

The Corporation of the Municipality of Leamington

Meeting of Committee of Adjustment

Agenda

Tuesday, November 28th, 2017 commencing at 5:00 PM

Leamington Council Chambers

(A) Call to Order:

(B) Adoption of Minutes

- a. October 31, 2017 Committee of Adjustment Meeting

(C) Disclosure of Pecuniary Interest:

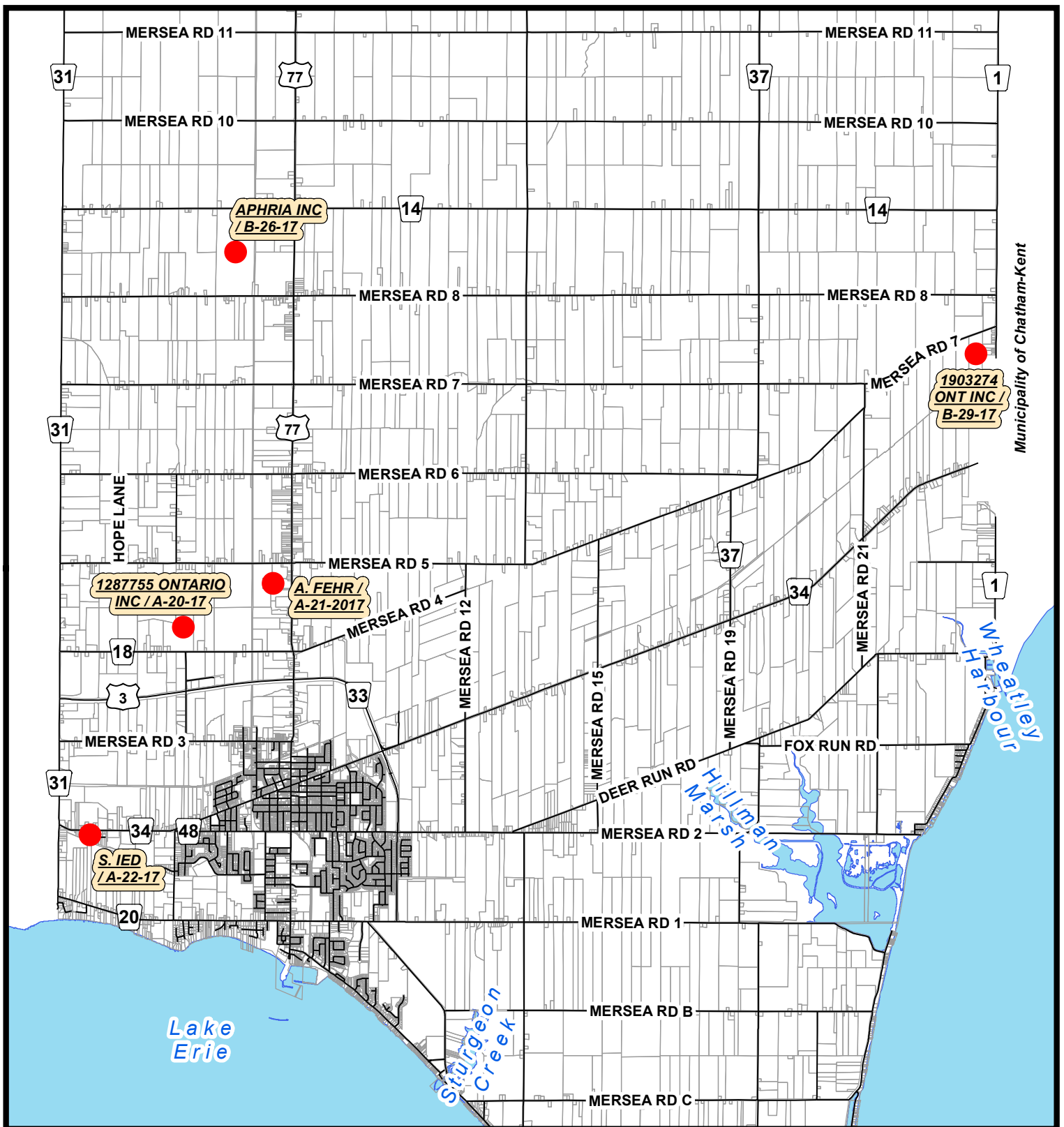
(D) Items for Consideration:

