



The Corporation of the Township of Dawn-Euphemia

- M I N U T E S -

Meeting was held by Teleconference, in accordance Procedural By-Law 2021-23

Committee of Adjustment Meeting
Monday, March 7, 2022
6:20 pm, Municipal Office, 4591 Lambton Line

- Chairman: A. Broad
- Committee Members: A. Gray
M. McGuire
J. Meyer
L. Williams
- Staff Present: D. Clermont, Secretary
- Public Present: M. Schnare, Agent
P. Zantingh, Owner
F. Barnes
J. Allaert

The meeting was called to order by Chairman Broad at 6:20 pm.

Disclosure of Pecuniary Interest

No pecuniary interests were disclosed

2022-01 Moved by Leslea Williams - Seconded by Jason Meyer

Minutes, December 6, 2021

That the minutes of the December 6, 2021 Committee of Adjustment meeting be adopted. *Carried.*

Recorded Vote	
Vote	
Y	A. Broad
Y	A. Gray
Y	M. McGuire
Y	J. Meyer
Y	L. Williams

Public Meeting: Consent Application B001-22
6:20 pm – 6:30 pm Applicant: BPS Ventures Inc (Owner, Peter Zantingh & Agent Michael Schnare)

Chairman Broad called the public hearing to order, to consider Consent Application B001-22 submitted by BPS Ventures Inc (Agent Michael Schnare), with respect to land described as Concession 5, Part Lot 26, East ½ Lot 26, known locally as 1411 Tramway Road. The applicant seeks consent to sever a 2.4 acre (0.98 hectares) rural residential lot containing an existing house with a secondary detached building and farm outbuildings from a 97.6 acre (39.5 hectares) farm parcel.

The Secretary-Treasurer confirmed that notice of this public meeting had been given by mailing notice to required property owners within 60 meters (200 feet) of the subject property and required agencies, as well as posting the notice in the Municipal Office, and by having the subject property posted by the applicant.

Chairman Broad confirmed that the following items of correspondence had been received regarding the subject application:

- (a) Planning Report dated February 17, 2022 from Ezio Nadalin, Planner, County of Lambton
- (b) Septic Report, dated February 1, 2022 from Corrin Nauta, Manager, Building Services, County of Lambton
- (c) Email dated February 22, 2022 from Laura Biancolin, Planner, St. Clair Region Conservation Authority
- (d) Planning Justification Report received February 24, 2022 from Michael Schnare, Agent for BPS Ventures Inc.

The Secretary-Treasurer confirmed that no comments had been received from the Public Works Superintendent or Fire Chief, adding that any recommendations presented in the Planner’s report had been included in the drafting of the decision for the Committee’s consideration.

The meeting was open to anyone wishing to speak in opposition to, or in support of, the application - no one spoke in favour or against the application. The details of the draft decision were reviewed, and a copy of which had been included in the Committee’s Agenda package.

Following the discussion, the Committee passed the following resolution:

2022-02 Moved by Leslea Williams – Seconded by Mark McGuire

Decision B001-22

In the case of an application made by BPS Ventures Inc. (Agent Michael Schnare) requesting a surplus farm dwelling severance of a 2.4 acre (0.98 hectares) rural residential lot containing an existing single detached dwelling with a detached garage and a detached agricultural storage building, leaving a retained farm parcel of 97.6 acre (39.5 hectares) described as Concession 5, Part Lot 26, East ½ Lot 26 be approved subject to the following conditions:

Recorded Vote	
Vote	
Y	A. Broad
Y	A. Gray
Y	M. McGuire
Y	J. Meyer
Y	L. Williams

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 copy of the deed and survey must be submitted to the Secretary-Treasurer in a form suitable for registration.
3. That the fee for the 911 address sign be paid and that the sign be placed on the retained farm property.
4. That both the retained land and the severed lot have adequate access to the road allowance subject to the approval of the appropriate road authority.
5. That the applicant enters into an agreement with the Township of Dawn-Euphemia for the costs associated with the re-apportionment of drainage assessments on the involved properties.
6. That the septic system be partially uncovered to confirm the component location, size and condition. This must be completed to the satisfaction of the Private Sewage System Coordinator.
7. That a site inspection be conducted to confirm location of the septic system and to ensure that sewage/effluent is not being emitted or discharged onto the surface and that it is wholly contained within the newly created parcel. In the event the septic system is not compliant, a new Part 8 system will be required to be installed.

8. That the septic system be clearly noted on the legal survey (plotted on a copy by the owner), and a copy provided to the Lambton County Building Services Department for the property file.
9. That a zoning amendment be obtained to prohibit a dwelling on the retained farm property and limit agricultural uses on the severed parcel.
10. All conditions are to be fulfilled within two years of the notice of decision of this consent. The certificate of consent required by Section 53(42) of the Planning Act must be obtained within two years of the notice of decision of this consent. *The Township of Dawn Euphemia 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.*

Chairman Broad reviewed the appeal process and advised that the public can contact the Municipal Clerk for information and paperwork outlining the appeal process for the subject decision.

2022-03 Moved by Leslea Williams - Seconded by Ann Gray

That the Committee of Adjustment for Consent Application B001-22 is hereby adjourned at this hour of 6:30 pm. *Carried.*

Adjournment

Recorded Vote	
Vote	
Y	A. Broad
Y	A. Gray
Y	M. McGuire
Y	J. Meyer
Y	L. Williams

Donna Clermont, Secretary-Treasurer