

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
PLANNING MEETING MINUTES – September 9, 2020
ELECTRONIC MEETING PARTICIPATION – LIVE STREAM TO YOUTUBE**

Present: Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx (for part of the meeting), Councillor Mike Brodie and Councillor Betty Ann MacKinnon

Absent: Councillor Sue Clarke

Also Present: Acting Township Manager Morgan Calvert, Clerk/Acting Treasurer Jennifer Turk, Public Works Manager Coulter Cahill, Chief Building Official Shannon Black, Planner Erin Besch, and Electronic Meeting Co-ordinator Greg Marles

Call to Order

At 7:00 pm, Mayor Kurtis Smith called the meeting to order.

Declaration of Pecuniary Interest and General Nature Thereof

The Municipal Conflict of Interest Act requires any member of Council to declare a pecuniary interest and the general nature thereof; and where the interest of a member of Council has not been disclosed by reason of the member's absence from a meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

None

Delegations & Timed Events

Mayor Smith advised the public the reasoning for holding an electronic planning meeting due to Covid-19 pandemic.

Mayor Smith advised the public about contacting Clerk/Acting Treasurer Jennifer Turk to be notified of the decisions made before the Committee of Adjustment at this meeting.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A06-2020 (Brett & Abby Lashbrook, 27 BATTERY COURT), B02-2020 (Alex Clarke, 27748 Kerwood Road), and A05-2020/B03-2020 (Seville Land Corp, 27775 Kerwood Road) at 7:03 pm. CARRIED.

7:05 PM Brett & Abby Lashbrook, 27 Buttery Court
A06-2020, Minor Variance

Brett Lashbrook was virtually in attendance by telephone to represent the application.

Planner Erin Besch reviewed Minor Variance Application A06-2020, to seek relief from the Township of Adelaide Metcalfe Comprehensive Zoning By-law No. 34-2007 as it relates to the maximum height requirement for an accessory building. Specifically, the applicant is requesting the following:

- PERMISSION FOR the construction of an accessory building with a maximum height of 7.9 m (26 ft) from grade to peak, whereas the maximum building height for an accessory building is 5 m (16.4 ft) according to the Zoning By-law.

It was noted by Planner Erin Besch that the applicant would like to increase the size of his accessory building, however this would not impact the height as requested in the application.

The applicant is requesting that relief be granted with respect to the above provisions in order to permit the construction of a detached garage that is 112 m² (1,205 ft²) in size. The applicant has advised that the increased height of the proposed accessory building is required to accommodate taller than average garage doors. The proposed location of the accessory building would allow the applicant to utilize the existing driveway access onto Buttery Court, which is classified as a 'local road' under the jurisdiction of the Township of Adelaide Metcalfe.

Through Planner Erin Besch's report, it has been recommended that Minor Variance A06-2020 be approved as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning by-law would be satisfied.

Brett Lashbrook had no comments.

Mayor Smith inquired if the increased sized accessory building request conforms to the Township's Zoning By-law. Planner Erin Besch advised the Committee that there are no restrictions with the exception of no more than 40% of the total lot area coverage being designated to accessory buildings.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:10 pm.

There were no further registrations for comment on the said application.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the Application for Minor Variance A06-2020 by Brett & Abby Lashbrook, which seeks relief to permit the construction of an accessory building with a maximum height of 7.9 m (26 ft) from grade to peak, be granted, subject to the following conditions:

1. THAT the subject accessory building include eaves and troughs along the lengths of the building’s fascia and the related downspout be directed away from any neighbouring property to the satisfaction of the Township’s Chief Building Official. CARRIED.

Alex Clarke, 27748 Kerwood Road
B02-2020, Consent Application

Alex Clarke was virtually in attendance by computer to represent the application.

Planner Erin Besch reviewed Consent application B02-2020, to sever one lot from an approximately 1,214 m² (0.3 ac) property within the Village of Kerwood. The application would facilitate the creation of one residential building lot.

The proposal is summarized below:

	<i>‘Lot to be severed’ Part 1</i>	<i>‘Lot to be retained’ Part 2</i>
Lot Frontage	15.078 m (49.5 ft)	15.078 m (49.5 ft)
Lot Depth	37.292 m (122.4 ft)	37.292 m (122.4 ft)
Lot Area	562.46 m ² (6,054 ft ²)	562.44 m ² (6,054 ft ²)

Through Planner Erin Besch’s report, it has been recommended that Consent B02-2020 be approved subject to conditions as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and, the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Alex Clarke presented his information to Committee of Adjustment.