- a. B-26-17 - Aphria Inc. - 521 Mersea Road 8 - Farm split of approximately 200 acres
- b. B-29-17 - 1903274 Ontario Inc. (Jesse Driedger) - 2428 Mersea Road 7 - Surplus dwelling severance
- c. A-20-17 - 1287755 Ontario Inc. (Andrew Koop) - 333-339 County Rd 18 - Reduction to interior side yard setback
- d. A-21-17 - Abe Fehr - 477 Highway 77 - Reduction in standard parking stall size
- e. A-22-17 - Siad Eid - 448 Talbot Street West - Reduction in side yard setback and reduction to overhead gas canopy setback

(E) New Business:

(F) Adjournment:

(G) Date of Next Meeting: Tuesday, January 30th, 2017



Legend

● SUBJECT LANDS



Title:

NOVEMBER 2017 COMMITTEE OF ADJUSTMENT APPLICATIONS



Scale: 1:83,000 0 415 830 1,660 Meters

Prepared For: Planning

Date: November 20, 2017

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

Notice of Public Hearing

An Application By: Aphria Inc.

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

Date: Tuesday November 28, 2017 at 5:00 PM

Purpose: This is a Public Meeting called for the purpose of hearing evidence in support of or in opposition to the application for severance of property as noted below.

Further Information: Can be obtained by contacting the undersigned. 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 meeting.

Failure to Attend: If you do not attend and are not represented at this Hearing, the Committee may proceed in your absence (including possible amendments to the original request) and you will not be entitled to any further notice of the proceedings. The applicant is encouraged to attend the meeting. The Committee will render 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 of the proposed consent must make a written request to the Secretary-Treasurer at the address shown below.

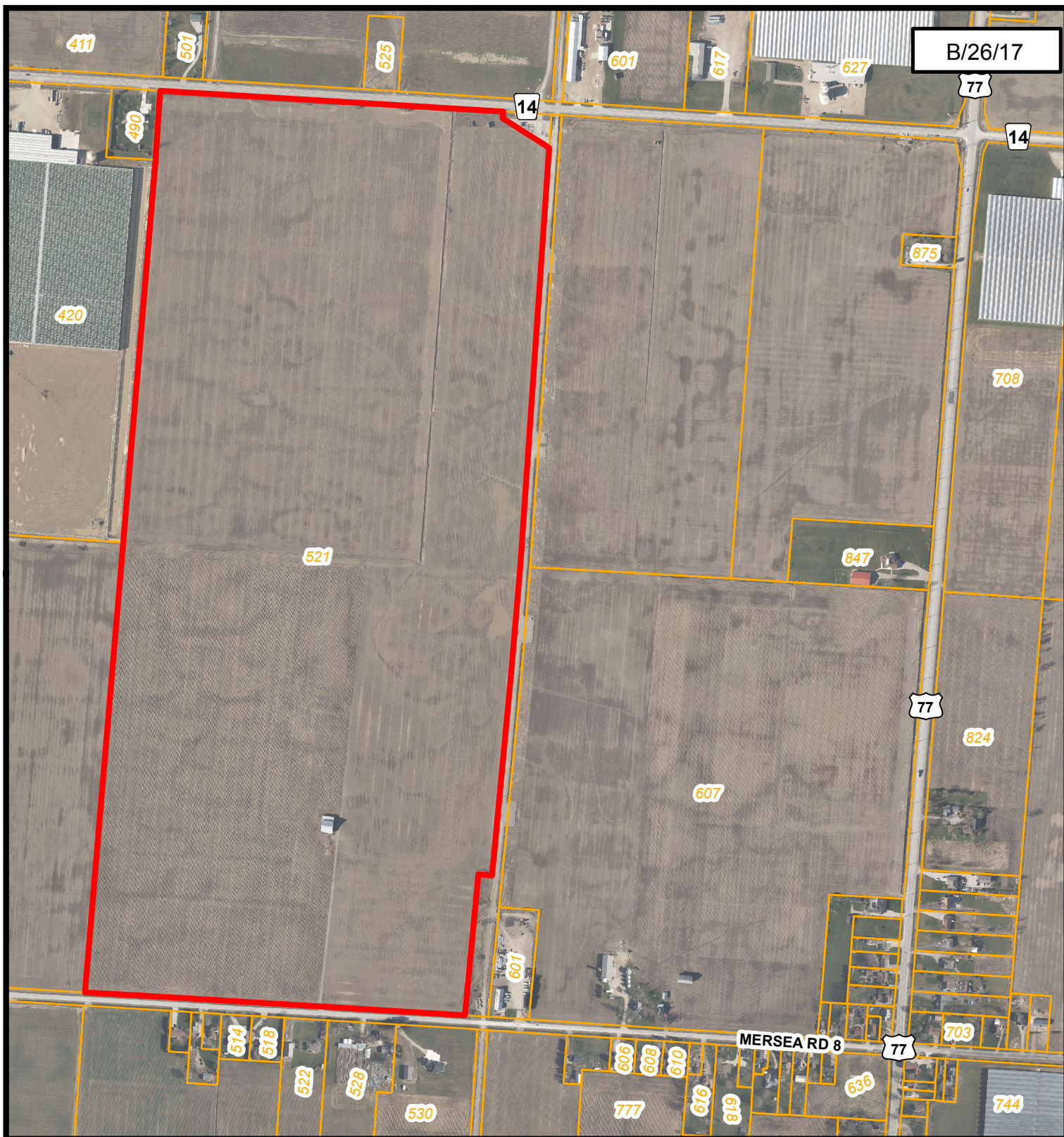
Appeal: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Applicant:	Aphria Inc.
Purpose of Application:	To obtain consent to sever a 39.84 hectare (98.44 acre) farm lot from the existing 80.31 hectare (198.44 acre) farm located at 521 Mersea Road 8.
Municipal Address:	521 Mersea Road 8 - CON 8, PT LOT 5
Roll Number:	3706-800-000-00800


