

**THE CORPORATION OF THE TOWNSHIP OF ADELAIDE METCALFE
PLANNING MEETING MINUTES – July 29, 2020
ELECTRONIC MEETING PARTICIPATION – LIVE STREAM TO YOUTUBE**

Present: Mayor Kurtis Smith, Deputy Mayor Mary Ann Hendrikx, Councillor Sue Clarke and Councillor Betty Ann MacKinnon

Absent: Councillor Mike Brodie

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 7:02 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.

Mayor Smith declared pecuniary interest to Consent Application B01-2020, as the applicant is a family member.

Mayor Smith advised Council and the public watching that Councillor Brodie was absent from the meeting due to other commitments.

Councillor Clarke advised Council and the public watching that she could not use video for the duration of the meeting due to internet connectivity.

Delegations & Timed Events

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council convene as the Committee of Adjustment for the purpose of hearing Minor Variance Application A02-2020 (Mark & Leanne Corman, 28645 Dolphin Road), A04-2020 (Peter & Ann Verekyen, 6 Evergreen Court), and B01-2020 (Patrick & Stephanie Sanders, 5333 Calvert Drive) at 7:05 pm. CARRIED.

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.

7:05 PM Mark & Leanne Corman, 28645 Dolphin Road
A02-2020, Minor Variance

Mark Corman was virtually in attendance by telephone to represent the application.

Planner Erin Besch reviewed Minor Variance Application A02-2020, 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 8 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.

The applicant is requesting that relief be granted with respect to the above provisions in order to permit the construction of a combined detached garage and pool shed that is 140 m² (1,500 ft²) in size. The applicant has advised that the increased height of the proposed accessory building is required to accommodate 3.7 m (12 ft) garage doors as the applicant intends to store a travel trailer and boat within. The proposed location of the accessory building would allow the applicant to utilize the existing driveway access onto Dolphin Road, which is classified as a 'local road' under the jurisdiction of the Township of Adelaide Metcalfe. The applicant also intends to use the rear portion of the structure as a cabana for the existing pool.

Through Planner Erin Besch's report, it has been recommended that Minor Variance A02-2020 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.

Mark Corman had no comments.

Deputy Mayor Hendriks advised the committee that Council may need to review the zoning by-law as the Committee of Adjustment has done a few applications, where the applicants are seeking relief as the applications relate to the maximum height requirement for an accessory building.

Councillor MacKinnon inquired if the need of a survey should be part of the conditions to the Minor Variance application. Planner Erin Besch advised the committee, that this requirement will be captured at the time of the issuance of a building permit. The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:14 pm.

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

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that the Application for Minor Variance A02-2020 by Mark & Leanne Corman, 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.

Peter & Anne Verekyen, 6 Evergreen Court
A04-2020, Minor Variance

Peter Verekyen was virtually in attendance by computer to represent the application.

Planner Erin Besch reviewed Minor Variance Application A04-2020, 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 6.1 m (20 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.

The applicant is requesting that relief be granted with respect to the above provisions in order to permit the construction of an 83.24 m² (896 ft²) detached garage and hobby shop. The applicant has advised that increased height of the proposed accessory building is required to accommodate a 13-14 ft garage door for a travel trailer. The applicant has requested that an additional driveway be permitted off Evergreen Court to access the structure. Evergreen Court 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 A04-2020 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.

Peter Verekyen had no comments.

There were no comments from the Committee of Adjustment.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:27 pm.

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

MOVED by Deputy Mayor Hendrikx

SECONDED by Councillor MacKinnon

Resolved that the Application for Minor Variance A04-2020 by Peter and Anne Verekyen, which seeks relief to permit the construction of an accessory building with a maximum height of 6.1 m (20 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.

Mayor Smith reiterated his pecuniary interest and was virtually removed from the meeting.

Deputy Mayor Hendrikx Chaired this portion of the meeting.

Patrick & Stephanie Sanders, 5333 Calvert Drive
B01-2020, Consent

Patrick Sanders was virtually in attendance to represent the application.

Planner Erin Besch reviewed Consent Application B01-2020, to permit the severance of a residence from a farm parcel, facilitating the creation of a new lot to dispose of a residence surplus to a farming operation as a result of consolidation.

Application for Consent B01-2020 is a re-submission of Consent Application B06-2019, which was conditionally approved by the Committee of Adjustment on March 18, 2019. As the conditions of consent were not satisfied within the required timeline under Section 53(41) of the Planning Act, the application must be deemed to be refused. The new application requests the same lot size and orientation as was originally approved.

The subject property is approximately 20.16 ha (49.81 ac) in size and extends along the south side of Calvert Drive (County Road 10) between Thames Road (County Road 8)

and Mayfair Road within the geographic Township of Metcalfe, Township of Adelaide Metcalfe.