Mayor Smith inquired about the sewer capacity for the former Village of Kerwood. Public Works Manager Coulter Cahill advised the committee that the capacity of the Kerwood Wastewater Treatment Facility is currently at 47%, therefore there is room for growth.

Deputy Mayor Hendrikx advised the committee she had concerns with adequate and potable water supply, however, a condition is included in the recommendation and is satisfied her concern would be addressed.

Mayor Smith advised the committee and the public watching that it was good to see different lot sizes within the former Village of Kerwood to give variety.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:38 pm.

There were no further registrations for comment on the said application.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the Application for Consent B02-2020 by Alex Clarke 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 the 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 applicant's solicitor submits an undertaking in a form satisfactory to the Secretary-Treasurer of the Committee of Adjustment to register electronic transfers of title exactly consistent with the Acknowledgement and Direction executed by the applicant and the decision of the Committee of Adjustment.**
- 3. That a preliminary survey showing the lands being severed, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.**
- 4. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.**
- 5. That a minor variance be granted to recognize the deficient lot area and lot width of the lot to be retained and the lot to be severed.**
- 6. That, if required, the owner provide road widening dedications to the County of Middlesex of up to 13 metres from the centerline of Kerwood Road (County Road 6) to the satisfaction of the County Engineer.**
- 7. That independent accesses to the lot to be severed and the lot to be retained be provided and that any necessary work permits be obtained from the authority having jurisdiction.**
- 8. That both the lot to be severed and the lot to be retained be connected to the municipal sanitary service with all costs, including applicable fees and charges, borne by the applicant.**

9. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.

10. That it be demonstrated there is adequate sanitary sewer capacity for an additional residential lot within Kerwood, to the satisfaction of the Township.

11. That the engineered site servicing and grading plan demonstrates adequate drainage outlets, as well as available area for private on-site services on the lot to be severed and the lot to be retained, to the satisfaction of the Township of Adelaide Metcalfe.

12. That any outstanding property taxes for the lands subject to Consent B02-2020 be paid in full.

as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

Seville Land Corporation, 27775 Kerwood Road
A05-2020, Minor Variance &
B03-2020, Consent Application

There was no one in attendance to represent the said applications.

Planner Erin Besch reviewed Consent application B03-2020, to sever one lot from an approximately 1,619 m² (0.4 ac) property within the Village of Kerwood. The application would facilitate the creation of one residential building lot.

The proposal is summarized below:

	'Lot to be retained' <i>Part 1</i>	'Lot to be severed' <i>Part 2</i>
Lot Frontage	20 m (66 ft)	20 m (66 ft)
Lot Depth	37.7 m (123.7 ft)	37.7 m (123.7 ft)
Lot Area (after land dedication)	759 m ² (8,170 ft ²)	759 m ² (8,170 ft ²)

To facilitate the severance, the applicant has also submitted an application for minor variance to recognize the proposed deficient lot area and lot width. Specifically, the application seeks relief from Section 10.2 of the Zoning By-law to permit a lot area of 750 m² (8,072.9 ft²), whereas a minimum lot area of 1,200 m² (12,917 ft²) is required in the 'Village Residential' Zone.

Through Planner Erin Besch's report, it has been recommended that Consent B03-2020 be approved subject to conditions as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and, the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Also, through Planner Erin Besch's report, it has been recommended that Minor Variance A05-2020 be approved as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning by-law would be satisfied.

Clerk/Acting Treasurer Jennifer Turk advised the committee, that there was a registration from the public to speak on the applications from Julia Toth, however, Julia went missing from the virtual waiting room.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:58 pm. This would also allow time for the registered delegation, Julia Toth to come back on if sought.

There were no further registrations for comment on the said application.

At this time Deputy Mayor Hendrikx, left the virtual meeting.

