



Municipality of
Leamington
live | play | work

The Corporation of the Municipality of Leamington

Meeting of Committee of Adjustment

Agenda

Tuesday, April 24th, 2018 commencing at 5:00 PM

Leamington Council Chambers

(A) Call to Order:

(B) Adoption of Minutes

- a. March 27th, 2018 Committee of Adjustment Meeting

(C) Disclosure of Pecuniary Interest:

(D) Items for Consideration

1. B-12-18 and A-08-18 - 608243 Ontario Ltd - NS Talbot Rd East (abutting 545 Talbot Road East)
 - Lot addition to abutting farm to the north (W.J. Brown Farms Ltd.)
 - Retained farm parcel to be less than 24.7 acres
2. A-09-18 - Jean-Pierre Nicolas - 8-10 Summerville Avenue
 - Increase lot coverage from 40% to 45.5%
3. B-15-18 - Erwin Gurske - 1335 Mersea Road 2
 - Creation of a new lot
 - Lot addition to abutting residential lot to the west (E. Gurske)
4. B-16-18 - Lehn Farms Ltd. - NS Mersea Road 6 (abutting 1124 Mersea Road 7)
 - Approximately 100 acre farm split
5. A-11-18 - 1933880 Ontario Inc. - 50 Seacliff Drive East
 - Reduction to exterior and interior side yard setbacks

(E) New Business:

(F) Adjournment:

(G) Date of Next Meeting: Tuesday, May 29th, 2018



Legend

● SUBJECT LANDS



Title:

APRIL 2018 COMMITTEE OF ADJUSTMENT APPLICATIONS



Scale: 1:60,000 0 400 800 1,600 Meters

Prepared For: Planning

Date: April 13, 2018

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Prepared By: GIS Services

File No: N/A

Notes:

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111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-6761 FAX: (519) 326-2481

April 10, 2018

Committee of Adjustment

Notice of Public Hearing for Combined Application for Consent & Minor Variance

Applicant: 608243 Ontario Ltd.

Address of property: North Side of Talbot Road East, East of Mersea Road 15

Roll Number: 3706-620-000-01400

Purpose of Applications:

B-12-18: To obtain consent to sever an 8.2 hectare (20.27 acre) parcel from the 16.29 hectare (40.26 acre) farm on the north side of Talbot Road East, east of Mersea Road 15, in order to add the severed parcel to the farm abutting to the immediate north, known municipally as 468 Mersea Road 15. The farm parcel on Talbot Road East, which is to be retained by the applicant/owner, is proposed to have a lot area of approximately 8.5 hectares (21 acres).

A-08-18: To obtain relief from Zoning Bylaw 890-09 in order to permit a reduction to the minimum required lot area from 10 hectares (24.7 acres) to approximately 8.5 hectares (21 acres) for the farm located on the north side of Talbot Road East, east of Mersea Road 15. As a result of the severed and retained parcels being divided along the existing Wilkinson-Shilson Drain, the retained parcel is proposed to be deficient in lot area under the Zoning Bylaw, thus necessitating the proposed variance. The consent and minor variance applications are being considered concurrently and the public notices are being circulated together.

Take Notice: The applications under the above file numbers will be heard by the Committee as follows:

Date: Tuesday April 24, 2018 **Time:** 5:00 PM

Location: Council Chambers, Municipal Building, 111 Erie Street North, Leamington, Ontario N8H 2Z9

Public Meeting: You are entitled to attend this Public Meeting in person to express your views about these applications or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by these applications who has not received a copy of this notice, you are requested to inform that person of this hearing.

If you wish to make written comments on this application, they may be forwarded to the Secretary-Treasurer of the Committee of Adjustment at the address shown below. If you are the owner of any building or land that contains seven or more residential units, you are required to post this notice in a location that is visible to all residents.