Deadline for Agency Comments: November 20, 2017

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
Email: hjablonski@leamington.ca

November 14, 2017



Legend

 Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1

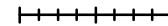


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Scale: 1:8,000

0 40 80 160 Meters



Prepared For: APHRIA INC

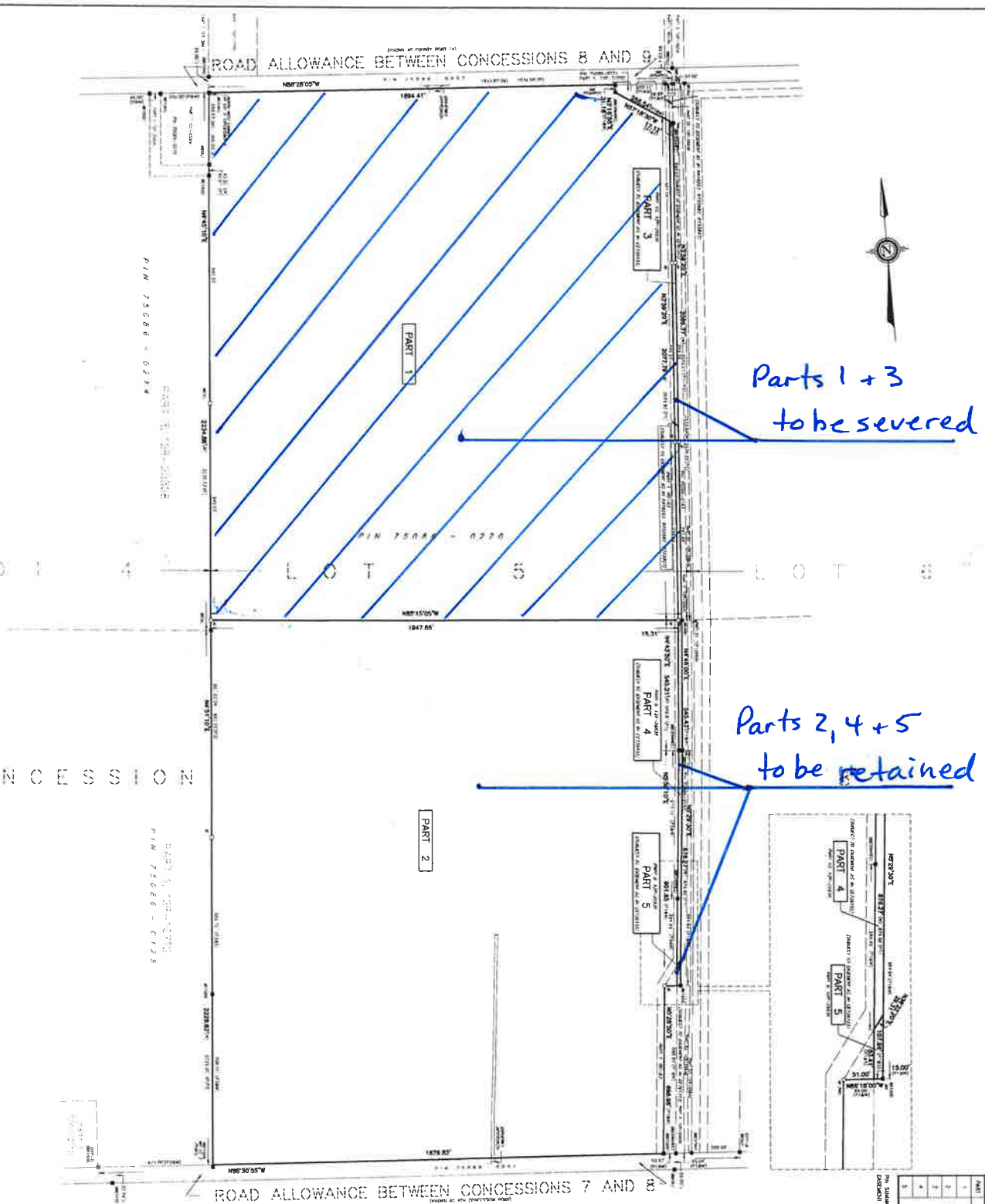
Date: November 9, 2017

Prepared By: GIS Services

File No: B/26/17

Notes:

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

[illegible]

PLAN OF SURVEY
OF
PART OF LOT 5
CONCESSION 8
IN THE
TOWN OF LEAMINGTON
COUNTY OF ESSEX, ONTARIO
CLARKE SURVEYORS INCORPORATED - 2017
SCALE : 1" = 200'

"IMPERIAL" DISTANCES & COORDINATES SHOW ON THE PLAN ARE FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

SURVEYOR'S CERTIFICATE

CITY OF TAMPA

I, THE UNDERSIGNED, AS AND FOR THE DEPUTY CLERK OF THE BOARD OF ALDERMEN OF THE CITY OF TAMPA, DO HEREBY CERTIFY THAT THE ABOVE-RECORDED INSTRUMENT IS THE INSTRUMENT OF THE CITY OF TAMPA, AND WAS RECORDED ON THE 31ST DAY OF OCTOBER, 2017.

CITY CLERK

[illegible]

BEARING REFERENCE
BEARINGS ARE UTM GRID DISTANCE FROM OBSERVED REFERENCE POINTS ONY-A & ONY-B
B = SEAL TIME NETWORK (MIN. OBSERVATIONS UTM ZONE 17 MAGD. (CS95), 120° E C)

DISCOUNT RATE
 10% 15% 20% 25% 30% 35% 40% 45% 50% 55% 60% 65% 70% 75% 80% 85% 90% 95% 100%

BY THE COMBINED SCALE FACTOR OF 1.00000000

LEGEND

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

[illegible]

Notice of Public Hearing

An Application By: 1903274 Ontario Inc. (Jesse Driedger, President)

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

Date: Tuesday, November 28, 2017 at 5:00 PM

Purpose: This is a Public Meeting called for the purpose of hearing evidence in support of or in opposition to the application for severance of property as noted below.

Further Information: Can be obtained by contacting the undersigned. 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 meeting.

Failure to Attend: If you do not attend and are not represented at this Hearing, the Committee may proceed in your absence (including possible amendments to the original request) and you will not be entitled to any further notice of the proceedings. The applicant is encouraged to attend the meeting. The Committee will render 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 of the proposed consent must make a written request to the Secretary-Treasurer at the address shown below.

