



Municipality of West Elgin

Minutes

Committee of Adjustment

June 11, 2020, 2:00 p.m.

Electronic Participation Meeting via Zoom

Present:
Bonnie Rowe
Duncan McPhail
Richard Leatham
Angela Cammaert
Taraesa Tellier

Staff Present:
Jana Nethercott
Heather James

Also Present: Magda Badura, CAO/Treasurer

1. Call to Order

Moved: Angela Cammaert

Seconded: Richard Leatham

That West Elgin Committee of Adjustment convenes at 2:16 p.m. to consider applications for a minor variance for lands at 175 Furnival Road, 24156 Marsh Line and Concession 14, Part Lot 4 on Gray Line.

Carried

2. Purpose of Meeting

The purpose of the meeting was read aloud by the Secretary Treasurer, Jana Nethercott.

3. Disclosure of Pecuniary Interest

4. Minutes

Moved: Bonnie Rowe

Seconded: Angela Cammaert

That West Elgin Committee of Adjustment approve the Minutes of the Committee of Adjustment Meeting held on January 9, 2020.

Carried

5. Minor Variance

5.1 H. James, Planner - Minor Variance 175 Furnival Road

Moved: Richard Leatham

Seconded: Bonnie Rowe

That the Committee of Adjustment of the Municipality of West Elgin hereby receives the report from Heather James regarding the minor variance application for File No. D13 01-2020 for Plan 67 Block D Lots 6 and 11 (being Part 1 on RP 11R-4739), 175 Furnival Road; and,

That the Committee of Adjustment approve minor variance application File No. D13 01-2020, subject to the conditions on the decision sheet.

Carried

5.1.1 Committee Comments

None

5.1.2 Public Comments

None.

5.1.3 Decision

As per attached decision sheet.

5.2 H. James - Minor Variance 24156 Marsh Line

Moved: Angela Cammaert

Seconded: Richard Leatham

That West Elgin Committee of Adjustment hereby receives the report from Heather James regarding the minor variance application for File No. D13

02-2020, Concession 9, Part of Lot 14 (being Part 1 on RP 11R-6283),
24156 Marsh Line; and,

That West Elgin Committee of Adjustment approve Minor Variance File
No. D13 02-2020, subject to the conditions on the Decision Sheet.

Carried

5.2.1 Committee Comments

None

5.2.2 Public Comments

None

5.2.3 Decision

As per attached decision sheet.

**5.3 H. James, Planner - Minor Variance Concession 14, Part of Lot 4,
Gray Line**

Resolution No. 2020-

Moved: Angela Cammaert

Seconded: Richard Leatham

That West Elgin Committee of Adjustment hereby receives the report from
Heather James regarding the minor variance application for File No. D13
03-2020, Concession 14, Part of Lot 4, Gray Line; and,

That West Elgin Committee of Adjustment approve Minor Variance File
No. D13 03-2020, subject to the conditions on the Decision Sheet.

Carried

5.3.1 Committee Comments

None

5.3.2 Public Comments

None

5.3.3 Decision

As per attached decision sheet

6. Adjournment

Moved: Bonnie Rowe

Seconded: Angela Cammaert

Recommendation: That West Elgin Committee of Adjustment hereby closes this Public Meeting held pursuant to section 45 of the *Planning Act* at 2:46 p.m.

Carried

Duncan McPhail, Chair

Jana Nethercott, Secretary/Treasurer



The Corporation of the Municipality of West Elgin

Decision of Committee of Adjustment

Pursuant to Section 45 of the *Planning Act*, R.S.O. 1990

Re: Minor Variance Application File # D13 01-2020

Location: 175 Furnival Road

Owner/Applicant: Tyler Reid

Purpose and Effect

The purpose of this application is to seek relief from Section 4.1 f) Accessory Uses, Buildings and Structures of the Municipality of West Elgin Comprehensive Zoning By-law No. 2015-36 to permit an already constructed above ground pool deck. Section 4.1 f) states an accessory building or use shall not exceed ten (10) per cent coverage of the total lot area. As a result of the pool deck, the owner is proposing 16.37% coverage of the total lot area for the existing detached garage, existing above ground pool and already constructed above ground pool deck (as shown on the attached Schedule 'A').