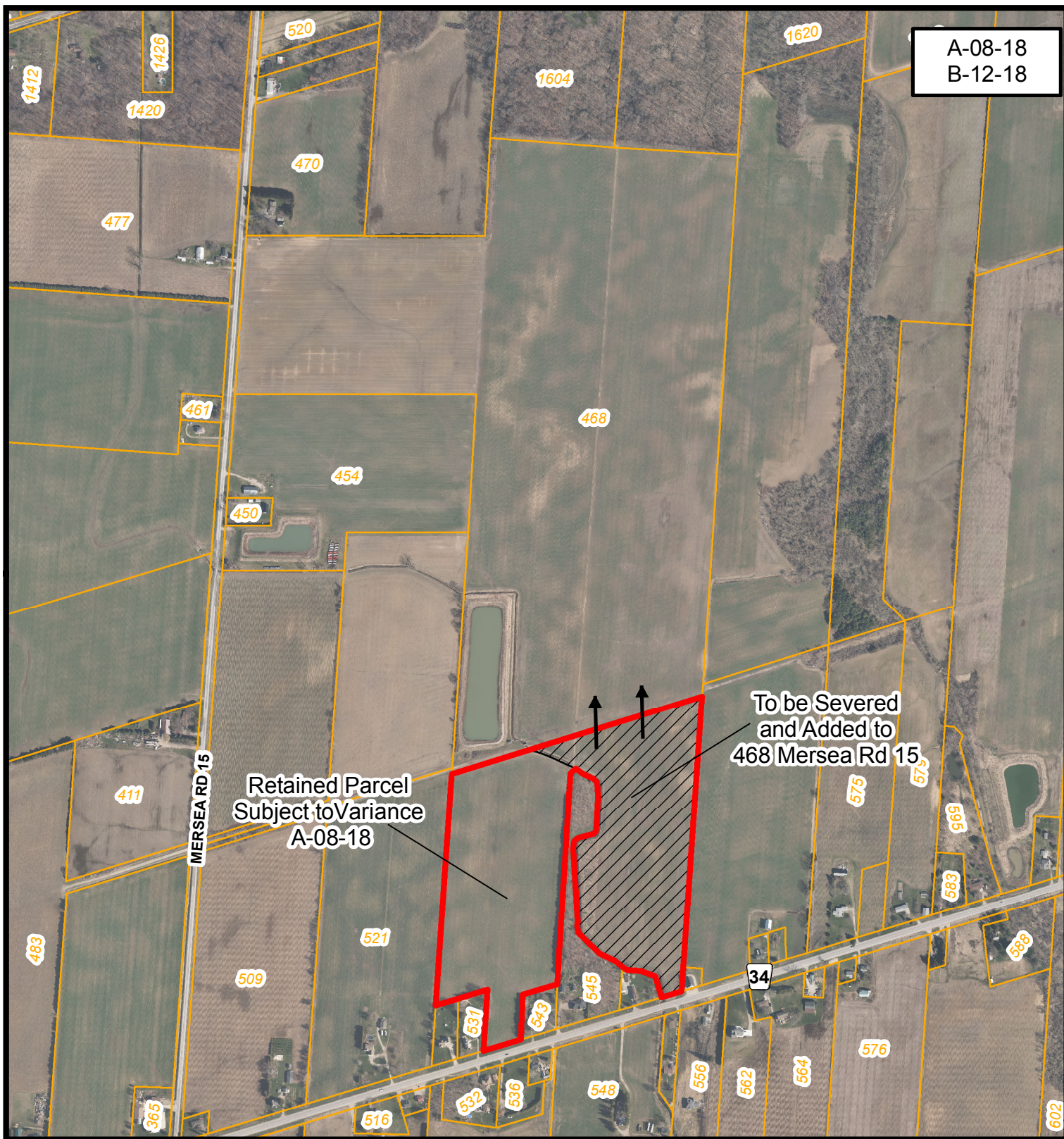
Additional information regarding the proposed Consent and Minor Variance applications is available from the Secretary-Treasurer, whose contact information is shown below.

Failure to Attend Meeting: If you do not attend the meeting, it may proceed in your absence. Except as otherwise provided in The Planning Act, you will not be entitled to any further notice in the proceedings.

Notice of Decisions: Copies of the Decisions of the Committee of Adjustment will be sent to the applicant and to each person who appeared in person or by counsel at the hearing and/or who has filed with the Secretary-Treasurer a written request for Notice of the Decision.

Deadline for Agency Comments: April 19, 2018

Heather (Ross) Jablonski, MCIP, RPP, BES
Secretary-Treasurer, Committee of Adjustment
Municipality of Leamington
111 Erie Street South
Leamington, ON N8H 2Z9
519-326-5761, extension 1415
hjablonski@leamington.ca



A-08-18
B-12-18

Retained Parcel
Subject to Variance
A-08-18

To be Severed
and Added to
468 Mersea Rd 15

Legend

- Subject Lands
- To Be Severed



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1



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Scale: 1:9,000

0 45 90 180 Meters
+++++

Prepared For: 608243 ONTARIO LTD.

Date: April 9, 2018

Prepared By: GIS Services

File No: A-08-18, B-12-18

Notes:

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111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-5761 FAX: (519) 326-2481

April 10, 2018

Committee of Adjustment
Notice of Public Hearing of Application for Minor Variance

Applicant: Jean-Pierre Nicolas

Address of property: 8-10 Summerville Avenue

Roll Number: 3706-520-000-06964

Purpose: To obtain relief from Zoning By-law 890-09 in order to permit an increase in the maximum lot coverage for a semi-detached dwelling from 40% to 45.5%. The applicant is proposing to add a covered rear porch and a shed to the two-unit dwelling that is already under construction, thus resulting in the need for a minor variance.