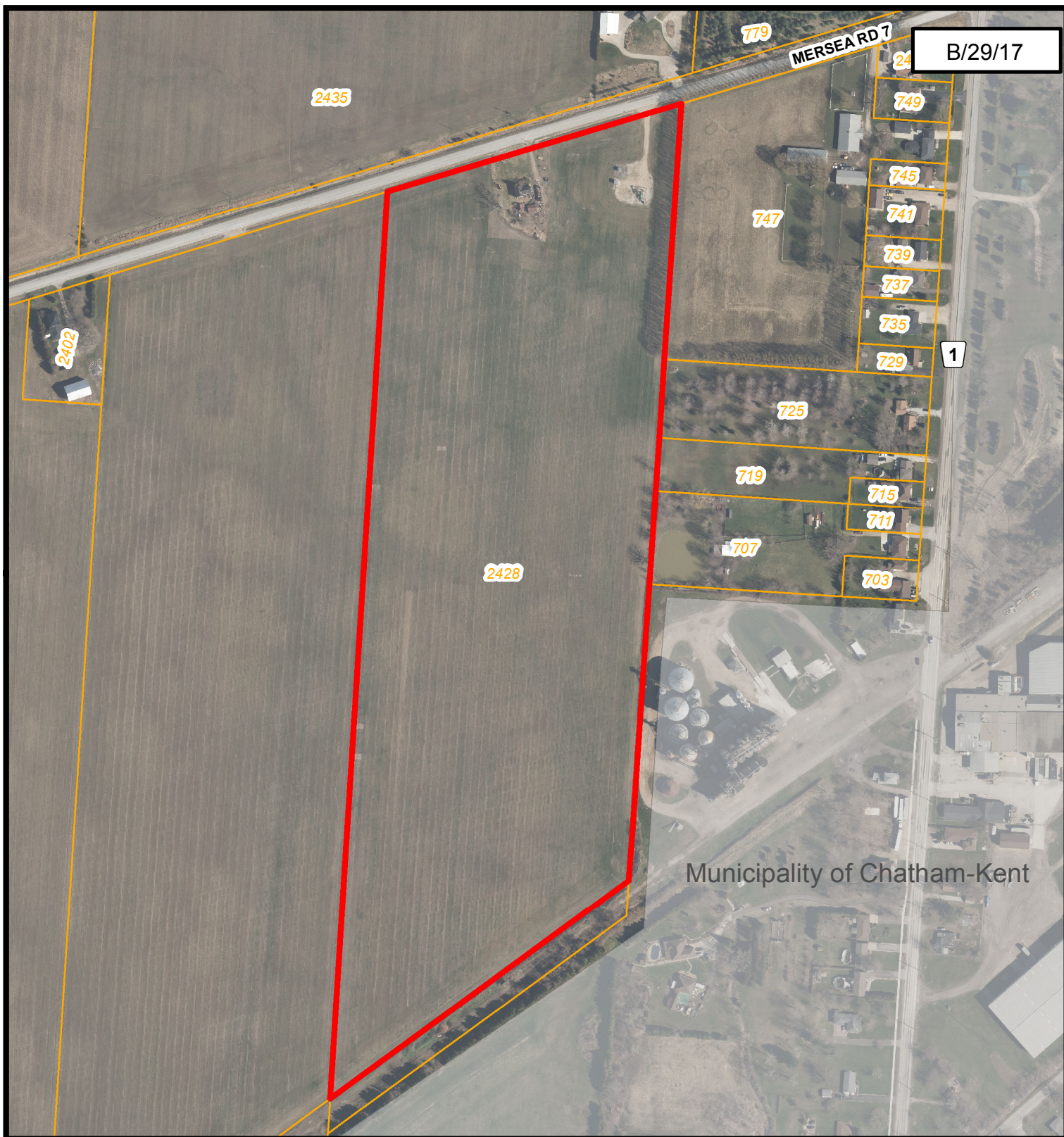
Appeal: If a person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed consent does not make written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal.

Applicant:	1903274 Ontario Inc. (Jesse Driedger, President)
Purpose of Application:	To obtain consent to sever a 0.274 hectare (0.677 acre) surplus dwelling lot from the existing 13.700 hectare (33.850 acre) farm located at 2428 Mersea Road 7. Consent to sever this surplus dwelling lot was previously approved by Council on June 13, 2016; however, conditions of this approval were not fulfilled, thus the consent expired on June 22, 2017.
Municipal Address:	2428 Mersea Road 7 - CON NTR N PT LOT 218
Roll Number:	3706-600-000-03900

Deadline for Agency Comments: November 20, 2017

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

November 14, 2017



Legend

Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1

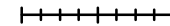


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Scale: 1:4,000

0 20 40 80 Meters



Prepared For: 1903274 ONT INC

Date: November 9, 2017

Prepared By: GIS Services

File No: B/29/17

Notes:

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

Brian Conn
BRIAN CONN
ONTARIO LAND SURVEYOR

BARBARA CAIRA

Brian Conn
BRIAN CONN
ONTARIO LAND SURVEYOR

BARBARA CAIRA

PARTS SCHEDULE				
PART	LOT	CON/PLAN	P.L.N.	AREA
1	PART OF LOT 218	CONCESSION NORTH	PART OF 75101-0077	0.274 Hg
2	PART OF LOT 219	TALBOT ROAD	PART OF 75101-0078	0.514 Hg