Mayor Smith inquired about including a condition for the applicant to obtain a building permit for the change of use for the Church building.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that the application for Consent B03-2020 as submitted by Seville Land Corporation to sever one lot from an approximately 1,619 m² (0.4 ac) property within the Village of Kerwood, 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 the 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 applicant's solicitor submits an undertaking in a form satisfactory to the Secretary-Treasurer of the Committee of Adjustment to register electronic transfers of title exactly consistent with the Acknowledgement and Direction executed by the applicant and the decision of the Committee of Adjustment.**

3. That a preliminary survey showing the lands being severed, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.
4. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.
5. That, if required, the owner provide road widening dedications to the County of Middlesex of up to 13 metres from the centerline of Kerwood Road (County Road 6) to the satisfaction of the County Engineer. If the existing structure is closer than 13 m to the centerline of the County Road, the land dedication requirement would be reduced to a distance measured to 1 m from the closest point of the structure to the centerline of the road.
6. That independent accesses to the lot to be severed and the lot to be retained be provided and that any necessary work permits be obtained from the authority having jurisdiction.
7. That both the lot to be severed and the lot to be retained be connected to the municipal sanitary service with all costs, including applicable fees and charges, borne by the applicant.
8. That an adequate and potable water supply be demonstrated to exist to the satisfaction of the Township.
9. That it be demonstrated there is adequate sanitary sewer capacity for an additional residential lot within Kerwood, to the satisfaction of the Township.
10. That the engineered site servicing and grading plan demonstrates adequate drainage outlets, as well as available area for private on-site services on the lot to be severed and the lot to be retained, to the satisfaction of the Township of Adelaide Metcalfe.
11. That any outstanding property taxes for the lands subject to Consent B03-2020 be paid in full.
12. That a building permit be obtained by the applicant for change of use permit for the Church building.

as the application is consistent with the Provincial Policy Statement; conforms to the Official Plans of both the Township of Adelaide Metcalfe and the County of Middlesex; and the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Application for Minor Variance A05-2020 as submitted by Seville Land Corporation to recognize the proposed deficient lot area and lot width, specifically, seeking relief from Section 10.2 of the Zoning By-law to permit a lot area of 750 m² (8,072.9 ft²), whereas a minimum lot area of 1,200 m² (12,917 ft²) is required in the 'Village Residential' Zone, be granted. CARRIED.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the Committee of Adjustment be closed at 8:06 PM and Council reconvene in regular session. CARRIED.

Public Meeting

Mayor Smith advised the public about contacting Clerk/Acting Treasurer Jennifer Turk to be notified of the decisions made before Council at this meeting.

MOVED by Councillor Brodie

SECONDED by Councillor MacKinnon

Resolved that the public meeting to hear Official Plan Amendment OPA02-2020 and Zoning By-law Amendment Z05-2020 (Get R Done Farms Ltd., and Johanus and Laura Van Den Eynden, 1419 and 1441 Langan Drive) be opened at 8:09 PM. CARRIED.

Get R Done Farms Ltd.

John & Laura Van Den Eynden, 1419 & 1441 Langan Drive

OPA02-2020 & Z05-2020, Official Plan Amendment & Zoning By-Law Amendment

Melanie Horton, authorized agent, and Planning Consultant with Harrington McAvan Ltd., was in attendance by computer for the said applications.

Melanie Horton shared her presentation virtually with Council.

Planner Erin Besch presented her information report to Council regarding relevant policies and regulatory context that relates to the proposed Official Plan Amendment and Zoning By-law Amendment Applications.

MOVED by Councillor MacKinnon

SECONDED by Councillor Brodie

Resolved that Council direct staff to prepare a subsequent report evaluating OPA02-2020 and Z05-2020, Get R Done Farms Ltd., and Johanus and Laura Van Den Eynden, 1419 and 1441 Langan Drive, with a recommendation for Council's consideration at a future meeting. CARRIED.


MOVED by Councillor Brodie
SECONDED by Councillor MacKinnon
Resolved that the public meeting to hear Official Plan Amendment OPA02-2020 and Zoning By-law Amendment Z05-2020 (Get R Done Farms Ltd., and Johanus and Laura Van Den Eynden, 1419 and 1441 Langan Drive) be closed at 8:23 PM. CARRIED.

Next Virtual Planning Meeting

Mayor Smith advised Council that the next virtual Planning Meeting is scheduled for Tuesday, October 20, 2020 at 7:00 PM.

Adjournment

MOVED by Councillor Brodie
SECONDED by Councillor MacKinnon
Resolved that the meeting be adjourned at 8:26 PM. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk/Acting Treasurer