Take Notice: The application under the above file number will be heard by the Committee as follows:

Date: Tuesday, April 24, 2018 **Time:** 5:00 PM

Location: Council Chambers Municipal Building
111 Erie Street North, Leamington, Ontario N8H 2Z9

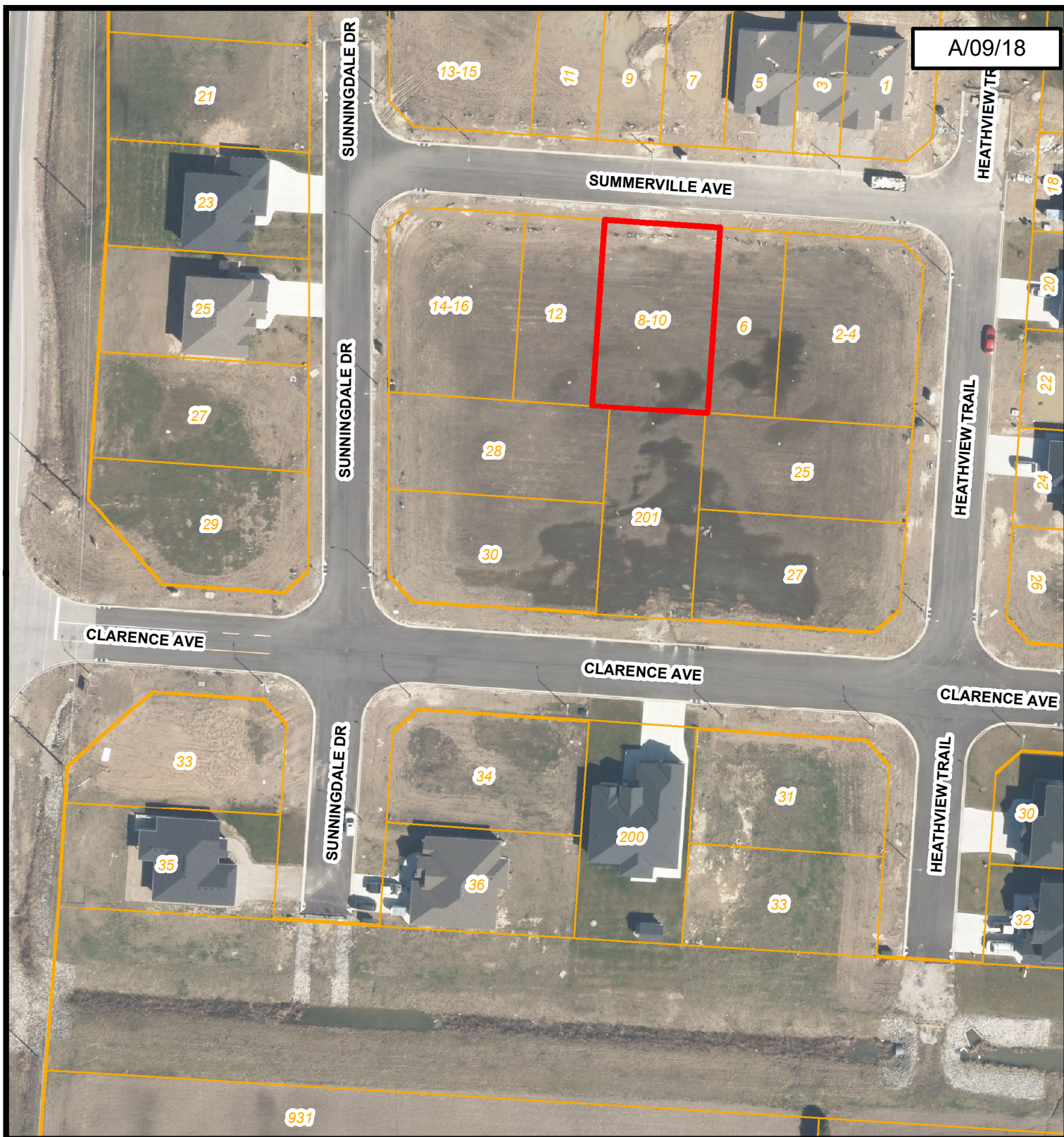
Public Meeting: You are entitled to attend this public meeting in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the address shown below. If you are the owner of any building or land that contains seven or more residential units, you are required to post this notice in a location that is visible to all residents.

Failure to Attend Meeting: If you do not attend the meeting, it may proceed in your absence and, except as otherwise provided in The Planning Act, you will not be entitled to any further notice in the proceedings.


