

Committee of Adjustment

Meeting Minutes

Thursday, December 5, 2024

5:30 pm

Hybrid Meeting (Council Chamber and Virtual)
Strathroy-Caradoc Municipal Office
52 Frank Street, Strathroy, Ontario

- Present: Member Jesse Terpstra, Chair
Councillor Frank Kennes, Vice Chair
Councillor Brian Derbyshire
Councillor Steve Pelkman
Member Dale Viaene
Member Randeep Kumar
- Absent with Notice: Deputy Mayor Mike McGuire
Mayor Colin Grantham
- Also Present: Jake DeRidder, Acting Secretary-Treasurer
Erin Besch, Planner, County of Middlesex
Melonie Carson, Deputy Clerk/Records Management
Coordinator (Recorder)
- Others Present: Mark & Susan Featherstone
Thane O'Dell
Amanda & Luke Fawcett
Dave Milliken

1. Roll Call

Jake DeRidder, Acting Secretary-Treasurer, confirmed committee attendance noting that Deputy Mayor McGuire was absent.

2. Approval of Agenda

Moved By Councillor Pelkman

Seconded By Councillor Kennes

THAT: the December 5, 2024 Committee of Adjustment agenda be approved as circulated.

3. Declaration of Pecuniary Interest

None.

4. Reading and Correction or Approval of Minutes

4.1 Committee of Adjustment Meeting Minutes of November 7, 2024

Moved By Councillor Derbyshire

Seconded By Member Viaene

THAT: the Committee of Adjustment Meeting minutes of November 7, 2024 be approved as written.

Carried

5. Submissions for Consideration

5.1 Application for Minor Variance (A28-2024) – 37 Cassie Crescent, Strathroy (Report: BBP-2024-140)

Owners: Mark & Susan Featherstone

Request: to seek relief from Section 5.5(9)b)v) of the Strathroy-Caradoc Zoning By-law to permit a maximum lot coverage of 38%, whereas 35% is required in the 'R1-9' Zone. The applicant is also seeking relief from Section 5.5(9)b)iv) of the Strathroy-Caradoc Zoning By-law to permit a minimum rear yard depth of 7.0 metres, whereas a minimum 7.5 metres is required in the 'R1-9' Zone. The application will facilitate the construction of a 31.2m² (336ft²) sunroom on the rear of the existing dwelling.

Interested Parties Present: Mark & Susan Featherstone

Erin Besch, Planner, presented the report noting that subject property is located on the north side of Cassie Crescent, north of Thorne Drive, in Strathroy. The property is generally rectangular in shape and approximately 524.4 m² in size with 15.16 m of frontage along Cassie Crescent, which is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. The subject lands contain a 164.92 m² single detached dwelling that is accessed via a driveway off Cassie Crescent. The lands are municipally serviced with water and sanitary. The rear lot line has a required setback of 7.5 m in the 'R1-9' zone. The existing dwelling is setback approximately 11 m from the rear lot line. The applicant is proposing to add a 31.2m² sunroom onto the rear of the

existing dwelling. The addition of the sunroom would decrease the rear yard depth by 4 m for a total setback of 7 m. The addition would also increase the total lot coverage by 5.9% for a total lot coverage of 38%. It is staff's opinion that the application meets the four tests of the *Planning Act* required in order to grant the minor variances.

Moved By Councillor Pelkman

Seconded By Member Viaene

THAT: Application for Minor Variance A28-2024 be approved subject to the following condition:

1. **THAT:** Stormwater be dealt with on-site without negative effects on the adjacent properties 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

5.2 Application for Minor Variance (A27-2024) 7842 Longwoods Road (County Road 2) (Report: BBP-2024-141)

Owner: Thane O'Dell

Request: To provide relief from the following sections of the Strathroy-Caradoc Zoning By-law:

1. Section 6(5)(a) to permit a secondary suite that is 60 m² (645.8 ft²) in size, whereas the By-law restricts secondary suites to 80% of the gross floor area of the main dwelling, which in this case would be limited to 46.5 m² (500.5 ft²).
2. Section 4.6(5)(a) to permit a secondary suite on the ground floor of an accessory building, whereas they are restricted to the second story only.
3. Section 4.2(6)(a) to permit an accessory building in the front yard, whereas accessory structures are limited to locating in the side or rear yard only.

4. Section 4.2(2) to permit a cumulative floor area of all accessory structures of 241 m² (2,594.1 ft²), whereas 72 m² (998 ft²) is currently permitted. (The applicant received a variance approval to 181 m² (1,948 ft²) to permit the existing accessory structures.)
5. Section 4.13(1)(c) to permit the increase to the maximum area that may be used for a home occupation to 142.7 m² (1,536 ft²), to be operated from a detached workshop, whereas 29 m² (312.2 ft²) is permitted.

Interested Parties Present: Thane O'Dell

Erin Besch, Planner, presented the report noting that the subject property is located on the north side of Longwoods Road, west of Christina Road. The property is approximately 0.66 ha in size with approximately 30 m of frontage along Longwoods Road. The land contains an existing single detached dwelling that is 115.9 m² in size, a detached workshop that is 142.7 m², a chicken coop that is 7.1, a storage shed that is 20 m² and garden shed that is 11.2 m². The applicant is proposing to construct a 60 m² secondary suite in the front yard of the subject lands, whereas accessory structures are limited to locating in the rear or side yard only. To facilitate the secondary suite, the applicant requires several other variances. Firstly, a variance to permit a secondary suite that is 60 m² in size, whereas the By-law restricts secondary suites to 40% of the gross floor area of the main dwelling, which in this case would be limited to 46.5 m² as the dwelling is one-storey and 116 m² in size. In addition, the applicant will require a variance to permit a secondary suite on the ground floor of an accessory building, whereas they are restricted to the second story only. The applicant is requesting to permit the increase to the maximum area that may be used for a home occupation to 142.7 m², whereas 30 m² is permitted. This variance was originally approved in 2017 but included the limit of 500 m² for outdoor area. The applicant is now requesting that limit be increased to 700 m². It is noted that the home occupation provisions of the Zoning By-law also restrict home occupations to being located within a dwelling, or a detached garage. Staff note that the structure used by the applicant is considered a workshop rather than a detached garage. So specific reference to this has been included in the variance. It is staff's opinion that the application meets the intent of the Zoning By-law and the four tests of the Planning Act required in order to grant a minor variance.

Councillor Pelkman thinks this plan makes sense given the shape of the property.

Moved By Councillor Pelkman

Seconded By Councillor Kennes

THAT: Application for Minor Variance A27-2024 be approved subject to the following conditions:

1. **THAT:** Stormwater be dealt with on-site without negative effects on the adjacent properties to the satisfaction of the Municipality;
2. **THAT:** The 142 m² detached workshop be permitted to be used for a custom cosmetic timber frame home occupation only that is operated solely by the landowner;
3. **THAT:** Timbers may be stored outside provided they are placed in location that is screened from view by Longwoods Road and the adjacent dwelling to the east and the area used for open storage of timbers does not exceed 700 m². To ensure outdoor storage is limited to this maximum, a delineation of the area must be installed to the satisfaction of the Municipality;
4. **THAT:** The vegetation along the front lot line of the property be maintained.

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

5.3 Application for Consent (B18-2024) – 7859 Parkhouse Drive (Report: BBP-2024-142)

Owner: Amanda & Luke Fawcett

Request: To sever a surplus farm dwelling from a larger farm parcel as a result of farm consolidation. The owner is proposing to retain the residential lot and convey the farmland to a qualified farmer.

Interested Parties Present: Amanda & Luke Fawcett

Erin Besch, Planner, presented the report noting that the subject property as a whole is located on the south side of Parkhouse Drive, west of Christina Road. The land is approximately 40.21 ha, with approximately 604 m of frontage along Parkhouse Drive. The proposed lands to be retained are approximately 0.99 ha in size, with approximately 85 m of frontage along Parkhouse Drive. The lands contain a single detached dwelling that is privately serviced, and a storage barn. The applicant has advised that the septic system and well are wholly located on the retained lot. The existing dwelling was constructed in 2018 and replaced the original farm dwelling that was constructed in the early 1900s. The proposed lands to be severed are approximately 39.2 ha in size, with approximately 519 m of frontage along Parkhouse Drive. The retained parcel contains primarily land in agricultural production. The subject application was originally brought to the November 7th Committee of Adjustment meeting at which Committee approved the application in principle and directed staff to prepare conditions of approval to be brought back to a subsequent meeting. Planning staff did not bring forward conditions with the original evaluation report, as the planning recommendation was denial.

Moved By Councillor Pelkman

Seconded By Councillor Derbyshire

THAT: the Application for Consent B18-2024 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 the lands to be severed be transferred to a qualified farmer to the satisfaction of the Municipality.
5. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B18-2024 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.

6. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
7. That confirmation is obtained, ensuring that the private services are located wholly within the lot to be retained, to the satisfaction of the Municipality.
8. That a municipal 9-1-1 address be assigned to the farmlands, to the satisfaction of the Municipality and the County of Middlesex.
9. 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.
10. That a new access be provided for the lands to be retained if one does not already exist, to the satisfaction of the Municipality.
11. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
12. 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.

Carried

6. Other Business

6.1 Doug, Paul, and Dave Milliken - Request for Compensation for Costs Associated with 22706 and 22710 Adelaide Rd., Mount Brydges

Dave Milliken was present to speak to the request.

Moved By Councillor Pelkman

Seconded By Councillor Kennes

THAT: the Committee of Adjustment waive the fees for a severance application, and further;

THAT: the Committee pre approve the waiving of the parkland dedication fee and any new fees that may result as a new application.

Carried

Moved By Councillor Derbyshire
Seconded By Councillor Pelkman

THAT: the Committee of Adjustment refer the other requests from the resident back to Council.

Carried

7. Enquiries by Members

Councillor Pelkman wanted to mention about the previous item is just dealing with history and no one has been doing anything wrong administratively.

8. Schedule of Meetings

- Thursday, February 6, 2025 @ 5:30 p.m.
- Thursday, March 6, 2025 @ 5:30 p.m.

9. Adjournment

Moved By Councillor Kennes
Seconded By Member Viaene

THAT: the December 5, 2024 Committee of Adjustment meeting adjourn at 6:27 p.m.

Carried

Chair

Secretary Treasurer