

# **Committee of Adjustment**

## **Meeting Minutes**

**Thursday, July 8, 2021**  
**5:30 pm**  
**Electronic Meeting - Zoom**

**Present:** Rick McCracken, Chair  
Jesse Terpstra  
Frank Kennes  
Steve Pelkman  
John Brennan  
Mike McGuire  
Larry Cowan

**Also Present:** Jennifer Huff, Director of Building & Planning / Acting Secretary  
Treasurer  
Tim Williams, Senior Planner  
Brianna Hammer-Keidel, Deputy Clerk (Recorder)  
Olga Alchits, Acting Development Services Co-ordinator

**Others Present:** Robert McLean  
Ronald Kroh  
Mike Evans  
Erica Beadle

### **1. Reading and Correction or Approval of Minutes**

#### **1.1 Committee of Adjustment Meeting Minutes - June 3, 2021**

**Moved By** Jesse Terpstra

**Seconded By** Steve Pelkman

**THAT:** the minutes be approved as written.

**Carried**

### **2. Declaration of Pecuniary Interest**

None.

### 3. Submissions for Consideration

#### 3.1 Applications for Consent (B4-2021) and Minor Variance (A7-2021) 76 High Street West – Robert McLean c/o Roland Kroh

**Request:** To create one residential building lot with frontage of approximately 13.2 m (43.3 ft) and an area of approximately 533.36m<sup>2</sup>, and further;

To seek relief from Section 5.3(2) of the Zoning By-law to permit minimum lot frontage of 13.2 m (43.3 ft) on the lot to be severed, whereas a minimum lot frontage of 15 m (49 ft) is required in the R1 zone.

**Interested parties present:**

- Robert McLean (Applicant)
- Ronald Kroh (Applicant's Agent)

Tim Williams, Senior Planner, presented the report. The Applicants are seeking to sever a portion of land from the existing residential lot to create an additional residential building lot with access from High Street. The property to be severed also has access to full municipal services. No concerns or comments have been received from the public and staff recommended approval of both applications, subject to conditions.

The Applicants requested a review of the conditions and inquired about Condition #3 regarding cash in lieu of parkland. Staff explained that under the Planning Act, the municipality has a right to request 5% of the land associated with the application or, when there is not a reasonable amount of space for a park, a municipality may request cash in lieu of the parkland. A standard amount of \$1,000 is applied to consent applications as set by the Municipality of Strathroy-Caradoc's Parkland Dedication By-law, as approved by Council. The Applicants indicated that they understood that the creation of any residential lot requires such a condition.

**Moved By** Frank Kennes

**Seconded By** Larry Cowan

**THAT:** Application A7-2021 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 the application, the effect of which helped the Committee make an informed decision.

**Carried**

**Moved By** John Brennan

**Seconded By** Mike McGuire

**THAT:** Application B4-2021 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 one year of the date of the notice of the decision.
2. That any outstanding property taxes be paid in full.
3. That the applicant provide \$1,000 cash-in-lieu of parkland dedication to the Municipality.
4. That a draft reference plan, showing the 'severed lands' be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B4/21 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
5. That the existing electrical service connection to the existing home be relocated so that it does not cross the 'severed lands'.
6. That an entrance permit be obtained, if required, from the Strathroy-Caradoc Roads Department with all costs, including applicable fees and charges, borne by the applicant.
7. That confirmation be received that the 'lands to be retained' are connected to municipal water supply and sanitary service, and the location of the services are confirmed, to the satisfaction of the municipality. If the services run through the proposed severed lot, they will have to be relocated at the cost of the owner and then reconnected, to the satisfaction of the municipality.
8. That the 'severed lands' be individually connected to the municipal water supply with all costs, including applicable fees and charges, borne by the applicant.

9. That the 'severed lands' be individually connected to the municipal sewer facilities with all costs, including applicable fees and charges, borne by the applicant.
10. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
11. 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.
12. 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 the application, the effect of which helped the Committee make an informed decision.