Maps showing the location of the lands to which this proposed minor variance applies are attached.

Decision and Reasons of the Committee

It is the decision of the Committee of Adjustment to approve this variance application with for the following reasons:

- The variance is minor in nature;
- The proposed minor variance represents appropriate use of the subject property;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

Effect of Public and Agency Comments on Decision of Committee of Adjustment

Public comments were received on this application, the effect of which resulted in a decision to approve the application.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Dated this 11th day of June, 2020.

Electronic Recorded Vote

| | | | |
|------------------------------|-------------------------------|-------------------------------|-------------------------------|
| <u>Yes</u> Duncan McPhail | <u>Yes</u> Richard Leatham | <u>Yes</u> Taraesa Tellier | <u>Yes</u> Angela Cammaert |
| <u>Yes</u> Bonnie Rowe | | | |

Certification of the Committee's Decision

I, Jana Nethercott, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of West Elgin, certify that this is a true copy of the Committee's Decision.


Secretary- Treasurer

June 11, 2020
Date

Appeals

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Municipality of West Elgin to the Local Planning Appeal Tribunal (LPAT).

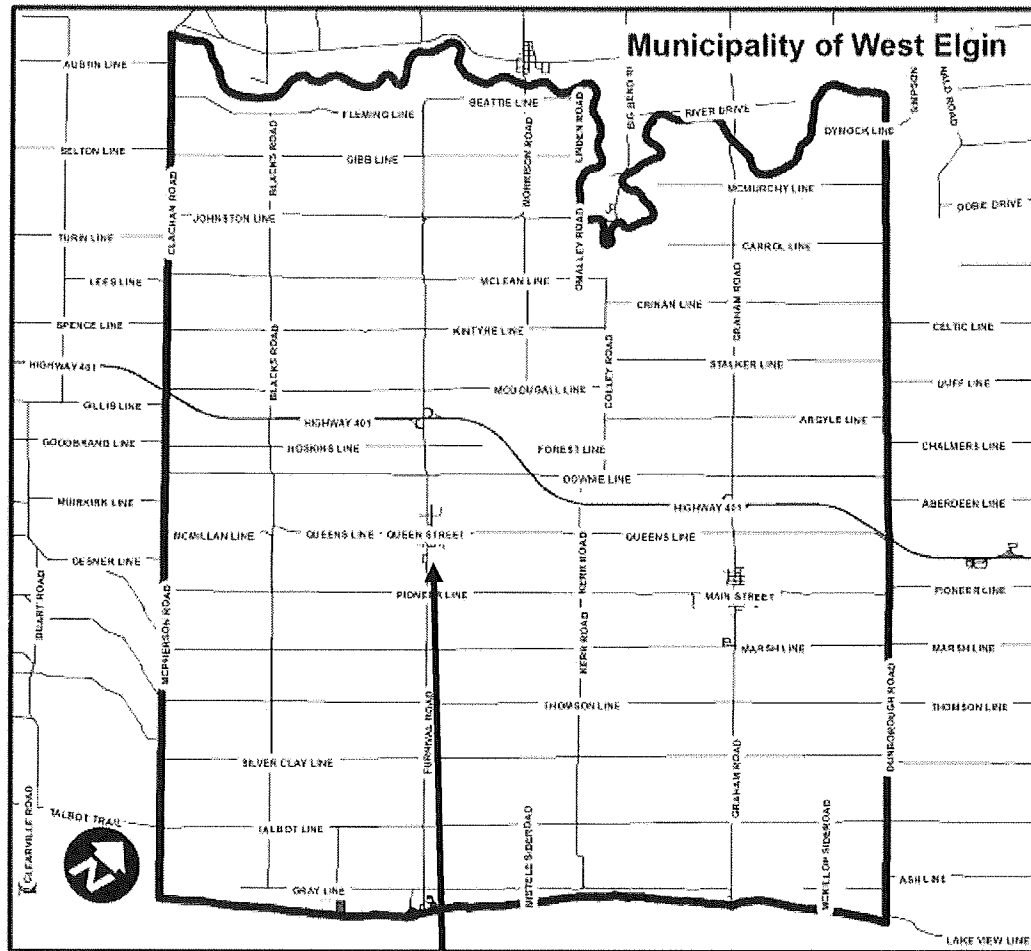
If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless, in the opinion of the LPAT, there are reasonable grounds to do so.

Any appeals of the Decision of the West Elgin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **no later than the 2nd day of July, 2020** setting out the reasons for the appeal together with a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at www.elto.gov.on.ca. If no appeal is received within the prescribed time, a Notice of No Appeal will be sent out to the applicant.

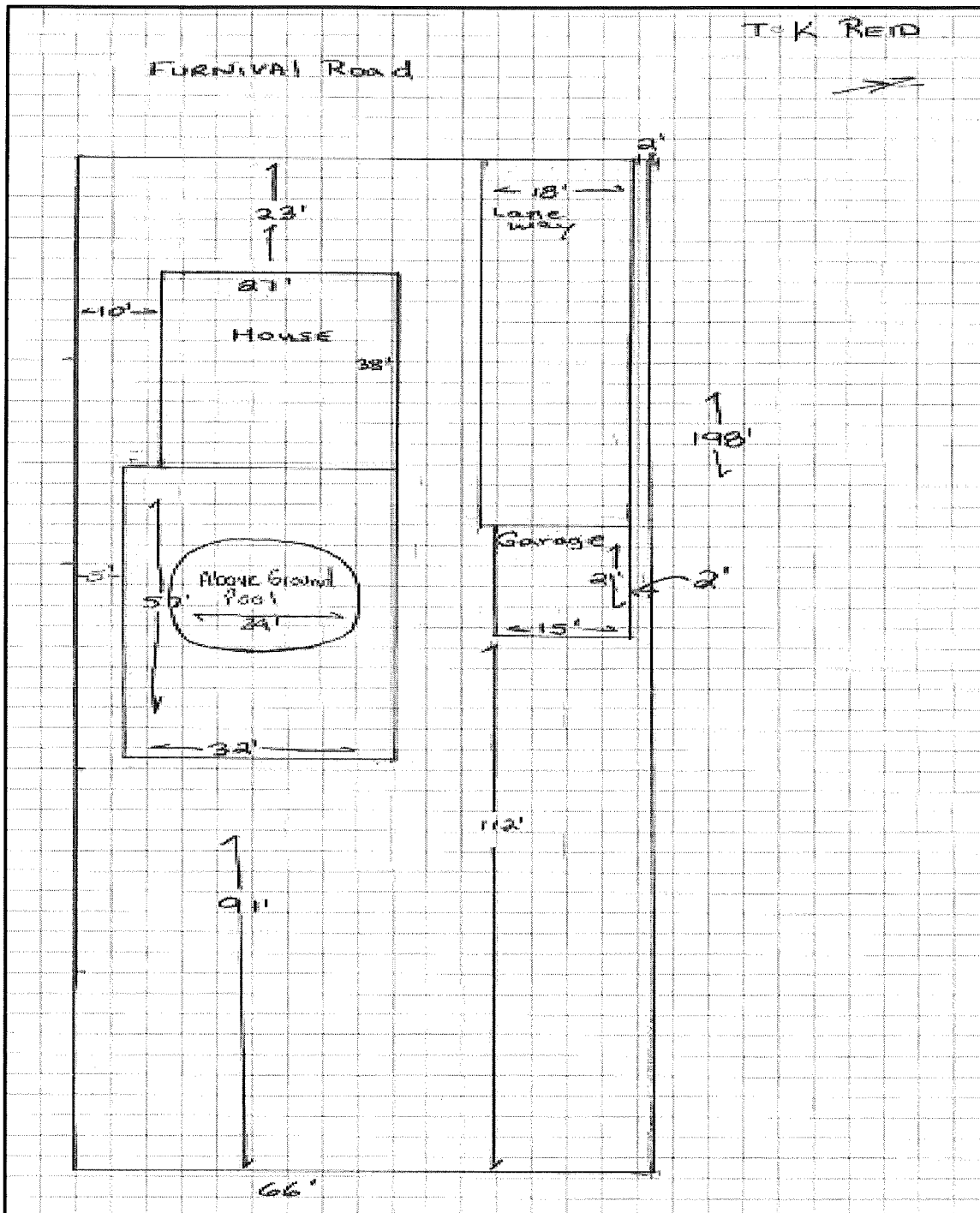
Additional Information

Additional information related to this minor variance may be obtained at the West Elgin Municipal office or by contacting Jana Nethercott, Secretary-Treasurer at 519-785-0560, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Key Maps



Property to which this minor
variance applies.





The Corporation of the Municipality of West Elgin

Decision of Committee of Adjustment

Pursuant to Section 45 of the *Planning Act*, R.S.O. 1990

Re: Minor Variance Application File # D13 02-2020

Location: 24156 Marsh Line

Owner: Al Zhen Chen

Applicant: Ron Lin

Agent: Ted L. Halwa

Purpose and Effect

The owner and applicant are proposing to construct a greenhouse with an area of 2,322.58 m² (25,000.0 ft.²) to grow cannabis or vegetables on the subject lands (as shown on the attached Schedule 'A'). The purpose of the application is to seek relief from the following sections of the Municipality of West Elgin Comprehensive Zoning By-law 2015-36: 1) Section 5.1.1 Table 5-1 subsection 3, which states the maximum lot coverage is 20%; and, 2) Section 4.1 f) Accessory Uses, Buildings and Structures which states an accessory building or use shall not exceed ten (10) per cent coverage of the total lot area. The owner and applicant are proposing: 1) a maximum lot coverage of 32% for all existing buildings and the proposed greenhouse; and, 2) a proposed maximum lot coverage of 26.5% for all accessory buildings (existing two barns and shed and proposed greenhouse).

Maps showing the location of the lands to which this proposed minor variance applies are attached.

Decision and Reasons of the Committee

It is the decision of the Committee of Adjustment to approve this variance application with for the following reasons:

- The variance is minor in nature;
- The proposed minor variance represents appropriate use of the subject property;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

Effect of Public and Agency Comments on Decision of Committee of Adjustment

No public comments were received on this application, the effect of which resulted in a decision to approve the application.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Dated this 11th day of June, 2020.

Electronic Recorded Vote

| | | | |
|------------------------------|-------------------------------|-------------------------------|-------------------------------|
| <u>Yes</u> Duncan McPhail | <u>Yes</u> Richard Leatham | <u>Yes</u> Taraesa Tellier | <u>Yes</u> Angela Cammaert |
| <u>Yes</u> Bonnie Rowe | | | |

Certification of the Committee's Decision

I, Jana Nethercott, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of West Elgin, certify that this is a true copy of the Committee's Decision.

Jana Nethercott
Secretary- Treasurer

June 11, 2020
Date

Appeals

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Municipality of West Elgin to the Local Planning Appeal Tribunal (LPAT).

