



The Corporation of the Township of Dawn-Euphemia

- M I N U T E S -

Committee of Adjustment Meeting
Tuesday July 4, 2023
6:10 pm

Present: Chairman: A. Broad

Committee Members: A. Gray (via teleconference)
M. McGuire
P. LeBoeuf
J. Meyer

Staff Present: D. Clermont, Secretary

Public Present: The Independent

The meeting was called to order by Chairman Broad at 6:10 pm.

Disclosure of Pecuniary Interest

No pecuniary interests were disclosed.

2023-01 Moved by Mark McGuire - Seconded by Jason Meyer.

Minutes, December 19, 2022

That the minutes of the December 19, 2022 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: **Minor Variance Application A002-23**
6:10 pm – 6:17 pm Applicant: Enbridge Gas Inc. Agent: Dave Charron
Re: Lot 26 Con 1
The Applicant was not present – no public was present

Chairman Broad called the public hearing to order, to consider application A002-23 made by Dave Charron, Agent for Enbridge Gas Inc., lands described as Lot 26 Con 1, Dawn Valley Road, Dawn Concession 1, East Part Lot 26 and RP 25R10406, Parts 7 and 8, Township of Dawn-Euphemia (Dawn Valley Road Property). The applicants seek relief from Table "A" of the Township of Dawn-Euphemia Zoning By-law 54 of 2014 which requires a minimum front yard setback of 20 metres (65.6 ft.). In this case the applicant proposes to construct an electrical building with a setback of 18.9 metres (62 ft.) and a utility shed with a setback of 8.9 metres (29 ft.).

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 June 21, 2023, from Ezio Nadalin, County Planner
- (b) Informal Comments via email dated June 23, 2023 from SCRCA advising that the SCRCA has no concerns in regards to S.3.1 of the Provincial Policy Statement, but the applicant will require written permission from the SCRCA prior to undertaking any development or site alteration.

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

Chairman Broad opened the meeting to anyone wishing to speak in opposition to, or in support of, the application - no one in attendance spoke in favor or against the application. The Chair reviewed the details of the draft decision, a copy of which had been included in the Committee's Agenda package.

Following the discussion, Chairman Broad requested the Committee to make a decision regarding the Application and the following resolution was passed:

2023-02 Moved by Paul LeBoeuf – Seconded by Jason Meyer.

That Minor Variance Application A002/23 affecting property described as Concession 1, East Part Lot 26 and RP 25R10406, Parts 7 and 8, Township of Dawn -Euphemia (Dawn Valley Road), to recognize a reduced front yard setback from 20 metres to 18.2 and 8.9 metres, **BE APPROVED, with no conditions.** *Carried*

Decision A002-23

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

REASONS FOR DECISION: The minor variance meets the four tests required by Section 45(1) of the Planning Act, in that: the variance is considered to be minor in nature; maintains the intent of the Official Plan and Zoning By-Law and is appropriate for the use of the property.

EFFECT OF SUBMISSIONS: Submissions were received and assisted the Committee in making an informed decision with appropriate conditions of approval.

**Public Meeting:
6:20 pm – 6:25 pm**

Minor Variance Application A001-23

Applicant: Henry & Evelyn Penner Re: 742 Oil Heritage Road
The applicant Henry Penner was present – no public was present

Chairman Broad called the public hearing to order, to consider application A001-23 made by Henry & Evelyn Penner, lands described as Concession 8, North Part Lot 18, Northwest ¼ Lot 18, EXP 25R435, Part 11, Township of Dawn -Euphemia (municipally known as 742 Oil Heritage Road) for a minor variance from Subsection 5.3 (b) of the Township of Dawn-Euphemia's Zoning By-law 54 of 2014, which would decrease the prescribed setback from 250 metres (820 ft) to +/- 213 metres (699 ft) between Kennels and adjacent Residential Uses.

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 June 21, 2023, from Ezio Nadalin, County Planner
- (b) Informal Comments via email dated June 23, 2023 from SCRCA advising that the SCRCA has no concerns with the proposed development.

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

Chairman Broad opened the meeting to anyone wishing to speak in opposition to, or in support of, the application - no one in attendance spoke in favor or against the application. The Chair reviewed the details of the draft decision, a copy of which had been included in the Committee's Agenda package.

Following the discussion, Chairman Broad requested the Committee to make a decision regarding the Application and the following resolution was passed:

2023-03 Moved by Jason Meyer – Seconded by Paul LeBoeuf.

Decision A001-23

That Minor Variance Application A001/23 affecting property described as Concession 8, North Part Lot 18, Northwest ¼ Lot 18, EXP 25R435, Part 11, Township of Dawn -Euphemia (municipally known as 742 Oil Heritage Road), to recognize a decrease in the prescribed setback from 250 metres (820 ft) to +/- 213 metres (699 ft) between Kennels and adjacent Residential Uses, **BE APPROVED, with no conditions. Carried.**

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

REASONS FOR DECISION: The minor variance meets the four tests required by Section 45(1) of the Planning Act, in that: the variance is considered to be minor in nature; maintains the intent of the Official Plan and Zoning By-Law and is appropriate for the use of the property.

EFFECT OF SUBMISSIONS: Submissions were received and assisted the Committee in making an informed decision with appropriate conditions of approval.

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.

2023-04 Moved by Paul LeBoeuf - Seconded by Mark McGuire.

Adjournment

That the Committee of Adjustment for Minor Variance Application A001-22 and Minor Variance Application A002-23, are hereby adjourned at this hour of 6:25 pm. *Carried.*

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

Donna Clermont, Secretary-Treasurer