

MINUTES
LAND DIVISION COMMITTEE

July 10, 2007

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair B. MacDougall, Warden Jim Burns. Members: F. Foubister and G. Minielly. Also present were Deputy-Secretary-Treasurer M. Pauschenwein, Planner W. Nywening and Chief Building Official C. Nauta.

Absent

None.

Application B-003/07

William A. Douglas
Jean E. Douglas
Concession 9, East ½ Lot 17
3893 Nauvoo Road
Township of Brooke-Alvinston

A consent application has been made by William A. Douglas and Jean E. Douglas to sever a lot with 230' frontage, 2 acres lot area and containing a dwelling and several buildings accessory to the dwelling. The retained farm lot would be 95 acres (38.4 ha). The purpose of the severance is to separate a surplus farm dwelling from the rest of the farm holding.

The lands are designated "Rural Area" in the Brooke-Alvinston Official Plan and also contain a "Hazard and Environmental Protection" designation and "Significant Woodlot" designation on northerly, unaffected portions of the property. The corresponding Zoning designations are "Agriculture (A1) Zone", "Environmental Protection – Hazard (EP-H) Zone" and "Environmental Protection – Woodlot (EP-WD) Zone".

Attending the meeting were the applicants William A. Douglas and Jean E. Douglas and Brooke-Alvinston Councillor Allan McNeil.

The applicants were asked to speak to their application but said that they had nothing to add to their submitted application.

The Deputy-Secretary-Treasurer read submissions received and the Chair advised of appeal procedures.

Minielly/Foubister: That Application B-003/07 be approved with conditions.

Carried.

Conditions:

1. That a copy of the deed and R.D. Plan or survey be submitted to the Secretary-Treasurer in digital format, if available, and properly georeferenced to the NAD83 UTM Zone 17 Coordinate System and also in a form suitable for registration.
2. That a fee of \$500.00 be paid to the County of Lambton by cash or certified cheque.
3. That all conditions be fulfilled within one year of the notice of decision of this consent. That the certificate of consent required by Section 53(42) of the Planning Act, be obtained within one year of the notice of decision of this consent. *The County will endeavour to send the applicant a reminder that the Provisional Consent is approaching its lapsing date. However, **each applicant is responsible for ensuring that the Provisional consent does not lapse.** If the Provisional Consent does lapse (meaning the deeds have not been stamped within one year of the notice of decision of the consent), a new application will be required. There is no provision in the Planning Act for extensions to Provisional Consents.*
4. That the severed portion contain the water well for the residence or the severed portion be connected to a municipal waterline if available.
5. That the applicant enter into an agreement with the Township of Brooke-Alvinston for the apportionment of drainage assessments on the involved properties.
6. That the applicant is responsible for the cost to the Township of Brooke-Alvinston of providing and installing an access culvert on the severed (and/or retained) portion.
7. That the retained farm lot be rezoned to prohibit a dwelling.
8. That the applicant satisfies the County of Lambton Private Sewage Coordinator with the following:
 - a) a site diagram be provided showing the location of the current septic system as well as demonstrate, by site plan, a 50 square metre contingency area that is located in native, undisturbed soils and "reserved" for a future septic system;
 - b) that the system be partially uncovered to confirm the component location, size and condition;
 - c) that a "Notice of Advisory" be registered on title reflecting the served/contingency area.

Application A-002/07

Marylou Rumleski
Plan 8, Lot 5, Lot 6, Concession 5, Part Lot 18
7981 Railroad Line
Township of Brooke-Alvinston

The applicants are seeking relief from the provisions of the Brooke-Alvinston Zoning By-law as it pertains to Section 3.3.4 – Height of Accessory Buildings. The zoning by-law requires a 4.5m maximum. The applicants are requesting a variance to allow an accessory building height of 6.4 metres in order to garage a motor home.

The property is designated “Residential” in the Brooke-Alvinston Official Plan and zoned “Residential (R1) Zone” in the Zoning By-law.

The applicant did not appear to speak to the application. The Deputy-Secretary-Treasurer read submissions received.

Minielly/Foubister: That Minor Variance Application A-002/07 be approved with conditions. Carried.

Conditions:

1. That the variance only applies to the proposed structure.
2. That any second floor or attic have no potential for sufficient overhead clearance for any other use than storage.

Reasons: In the opinion of the Committee:

1. The Variance is minor in nature;
2. The intent of the official plan is maintained;
3. The intent of the zoning by-law is maintained;
4. The variance is desirable for the appropriate development or use of the land, building or structure.

Adjournment

The Chair declared the meeting adjourned.

Time: 9:50 a.m.

Bev MacDougall
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer