, presented the report, noting the application would allow a kitchen and bath showroom to operating out of the existing commercial building. No comments or concerns were received from the public and staff recommended approval of the application.

Moved By Councillor Pelkman

Seconded By Member Viaene

THAT: Application A22-2023 for minor variance be approved.

Reasons: Satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; and conforms to the Official Plans of both the Municipality and the County of Middlesex. The Committee considered all written and oral submissions received on this application, the effect of which helped the Committee make an informed decision.

Carried

3.3 Application for Minor Variance (A23-2023) - 335 Thorne Drive, Strathroy - Report #BBP-2023-112

Owner: Wes Baker & Sons

Request: to seek relief from Section 5.3(6) of the Zoning By-law to permit an increased lot coverage of 44.4%, whereas a maximum of 40% is permitted for fully serviced lots in the 'R1' zone.

Interested Parties Present:

- Ralph Baker

Erin Besch, Planner, presented the report, noting the application would facilitate the construction of a 22.3 m² (240 ft²) covered deck on the rear of the proposed dwelling. No comments or concerns were received from members of the public, and staff recommended approval of the application.

Moved By Councillor Derbyshire

Seconded By Councillor Pelkman

THAT: Application A23-2023 for minor variance be approved.

Reasons: Satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; and conforms to the Official Plans of both the Municipality and the County of Middlesex. The Committee

considered all written and oral submissions received on this application, the effect of which helped the Committee make an informed decision.

Carried

3.4 Application for Consent (B13-2023) – 8028 Walkers Drive - Report #BBP-2023-113

Owner: Anne Collins

Request: to sever a surplus farm dwelling from a larger farm parcel as a result of farm consolidation.

Interested Parties Present:

- Ashley Podolinsky (Agent)

Erin Besch, Planner, presented the report. The proposed lands to be severed are approximately 0.75 ha (1.85 ac) in size, with approximately 86 m (282.2 ft) of frontage along Saxton Road and 90 m of frontage along Walkers Drive. The proposed lands to be retained are approximately 40.28 ha (99.5 ac) in size, with approximately 254 m (833.3 ft) of frontage along Saxton Road. No comments or concerns were received from the public and staff recommended approval of the application subject to conditions.

Councillor Pelkman inquired about the required property size for surplus farm dwelling lots that are serviced by municipal water and do not require the space for a septic bed.

Councillor Derbyshire inquired about any concerns with the property hosting an agricultural shed/structure if the area around the property were to be developed in the future. The Planner confirmed any structures would still be subject to the 80% lot coverage rule.

Moved By Councillor Kennes

Seconded By Councillor Derbyshire

THAT: Application B13-2023 for consent be approved subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within two years of the date of the notice of the decision and the consent certificate fee be paid to the Municipality.

2. That any outstanding property taxes be paid in full.
3. That the subject lands be appropriately rezoned.
4. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B13-2023 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
5. That confirmation is obtained, ensuring that the private services are located wholly within the lot to be retained, to the satisfaction of the Municipality.
6. That a municipal 9-1-1 address be assigned to the 'lands to be retained', to the satisfaction of the Municipality and the County of Middlesex.
7. That the applicants initiate and assume if necessary, all engineering costs associated with the preparation of revised assessment schedules for the applicable municipal drain(s) in accordance with the Drainage Act, R.S.O. 1990 as amended, such costs to be paid in full to the appropriate engineering firm prior to submitting a copy of the transfer as noted below.
8. That a new access be provided for the lands to be retained if one does not already exist, to the satisfaction of the Municipality.
9. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
10. That the applicant's solicitor submit an undertaking in a form satisfactory to the Secretary-Treasurer to register an electronic transfer of title consistent with the Acknowledgement and Direction and the decision of the Committee of Adjustment.
11. That one copy of the reference plan be submitted to the satisfaction of the Municipality.

Reasons: Satisfies the requirements of the Planning Act; is consistent with the Provincial Policy Statement; and conforms to the Official Plans of both the Municipality and the County of Middlesex. The Committee considered all written and oral submissions received on this application, the effect of which helped the Committee make an informed decision.

Carried

4. Unfinished Business

None.

5. Enquiries by Members

Councillor Pelkman offered his best wishes to the applicant opening their business at the Metcalfe Street property.

6. Other Business

None.

7. Schedule of Meetings

- Thursday, October 5 @ 5:30 p.m.
- Thursday, November 2 @ 5:30 p.m.
- Thursday, December 7 @ 5:30 p.m.

8. Adjournment

Moved By Councillor Kennes

Seconded By Councillor Pelkman

THAT: the meeting adjourn at 5:54 p.m.

Carried

Chair

Secretary Treasurer