PART 1 - COMPOSES PART OF FIN 75101-0077
PART 2 - COMPOSES PART OF FIN 75101-0078

PART 1 - COMPOSES PART OF PIN 75101-0077
PART 2 - COMPOSES PART OF PIN 75101-0078

PLAN OF SURVEY

OF
PART OF LOTS 218 AND 219
CONCESSION NORTH TALBOT ROAD
GEOGRAPHIC TOWNSHIP OF MERSEA
NOW IN THE
MUNICIPALITY OF LEAMINGTON
COUNTY OF ESSEX, ONTARIO
KESHAGHEN • STUBBSFORD • HASTLEY • BOWEN • BEZANGE INC.

SCALE = 1:2000

[illegible]

1



"METRIC"
DISTANCES AND COORDINATES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE CONVERTED TO FEET BY
DIVIDING BY 0.3048.

INTEGRATION DATA		
COORDINATES ARE DERIVED FROM OBS. OBSERVATIONS USING THE GAN-NET NETWORK SERVICE AND ARE BASED ON THE 1983 (1975) DATUM (LONGITUDE COORDINATE VALUES ARE TO AN URBAN ACQUEDUCT IN ACCORDANCE WITH SECTION 14C2) DATED 2/19/10		
POINT ID	NORTHING	EASTING
Q01-A	N4650315.558	E378148.258
Q01-B	N4650298.021	E378174.477
COORDINATES CHANGE IN 100' INCREMENTS ON THIS PLAN. THE COORDINATES SHOWN ON THIS PLAN ARE BASED ON THE 1983 (1975) DATUM		

LEGEND AND NOTES

[illegible]

SURVEYOR'S CERTIFICATE

CERTIFY THAT:

DATE: OCTOBER 11, 2016

BRIAN COAD
ONTARIO LAND SURVEYOR
VERHAEGEN • STUBBSFIELD • HARTLEY
BROWER • BEZARE INC.

WINDSOR
1000 Lakeshore Drive
Windsor, ON N9A 6K1
(519) 256-1772

05106258-179

4-Cardo, pp.
Line 04020

1



1287755 Ontario Inc.
A-20-17
3706-660-000-00800

November 17, 2017

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

Applicant: 1287755 Ontario Inc.

Address of property: 333-339 County Road 18

Roll Number: 3706-660-000-00800

Purpose: To obtain relief from Zoning By-law 890-09 in order to permit the expansion of an existing greenhouse operation on the subject lands. Zoning By-law 890-09 requires a minimum interior side yard setback of 15 metres, however, the proposed expansion is to have a minimum 10.1 metre side yard setback along the east property line abutting 429 County Road 18, a 10.5 metre side yard setback at the north west corner of 429 County Road 18, and a 11.1 metre side yard setback along the north property line of 429 County Road 18.

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

Date: Tuesday, November 28, 2017 **Time:** 5:00 p.m.

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.