Notice of Decision: A copy of the Decision of the Committee will be sent to the applicant and to each person who appeared in person or by counsel at the hearing and who has filed with the Secretary-Treasurer a written request for notice of the decision.

Deadline for agency comments: April 19, 2018

Heather (Ross) Jablonski, MCIP, RPP, BES
Secretary-Treasurer, Committee of Adjustment
Municipality of Leamington
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761 extension 1415


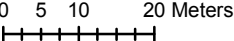


Legend

 Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:				FIGURE 1	
 <div>Municipality of Leamington live play work</div>	Scale: 1:1,000				
	Prepared For: JP Nicolas		Date: April 6, 2018		
	Prepared By: GIS Services		File No: A/09/18		
	COPYRIGHT This document is not a Legal Plan of Survey and the user of this map assumes all risks associated with it. All efforts have been made to ensure completeness and accuracy, however no guarantees can be made.		Notes: This map is the property of the Corporation of the Municipality of Leamington and may not be reproduced without expressed permission and authorization. 111 Erie Street North, Leamington, Ontario N8H 2Z9 TEL: (519) 326-5761 FAX: (519) 326-2481		

FOR
MINOR VARIANCE For COVERAGE From 40% to 45.5%
FOR
PARTS 23 to 28, PLAN 12R-27083
FOR
MUNICIPALITY of LEAMINGTON

Summerville Avenue

Part 21, Plan 12R-27083

Part 23, Plan 12R-27083

Part 25, Plan 12R-27083

Part 27, Plan 12R-27083

Part 29, Plan 12R-27083

Part 26, 12R-27083

Part 28, 12R-27083

Part 30, Plan 12R-27083

Lot 57

Lot 58

Lot 59

Notes:

AREA OF LOT = 4099 Sq. Ft.

AREA OF UNIT = 1750 Sq. Ft. + 100 Sq. Ft.

COVERAGE = 45.13 %

Notes:

AREA OF LOT = 4095 Sq. Ft.

AREA OF UNIT = 1738 Sq. Ft. + 100 Sq. Ft.

COVERAGE = 44.88 %

Building Envelope Line

DRIVEWAY

COV'D. CONC. PORCH

GARAGE

PROPOSED

TWIN - VILLA DWELLING

COV'D. CONC. DECK

Future 10' x 10' Shed

Summerville Avenue

Notice of Public Meeting

An Application By: Erwin Gurske

Take Notice: An application for consent under the above-noted file number will be heard by the Committee of Adjustment in the Council Chambers, Leamington Municipal Building, 111 Erie Street North, Leamington, Ontario.

Date: Tuesday April 24, 2018 at 5:00 PM

Purpose: This is a Public Meeting called for the purpose of hearing evidence in support of or in opposition to a consent application (see details below).

Further Information: Additional information may be obtained by contacting the Secretary-Treasurer. If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer at the address shown below. Your comments will then be conveyed to the Committee of Adjustment members for consideration at the public meeting.

Failure to Attend: If you do not attend and you are not represented at this meeting, the Committee may proceed in your absence (including possible amendments to the original application) and you will not be entitled to any further notice of the proceedings. The applicant is expected to attend the meeting. The Committee will make a Decision on the application at this meeting.