The proposal is summarized below:

	'Lands to be severed' <i>5333 Calvert Drive</i>	'Lands to be retained' <i>Remnant Farm Parcel</i>
Lot Frontage	90 m (295.28 ft)	215 m (705.38 ft)
Lot Depth	70 m (229.66 ft)	695 m (2,280.18 ft)
Lot Area	0.405 ha (1.56 ac)	19.53 ha (48.25 ac)

Through Planner Erin Besch's report, it has been recommended that Consent B01-2020 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, subject to Condition 8, the requirements of the Township of Adelaide Metcalfe Zoning By-law would be satisfied.

Patrick Sanders advised the Committee that he would like to keep the 90 m frontage on the lands to be severed, as applied for versus the proposed 50 m in the Planner's report.

Councillor MacKinnon inquired if the intention was to plant shrubs to delineate the boundary between residential and agricultural. Patrick Sanders advised the committee that he intends to plant shrubs to help act as a buffer zone.

Councillor Clarke inquired about the outbuildings outlined on the lands to be severed and inquired if the stalls in the outbuilding were removed. Patrick Sanders advised the committee that the stalls are still there and will be removed as per the conditions.

The Committee of Adjustment took a five (5) minute recess to allow the public to register for comment on the said application at 7:52 pm.

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

Councillor MacKinnon inquired about removing Condition #5 "That the applicant revise the area of the lot to be severed to be approximately 0.39 ha with a frontage of approximately 52 m." to keep in line with the original application for consent that was submitted in 2019. Councillor Clarke inquired about keeping Condition #5 and supports the Planner.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the Application for Consent B01-2020 by Patrick & Stephanie Sanders 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 an electronic transfer of title exactly consistent with the Acknowledgement and Direction executed by the applicants and the decision of the Committee of Adjustment.**
- 3. That any outstanding property taxes for the severed and retained lots of Consent B01-2020 be paid in full.**
- 4. That, if required, the owner provide road widening dedications to the County of Middlesex of up to 15 metres from the centerline of Calvert Drive (County Road 10) to the satisfaction of the County Engineer.**
- 5. That a preliminary survey showing the lands being severed, any required land dedication, and the location of all buildings and structures including their setbacks from the property lines and the location of the private water well and septic system be submitted to the satisfaction of the Township prior to being deposited at the Land Registry Office.**
- 6. That two paper copies and one digital copy of the reference plan be submitted to the satisfaction of the Township.**
- 7. That a Zoning By-law Amendment that recognizes the residential use of the retained lot of Consent B01-2020 and prohibits new dwellings on the severed lot of Consent B01-2020 be in full force and effect.**
- 8. That the existing accessory buildings on the severed lands be inspected by a qualified professional and the inspection report be provided to the Township for determination of structural adequacy and/or identification of any remedial works that may be required to bring the existing buildings into conformity with the minimum construction standards for a residential accessory building, or be removed to the satisfaction of the Township.**
- 9. That the barns on the retained lands be demolished and the debris removed from the property to the satisfaction of the Township.**
- 10. That the concrete silo on the retained lands be demolished and the debris removed from the property to the satisfaction of the Township.**

11. That unless replaced, the existing septic system is to be inspected by a qualified septic installer and the inspection report be provided to the Township for determination as to any replacement or remedial works that may be required. The qualified septic installer shall also confirm the location of the existing septic system and confirm that the clearance distance from the septic system to the well is adequate.

12. That the habitability of the single detached dwelling be confirmed to the satisfaction of the Township.

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

14. That drain assessment schedules be revised in accordance with the Drainage Act, as amended, to be commissioned and paid for by the owners, to the satisfaction of the Township.

15. That independent accesses to the lands to be severed and the lands to be retained are provided, to the satisfaction of the Township.

16. That the owner enter into a severance agreement with the Township in order to advise future owners of the severed lot of Consent B01-2020 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.

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 subject to Condition 7, the requirements of the Township of Adelaide Metcalfe Zoning By-law are satisfied. CARRIED.

Mayor Smith returned to Chair the remaining portion of the meeting.

MOVED by Councillor Clarke

SECONDED by Councillor MacKinnon

Resolved that the Committee of Adjustment be closed at 8:08 pm and Council reconvene in regular session. CARRIED.

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the public meeting to hear Zoning By-law Amendment Z07-2020 (Joel & Stephanie Wilcocks, 3492 Egremont Drive), and Z08-2020 (Creekside Ag, 1584 Melwood Drive), be opened at 8:09 pm. CARRIED.