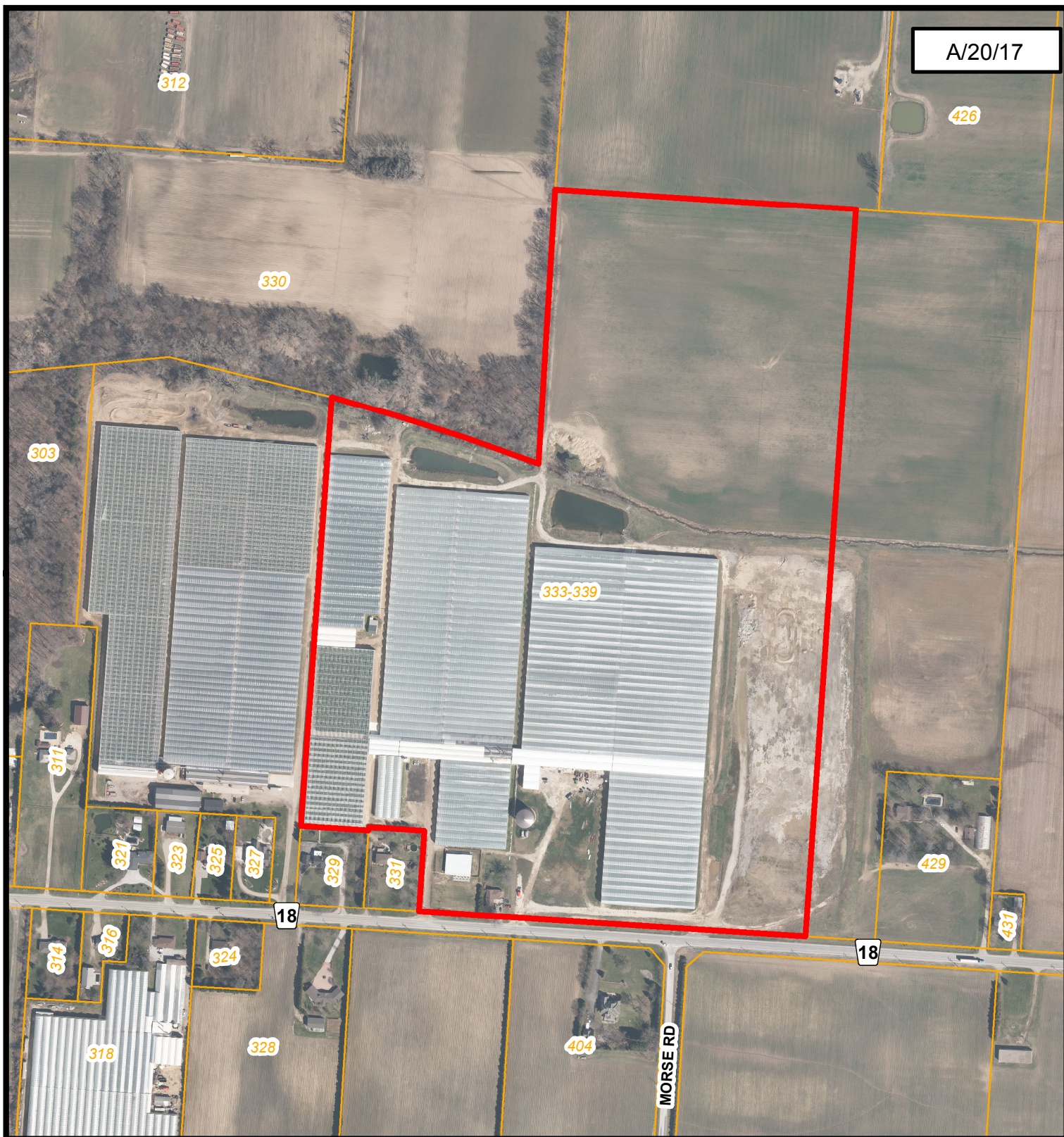
Notice of Decision: A copy of the Decision of the Committee will be sent to the applicant and to each person who appeared in person or by counsel at the hearing and who has filed with the Secretary-Treasurer a written request for notice of the decision.



1287755 Ontario Inc.
A-20-17
3706-660-000-00800

Deadline for agency comments: November 24, 2017

Madeline Gibson, BURPI
Junior Planner
Municipality of Leamington
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761 extension 1406



A/20/17

Legend

Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1



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Scale: 1:5,000

0 20 40 80 Meters
|-----|

Prepared For: 1287755 ONTARIO INC

Date: November 10, 2017

Prepared By: GIS Services

File No: A/20/17

Notes:

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





1147012 Ontario Ltd. (Abe Fehr)
A-21-17
3706-660-000-04750

November 17, 2017

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

Applicant: 1147012 Ontario Ltd. (Abe Fehr)

Address of property: 477 Highway 77

Roll Number: 3706-660-000-04750

Purpose: To obtain relief from parking stall dimensions set out in Zoning By-law 890-09, from the required 3 metres by 6 metres to 2.8 metres by 5.5 metres.

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

Date: Tuesday, November 28, 2017 Time: 5:00 p.m.

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: November 24, 2017

Madeline Gibson, BURPI
Junior Planner
Municipality of Leamington
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761 extension 1406



Legend

 Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1

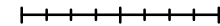


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Scale: 1:3,076

0 20 40 80 Meters



Prepared For: A. FEHR

Date: November 10, 2017

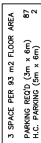
Prepared By: GIS Services

File No: A/21/17

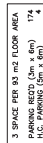
Notes:

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

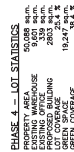
PHASE 3 - LOT STATISTICS	
PROPERTY AREA	50,088 sq.m.
EXISTING WAREHOUSE	6,683 sq.m.
EXISTING OFFICE	339 sq.m.
PROPOSED BUILDING	2,912 sq.m.
LOT COVERAGE	19.8 %
GREEN SPACE	25,727 sq.m.
GREEN COVERAGE	51.4%