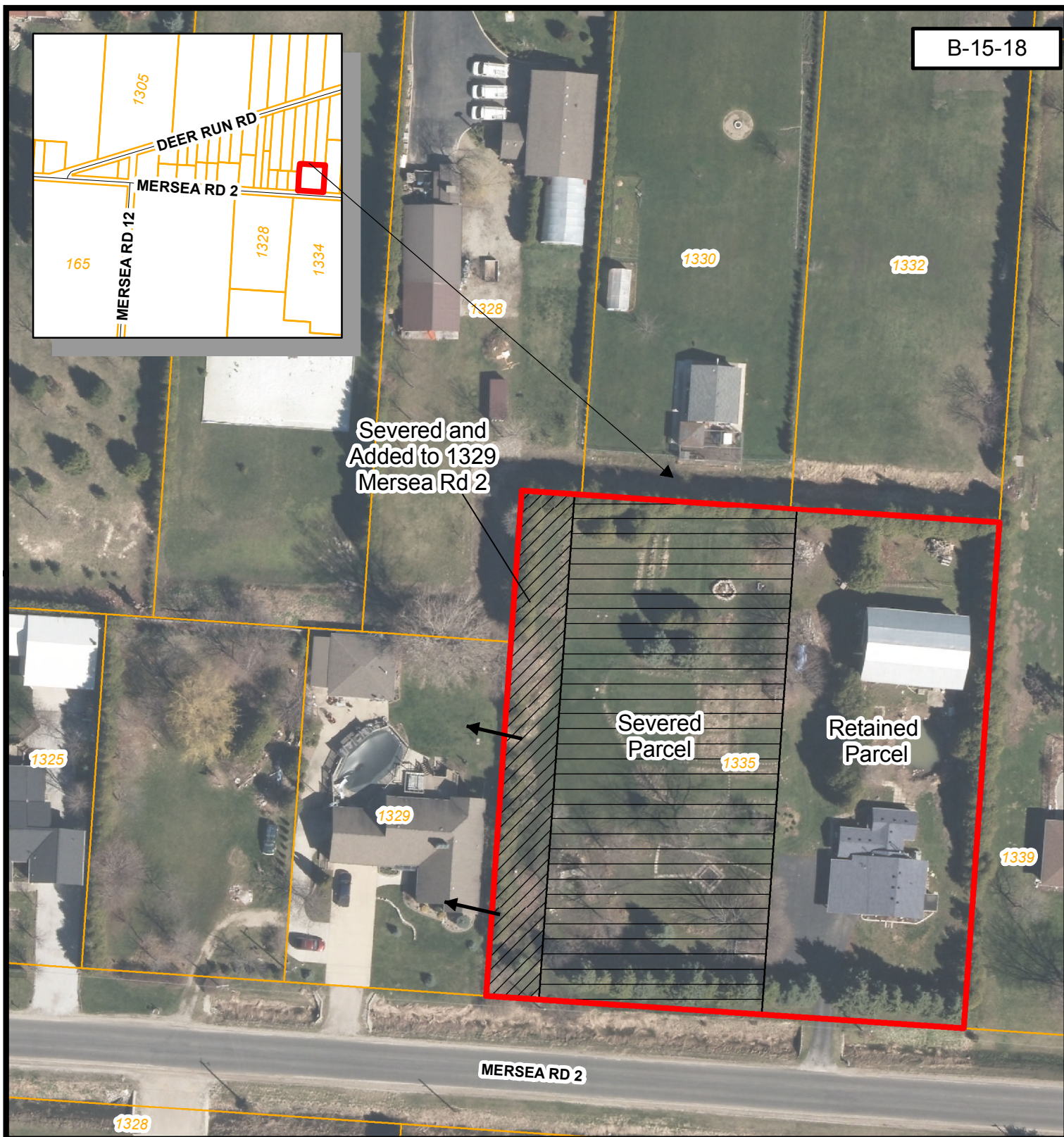
Notice: A copy of the Decision of the Committee together with a Notice of Right to Appeal will be sent to the applicant and/or agent. All others who wish to be notified of the Decision of the Committee of Adjustment in respect to the proposed consent must make a written request to the Secretary-Treasurer at the address shown below.

Appeal: If a person or public body who files an appeal of a Decision of the Committee of Adjustment regarding the proposed consent does not make written submission to the Committee of Adjustment before it approves or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

Applicant:	Erwin Gurske
Purpose of Application:	To obtain consent to sever a 0.255 hectare (0.63 acre) rural residential lot from the 0.547 hectare (1.35 acre) property at 1335 Mersea Road 2, situated on the north side of Mersea Road 2, east of Mersea Road 12. As a result, the 0.232 hectare (0.573 acre) lot to the immediate east, currently occupied by the single detached residential dwelling known as 1335 Mersea Road 2, will be retained as a separate lot, and the 0.06 hectare (0.148 acre) vacant parcel to the immediate west of the severed parcel will be consolidated with the property to the immediate west, known municipally as 1329 Mersea Road 2.
Municipal Address:	1335 Mersea Road 2 - CON 2 PT LT 13; MERSEA
Roll Number:	3706-580-000-00600
Deadline for Agency Comments:	April 19, 2018

Heather (Ross) Jablonski, MCIP, RPP
Secretary-Treasurer, Committee of Adjustment
Municipality of Leamington, 111 Erie St. N.,
Leamington, Ont. N8H 2Z9 Phone: 519-326-5761 ext. 1415

April 10, 2018



B-15-18




Severed and
Added to 1329
Mersea Rd 2

Severed
Parcel

Retained
Parcel

MERSEA RD 2

Legend

-  Subject Lands
-  Severed Parcel
-  Severed Parcel



-2017 AERIAL PHOTOGRAPHY

Title:

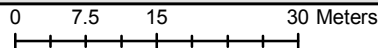
FIGURE 1



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Scale: 1:800



Prepared For: E. GURSKE

Date: April 9, 2018

Prepared By: GIS Services

File No: B-15-18

Notes:

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111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-5761 FAX: (519) 326-2481

Notice of Public Meeting

Take Notice: An application for consent under the above-noted file number will be heard by the Committee of Adjustment in the Council Chambers, Leamington Municipal Building, 111 Erie Street North, Leamington, Ontario.

Date: Tuesday April 24, 2018 at 5:00 PM

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Further Information: Additional information may be obtained by contacting the Secretary-Treasurer. If you have comments on this application, they may be forwarded in writing to the Secretary-Treasurer at the address shown below. Your comments will then be conveyed to the Committee of Adjustment members for consideration at the public meeting.

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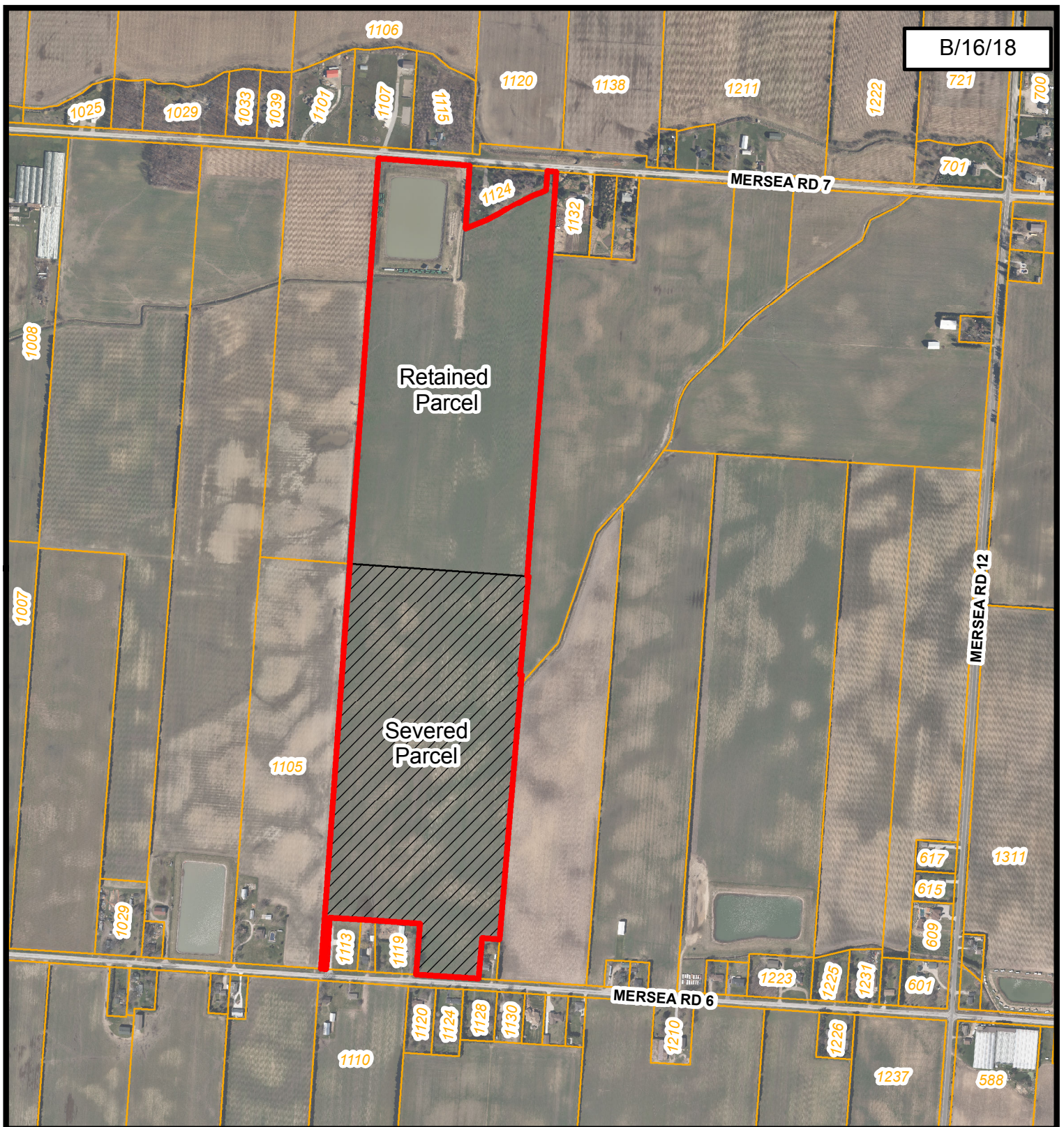
Appeal: If a person or public body who files an appeal of a Decision of the Committee of Adjustment regarding the proposed consent does not make written submission to the Committee of Adjustment before it approves or refuses a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