**Carried**

### **3.2 Application for Minor Variance (A10-2021) 300 High Street East - Autotube Limited c/o Brian Fitzgerald**

**Request:** To seek relief from Section 15.3(4) of the Zoning By-law requiring a side yard width of 6.0 m (19.6 ft), whereas the proposed addition is setback 3.91 m (12.8 ft) from the westerly property line; and further,

To seek relief from Section 15.3(5) of the Zoning By-law requiring a rear yard depth of 7.5 m (24 ft), whereas the proposed addition has a minimum rear yard depth of 5.88 m (19.3 ft).

**Interested parties present:**

- Mike Evans (Agent)

Tim Williams, Senior Planner, presented the report, noting that the application is intended to facilitate the construction of two additions to the existing building to be used for expanded manufacturing operations on the property. No comments had been received from the public regarding the application, and staff recommended that the application be approved, subject to conditions.

The Applicant/Agent confirmed that the pitch of roof would be acceptable for snow load. The Senior Planner noted that the Chief Building Official agreed.

**Moved By** Frank Kennes

**Seconded By** Steve Pelkman

**THAT:** Application A10-2021 for minor variance be approved subject to the following conditions:

1. That the applicant's design of the building minimize snow slide onto the abutting property to the west to the satisfaction of the Chief Building Official.
2. That the rear yard depth variance is for the proposed awning/canopy as shown on the plans on file with the Committee of Adjustment.

**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 the application, the effect of which helped the Committee make an informed decision.

**Carried**

### **3.3 Application for Minor Variance (A13-2021) 23347 Adelaide Road - Dave and Erica Beadle**

**Request:** To seek relief from Section 4.2(2) of the Zoning By-law to permit a maximum gross floor area of accessory buildings and structures of approximately 153 m<sup>2</sup> (1,646.9 ft<sup>2</sup>), whereas a maximum cumulative gross floor area of accessory buildings and structures of approximately 120 m<sup>2</sup> (1,291.7 ft<sup>2</sup>) is permitted, and further;

To seek relief from Section 4.2(5) in order to permit a height of approximately 5.5 m (18 ft), whereas a maximum height of 4.5 m (14.7 ft) is permitted under the Zoning By-law.

**Interested parties present:**

- Erica Beadle (Applicant)

Tim Williams, Senior Planner, presented the report, noting the application would facilitate the construction of a detached accessory building intended to provide storage for personal vehicles and property. The Planner

clarified that the Sun Canadian Gas Pipeline recorded on the report's Location Map actually runs through the neighbouring property at 2337 Adelaide Road, rather than the subject property. No comments have been received from the public on the application and staff recommended approval subject to conditions.

**Moved By** John Brennan

**Seconded By** Larry Cowan

**THAT:** amended Application A13-2021 for minor variance be approved subject to the following conditions:

1. That eaves and trough are to be installed on the detached accessory structure and direct stormwater away from the lot lines to the satisfaction of the Municipality.
2. That the accessory building not be used for human habitation as long as the high-pressure gas line exists within the adjacent property.

**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 the application, the effect of which helped the Committee make an informed decision.

**Carried**

#### **4. Unfinished Business**

None

#### **5. Enquiries by Members**

None.

#### **6. Other Business**

##### **6.1 Request for a Refund, 2604 Bond St. Mt. Brydges - Caleigh Hairsine and Tyler Straatman**

Jennifer Huff, Director of Building & Planning, presented the report. A request for refund has been received from the property owners of 2604 Bond Street, Mount Brydges, in regards to fees paid for a minor variance application that did not proceed beyond internal circulation.

Members generally inquired about the amount of staff time spent on the original consultation, and had further inquiries about construction that did end up proceeding on the property. Staff confirmed that the construction did not impact the overland flow route, nor did it require a permit.

**Moved By** Frank Kennes

**Seconded By** Steve Pelkman

**THAT:** half of the fees paid for the minor variance application be refunded, in the amount of \$350.

**Carried**

**7. Schedule of Meetings**

- Thursday, August 5 @ 5:30 p.m.
- Thursday, September 2 @ 5:30 p.m.
- Thursday, October 7 @ 5:30 p.m.
- Thursday, November 4 @ 5:30 p.m.

**8. Adjournment**

**Moved By** Frank Kennes

**Seconded By** Mike McGuire

**THAT:** the meeting adjourn at 6:28 p.m.

**Carried**

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Chair

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Secretary Treasurer