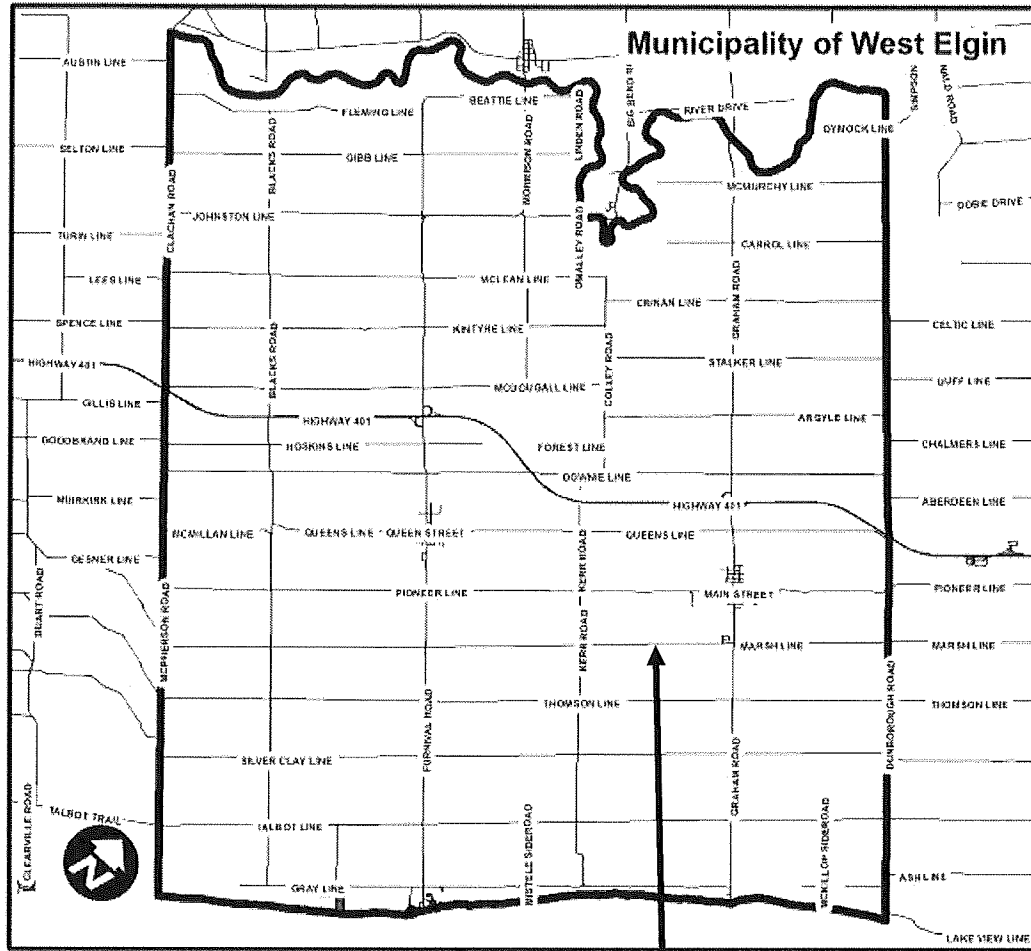
If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless, in the opinion of the LPAT, there are reasonable grounds to do so.

Any appeals of the Decision of the West Elgin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **no later than the 31st day of June, 2020** setting out the reasons for the appeal together with a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at www.elto.gov.on.ca. If no appeal is received within the prescribed time, a Notice of No Appeal will be sent out to the applicant.