Applicant:	Lehn Farms Ltd.
Purpose of Application:	To obtain consent to sever the southerly 19.47 hectares (48.109 acres) from the existing farm situated on the south side of Mersea Road 7, west of Mersea Road 12 (abutting 1124 Mersea Road 7). As a result, the remaining 20.12 hectares (49.716 acres) will be retained as a separate farm parcel having frontage on Mersea Road 7.
Municipal Address:	South side of Mersea Road 7, west of Mersea Road 12 (abutting 1124 Mersea Road 7) - CON 6 PT LT 11; 12R-17185 PT 1, 3 & 4; 12R-19450 PT 2; 12R-20365 PTS 3 & 4; MERSEA
Roll Number:	3706-710-000-01000

Deadline for Agency Comments: April 19, 2018

Heather (Ross) Jablonski, MCIP, RPP
Secretary-Treasurer, Committee of Adjustment
Municipality of Leamington
111 Erie St. N., Leamington, Ont. N8H 2Z9
Phone: 519-326-5761 ext. 1415

April 10, 2018



B/16/18

Legend

- Subject Lands
- Severed Parcel



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1

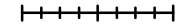


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Scale: 1:9,000

0 45 90 180 Meters



Prepared For: LEHN FARMS LTD.

Date: April 6, 2018

Prepared By: GIS Services

File No: B/16-18

Notes:

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111 Erie Street North, Leamington, Ontario N8H 2Z9
TEL: (519) 326-5761 FAX: (519) 326-2481

ROAD ALLOWANCE BETWEEN CONCESSIONS 5 AND 6

P.I.N. 75092-0059

LINE SCHEDULE			LINE SCHEDULE		
LINE	DISTANCE	BEARING	LINE	DISTANCE	BEARING
L1	121.14'	N88°15'50"E	L11	132.20'	N82°45'10"E
L2	114.48'	N79°03'00"E	L12	11.00'	N29°48'50"W
L3	15.00'	N29°38'50"E	L13	46.07'	N71°05'00"E
L4	80.92'	N63°10'10"E	L14	49.33'	N71°05'00"E
L5	79.85'	N63°10'10"E	L15	11.00'	N22°28'10"W
L6	10.00'	N29°23'50"W	L16	30.01'	N69°31'30"E
L7	91.22'	N58°15'00"E	L17	35.22'	N73°20'50"W
L8	91.22'	N58°15'00"E	L18	10.00'	N73°20'50"W
L9	10.00'	N69°36'50"W	L19	96.00'	N04°04'00"E
L10	130.80'	N62°44'30"E	L20	12.00'	N04°04'00"E

Part 2, Plan 12R-15986
P.I.N. 75092-0158

Part 4, Plan 12R-20365

Part 1, Plan 12R-15174

INTEGRATION DATA

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) UNDER (CSRS) (2011.0).

COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OREG 216/10.

POINT ID	NORTHING	EASTING
ORP-A	N15294143.310	E1215717.212
ORP-B	N15298681.183	E1216036.488

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

CONCESSION

LOT 10

LIMIT BETWEEN LOTS 10 AND 11, CONCESSION 6

Part 1, Plan 12R-15986
P.I.N. 75092-0162

PART 3

Part 1, Plan 12R-17185

Part 2, Plan 12R-19450

Part 2, Plan 12R-1494

LOT 12

LIMIT BETWEEN LOTS 11 AND 12, CONCESSION 6

Part 3, Plan 12R-7791

PARTS SCHEDULE

PART	LOT	CON/PLAN	P.I.N.	AREA
1	PART OF LOT 11	CONCESSION 6	ALL OF 75092-0297	0.014 ac.
2				48.095 ac.
3				49.716 ac.

PARTS 1, 2 AND 3 - COMPRISE ALL OF PIN 75092-0297
PART 1 - SUBJECT TO R.O.W. AS IN INST. NO. 292497 AND CONFIRMED BY NOTICE OF CLAIM IN INST. NO. 1532132

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE FEBRUARY 28, 2018.

BRIAN COAD
ONTARIO LAND SURVEYOR

PLAN 12R- RECEIVED AND DEPOSITED

DATE

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ESSEX (12)

SKETCH FOR SEVERANCE OF PART OF LOT 11, CONCESSION 6
GEOGRAPHIC TOWNSHIP OF MERSEA
NOW IN THE MUNICIPALITY OF LEAMINGTON
COUNTY OF ESSEX, ONTARIO
VERHAEGEN • STUBBERFELD • HARTLEY • BREWER • BEZARE INC.

SCALE : 1"=200'
0 100.0 200.0 400.0 600.0 800.0 1000.0
FEET

"IMPERIAL" DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

LEGEND AND NOTES

BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS.