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

Joel & Stephanie Wilcocks, 3492 Egremont Drive
Z07-2020, Zoning By-law Amendment

There was no representation in attendance for the said application.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z07-2020, to implement a condition of consent imposed by the Township of Adelaide Metcalfe Committee of Adjustment for Consent B11-2019, which conditionally severed a parcel of land with an area of 0.81 ha (2 ac) in order to accommodate the disposal of a surplus farm dwelling.

The application proposes to amend the zoning of the lot to be severed from the General Agriculture (A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands. The application also proposes to amend the zoning of the lot to be retained from the General Agricultural (A) Zone to the Agriculture Only (AO) Zone to prohibit new residential uses on the lands. The portion of the lot to be retained that is within the Environmental Protection (EP) Zone will remain unchanged.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z07-2020 proceed with the first and second reading of the implementing by law with the final reading to be provided once a deposited reference plan has been received to the satisfaction of the Township, 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 maintained.

There were no comments from Council.

Council took a five (5) minute recess to allow the public to register for comment on the said application at 8:13 pm.

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

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the application for Zoning By-law Amendment Z07-2020 for 3492 Egremont Drive to amend the zoning of the lot to be severed from the General Agriculture (A) Zone to Surplus Dwelling (SD) Zone in order to recognize the residential use of the lands. The application also proposes to amend the zoning of the lot to be retained from the General Agricultural (A) Zone to the Agriculture Only (AO) Zone to prohibit new residential uses on the lands. The portion of the lot to be retained that is within the Environmental Protection (EP) Zone will remain unchanged and that Council proceed with the first, second, and third readings of the implementing by-law. CARRIED.

Creekside Ag, 1584 Melwood Drive
Z07-2020, Zoning By-law Amendment

Rob Langford was virtually in attendance for the said application.

Planner Erin Besch reviewed Zoning By-law Amendment Application Z07-2020, to rezone a portion of the subject lands from the 'General Agriculture (A) Zone' and 'Rural Industrial (RM) Zone' to a site-specific 'Rural Industrial (RM-9) Zone'. The effect of the proposal is to recognize the expansion of an existing grain handling/drying facility, as it has expanded outside of what would be considered a permitted use under the 'General Agricultural (A) Zone'. The application proposes to rezone approximately 10 ha (24.7 ac) of the subject lands, which encompasses current operations and allows for additional area of expansion in the future.

The rezoning also seeks to recognize an accessory office and retail area of 160 m² (1,722 ft²), and a height of 12.5 m (41 ft) for the newly built warehouse and office building.

Through Planner Erin Besch's report, it has been recommended that Zoning By-law Amendment Z08-2020 proceed with the first, second, and third reading of the implementing by law, 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 maintained.

There were no comments from Council.

Council took a five (5) minute recess to allow the public to register for comment on the said application at 8:28 pm.

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

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that Council approve the application for Zoning By-law Amendment Z08-2020 for 1584 Melwood Drive to rezone a portion of the subject lands from the 'General Agriculture (A) Zone' and 'Rural Industrial (RM) Zone' to a site-specific 'Rural Industrial (RM-9) Zone'. The effect of the proposal is to recognize the expansion of an existing grain handling/drying facility, as it has expanded outside of what would be considered a permitted use under the 'General Agricultural (A) Zone'. The application proposes to rezone approximately 10 ha (24.7 ac) of the subject lands, which encompasses current operations and allows for additional area of expansion in the future. The rezoning also seeks to recognize an accessory office and retail area of 160 m² (1,722 ft²), and a height of 12.5 m (41 ft) for the newly built warehouse and office building. CARRIED.

MOVED by Councillor Clarke

SECONDED by Deputy Mayor Hendrikx

Resolved that the public meeting to hear Zoning By-law Amendment Z07-2020 (Joel & Stephanie Wilcocks, 3492 Egremont Drive), and Z08-2020 (Creekside Ag, 1584 Melwood Drive), be closed at 8:35 pm. CARRIED.

By-laws

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that all three readings be given to:

By-law No. 42 of 2020 – Zoning By-law Amendment - Wilcocks

By-law No. 43 of 2020 – Zoning By-law Amendment – Creekside Ag

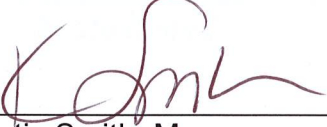
And that the by-laws be signed by the Mayor and Clerk and have the corporate seal attached. CARRIED.

Adjournment

MOVED by Councillor MacKinnon

SECONDED by Deputy Mayor Hendrikx

Resolved that the meeting be adjourned at 8:37 PM. CARRIED.



Kurtis Smith, Mayor



Jennifer Turk, Clerk/Acting Treasurer