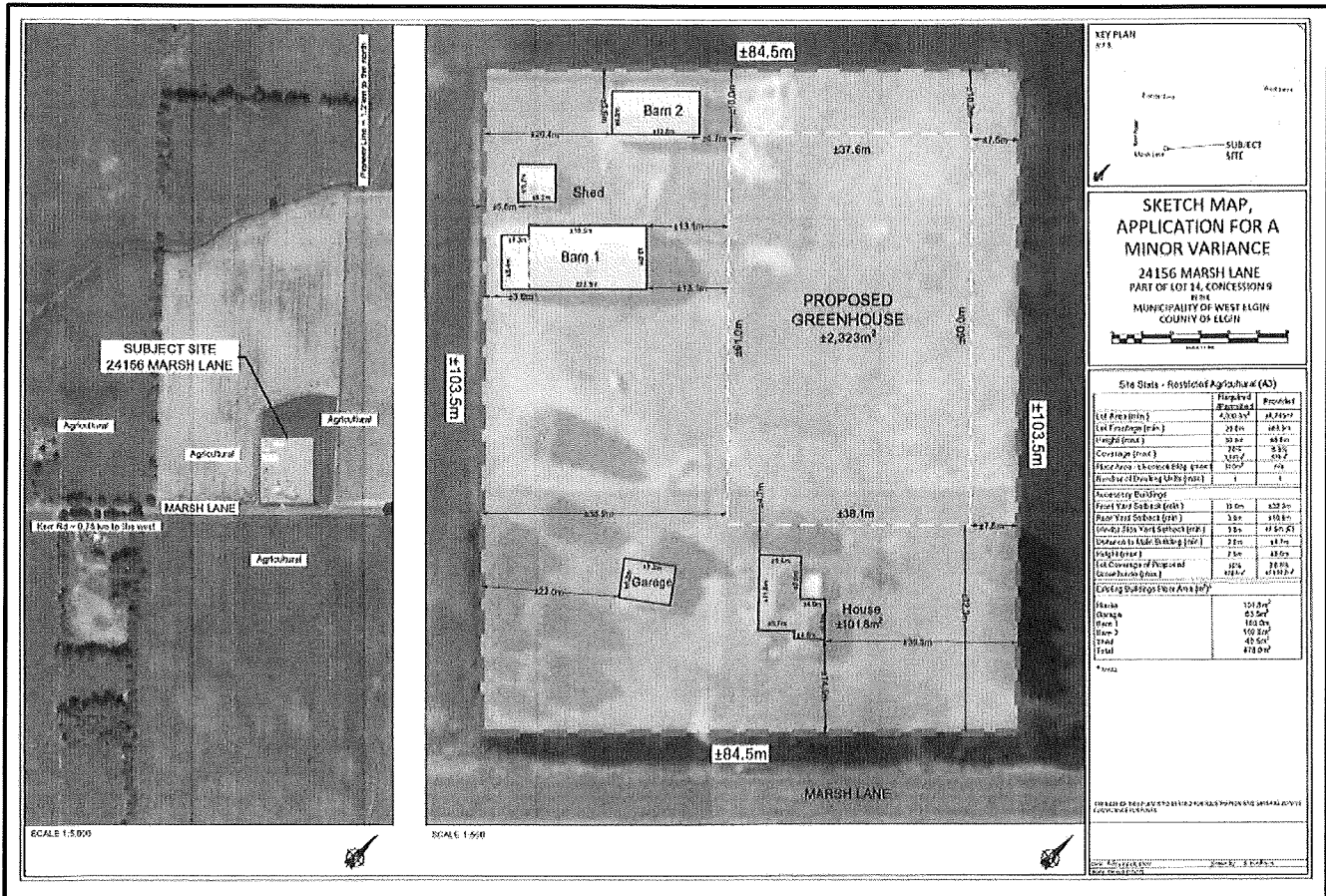
Additional Information

Additional information related to this minor variance may be obtained at the West Elgin Municipal office or by contacting Jana Nethercott, Secretary-Treasurer at 519-785-0560, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Key Maps



Property to which this minor
variance applies.





The Corporation of the Municipality of West Elgin

Decision of Committee of Adjustment

Pursuant to Section 45 of *the Planning Act*, R.S.O. 1990

Re: Minor Variance Application File # D13 03-2020

Location: Concession 14, Part of Lot 4, Gray Lines

Owners: Lakeview Aldborough Bluffs Inc.

Applicant: Allan Murray

Purpose and Effect

The purpose of this application is to seek relief from Section 5.1.1 Permitted Uses Table 5-1 General Agricultural (A1) Zone Standards Subsection 1 Minimum Lot Area and Subsection 2 Minimum Lot Frontage of the Municipality of West Elgin Comprehensive Zoning By-law No. 2015-36 to permit the creation of an agricultural parcel with undersized lot area and undersized lot frontage associated with severance application E 57/19, which is conditionally approved. The minimum lot area in the A1 Zone is 20.2 ha (49.92 ac.) and the minimum lot frontage is 300.0 m (984.25 ft.); the owners are proposing a minimum lot area of 17.55 ha (43.37 ac.) and a minimum lot frontage of 233.33 m (765.52 ft.).

Decision and Reasons of the Committee

It is the decision of the Committee of Adjustment to approve this variance application with for the following reasons:

- The variance is minor in nature;
- The proposed minor variance represents appropriate use of the subject property;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of West Elgin Zoning By-Law #2015-36.

Effect of Public and Agency Comments on Decision of Committee of Adjustment

No public comments were received on this application, the effect of which resulted in a decision to approve the application.

Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.

Dated this 11th day of June, 2020.

Electronic Recorded Vote

| | | | |
|------------------------------|-------------------------------|-------------------------------|-------------------------------|
| <u>Yes</u> Duncan McPhail | <u>Yes</u> Richard Leatham | <u>Yes</u> Taraesa Tellier | <u>Yes</u> Angela Cammaert |
| <u>Yes</u> Bonnie Rowe | | | |

Certification of the Committee's Decision

I, Jana Nethercott, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of West Elgin, certify that this is a true copy of the Committee's Decision.

Jana Nethercott
Secretary- Treasurer

June 11, 2020
Date

Appeals

If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body is not entitled to appeal the decision of the Municipality of West Elgin to the Local Planning Appeal Tribunal (LPAT).

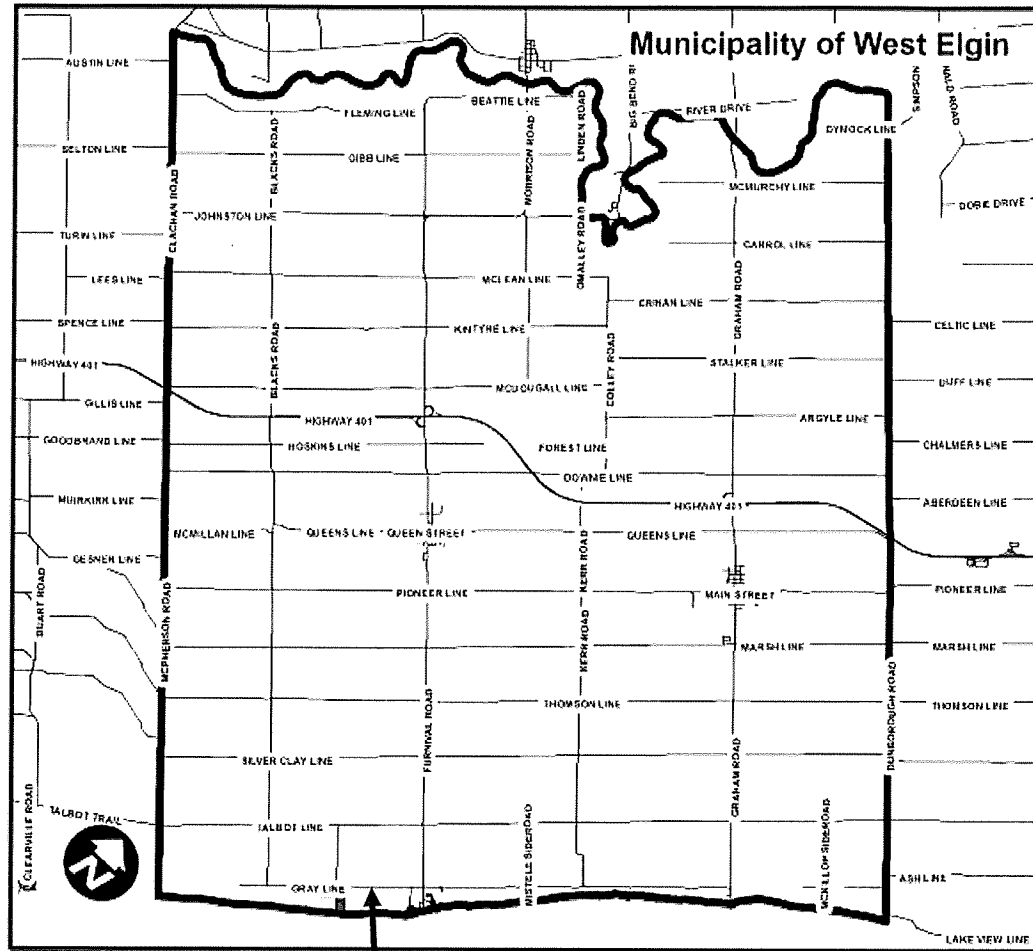
If a person or public body does not make oral submissions at a public hearing or make written submissions to the Municipality of West Elgin Committee of Adjustment before the minor variance is granted, the person or public body may not be added as a party to the hearing of an appeal before the LPAT unless, in the opinion of the LPAT, there are reasonable grounds to do so.

Any appeals of the Decision of the West Elgin Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee of Adjustment, **no later than the 1st day of July, 2020** setting out the reasons for the appeal together with a certified cheque or money order in the amount of \$300.00 payable to the Minister of Finance. A copy of the appeal form is available from the Local Planning Appeal Tribunal website at www.elto.gov.on.ca. If no appeal is received within the prescribed time, a Notice of No Appeal will be sent out to the applicant.

Additional Information

Additional information related to this minor variance may be obtained at the West Elgin Municipal office or by contacting Jana Nethercott, Secretary-Treasurer at 519-785-0560, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday).

Key Maps



Property to which this minor
variance applies.