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.99978072

ALL MONUMENTS SHOWN THUSLY (C) ARE IRON BARS (B) UNLESS OTHERWISE NOTED.
SB DENOTES 1" x 1/2" x 4'-0" STANDARD IRON BAR
SBB DENOTES 1" x 1/2" x 2'-0" SHORT STANDARD IRON BAR
DENOTES 5/8" x 5/8" x 2'-0" IRON BAR
B# DENOTES 3/4" diameter x 2'-0" ROUND IRON BAR
C# DENOTES CUT-CROSS
DENOTES 5mm x 50mm STEEL PIN
B# DENOTES SURVEY MONUMENT FOUND
C# DENOTES SURVEY MONUMENT SET AND MARKED 1744
W# DENOTES WITNESS
DENOTES PERPENDICULAR
B# DENOTES DEED
B# DENOTES OBSERVED REFERENCE POINT
SB#S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SB#S WHERE THE POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.
(D#) DENOTES SET PROPORTIONALLY
(P) DENOTES PLAN 12R-1463
(P2) DENOTES PLAN 12R-14617
(P3) DENOTES PLAN 12R-15986
(P4) DENOTES PLAN 12R-15986
(P5) DENOTES PLAN 12R-19450
(P6) DENOTES PLAN 12R-20365
(1744) DENOTES VERHAEGEN STUBBERFELD HARTLEY BREWER BEZARE INC., O.L.S.
(1040) DENOTES WILLIAM C. SETTERINGTON, O.L.S.
(R#) DENOTES ORIGIN UNKNOWN
(P) DENOTES PLAN 12R-05174
(P2) DENOTES PLAN 12R-15937
(P3) DENOTES PLAN 12R-17185
(P4) DENOTES PLAN 12R-18668
(P5) DENOTES PLAN 12R-24004

SURVEYOR'S CERTIFICATE

1. I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THIS SURVEY WAS COMPLETED ON THE 1st DAY OF FEBRUARY, 2018.

DATE FEBRUARY 28, 2018.

BRIAN COAD
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFELD • HARTLEY
BREWER • BEZARE INC.

WINDSOR 844 Ottawa Street
N6B 2E1
Ph: (519) 258-1772
Fax: (519) 258-1793
LEAMINGTON 187 Tabbot Street East
N6B 1L6
Ph: (519) 322-2372
Fax: (519) 322-2675
www.vshbssurveys.com

ONTARIO LAND SURVEYS
DRAWN BY: CLM CAD Date: February 28, 2018 B12 AM
CHECKED BY: BC CAC Date: February 28, 2018 B12 AM
WORK ORDER: 5-15697 FILE NO.: E-Merseo-6-11 PLAN FILE NO.: H-1696

April 13, 2018

Committee of Adjustment
Notice of Public Hearing of Application for Minor Variance

Applicant: 1933880 Ontario Inc.

Address of property: 50 Seacliff Drive East

Roll Number: 3706-330-000-00150

Purpose: To obtain relief from Section 4.1 of Zoning By-law 890-09, as amended, to reduce the required minimum exterior side yard setback from 15 metres (49.21 feet) to 0.78 metres (2.56 feet) and to reduce the required minimum interior side yard setback from 1 metre (3.28 feet) to 0 metres to permit the construction of a covered parking structure.

Take Notice: The application under the above file number will be heard by the Committee as follows:

Date: Tuesday, April 24, 2018 **Time:** 5:00 PM

Location: Council Chambers Municipal Building
111 Erie Street North
Leamington, Ontario N8H 2Z9

Public Meeting: You are entitled to attend this public meeting in person to express your views about this application or you may be represented by counsel for that purpose. If you are aware of any person interested in or affected by this application who has not received a copy of this notice you are requested to inform that person of this hearing. If you wish to make written comments on this application they may be forwarded to the Secretary-Treasurer of the Committee at the address shown below. If you are the owner of any building or land that contains seven or more residential units, you are required to post this notice in a location that is visible to all residents.

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Notice of Decision: A copy of the Decision of the Committee will be sent to the applicant and to each person who appeared in person or by counsel at the hearing and who has filed with the Secretary-Treasurer a written request for notice of the decision.

Deadline for agency comments: April 19, 2018

Danielle Truax
Secretary-Treasurer, Committee of Adjustment
Municipality of Leamington
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761 extension 1405



A/11/18

SEACLIFF DR E

SEACLIFF DR E

DANFORTH

CHERRY LANE

BRUCE AVE

BRUCE AVE

Legend

SUBJECT LANDS



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1



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Scale: 1:1,500

0 15 30 60 Meters

Prepared For: 1933880 ONTARIO INC

Date: April 13, 2018

Prepared By: GIS Services

File No: A/11/18

Notes:

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TEL: (519) 326-5761 FAX: (519) 326-2481