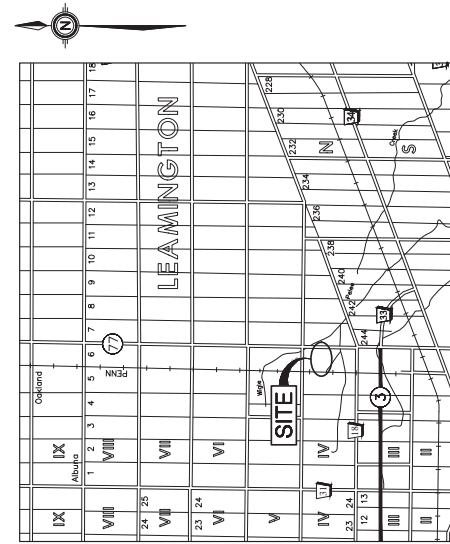
Scale = 1:750



Scale = 1:750



▲ OVERHEAD



KEY PLAN
N.T.S.

- SILE
Scale = 1:750

NOTES:

- PHASE 3 — LOT STANDARDS**
- | | |
|--------------------|-------------|
| PROPERTY AREA | 50,000 sqm. |
| EXISTING OFFICE | 6,839 sqm. |
| EXISTING GARAGE | 2,035 sqm. |
| NEW LOT COVERABLE | 17,147 sqm. |
| NEW LOT COVERAGE | 25,277 sqm. |
| NEW GREEN COVERAGE | 25,277 sqm. |
- ▲ MANDOR
OVERHEAD DOOR

BENCHMARK:

1. TOP HUT OF FIRE HYDRANT MEET LIMIT OF CUL. DE SAC.

PHASE 3 PARKING REDUCTIONS	WELL	31 OCT. 17
M.T.O. PERMIT	WELL	07 DEC. 16
M.T.O. REVIEWS	WELL	08 SEPT. 16
S.U.M. / SITE PLAN AGREEMENT	WELL	11 MAR. 16
TOWN REVIEW	WELL	8 FEB. 16
REMOVED SITE LAYOUT	WELL	19 JAN. 16
OWNER REVIEW - SITE LAYOUT	WELL	12 JAN. 16
ISSUED FOR	BY	DATE

N. J. Peralta
Engineering Ltd.
Consulting Engineers

Kingville
Ontario

Declarations of interest

UNI-FAB
1147012 ONTARIO LTD.
NEW BUILDING
477 HIGHWAY 77

IN THE
TOWN OF
FAMINGTON

SITE LAYOUT PHASE 3 & 4

DESIGNED BY: W.L.L.	DATE: DEC. 7th, 2016
DRAWN BY: W.L.L.	SCALE: AS NOTED
SHEET NO.: 1	OF: 3



1109011 Ontario Ltd. (c/o Saide Eid)

A-22-17

3706-530-000-17801

November 17, 2017

Committee of Adjustment

Notice of Public Hearing of Application for Minor Variance

Applicant: 1109011 Ontario Ltd. (c/o Saide Eid)

Address of property: 448 Talbot Street West

Roll Number: 3706-530-000-17801

Purpose: To obtain relief from the minimum interior side yard setback of 1.5 metres (4.92 ft) permitted under Zoning By-law 890-09 in order to permit the construction of a new service station building having an interior side yard setback, along the east property line, of 0.9 metres (3 feet). To obtain relief from Section 4.2 (b) in the Zoning By-law for the setback of overhead gas station canopies from 3 metres (9.84 feet) to 0 metres.

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

Date: Tuesday, November 28, 2017 Time: 5:00 p.m.

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.



1109011 Ontario Ltd. (c/o Saide Eid)
A-22-17
3706-530-000-17801

Deadline for agency comments: November 24, 2017

Madeline Gibson, BURPI
Junior Planner
Municipality of Leamington
111 Erie Street North
Leamington, Ontario N8H 2Z9
519-326-5761 extension 1406



Legend

 Subject Lands



-2017 AERIAL PHOTOGRAPHY

Title:

FIGURE 1

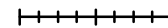


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Scale: 1:1,200

0 6 12 24 Meters



Prepared For: S. Eid

Date: November 10, 2017

Prepared By: GIS Services

File No: A/22/17

Notes:

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

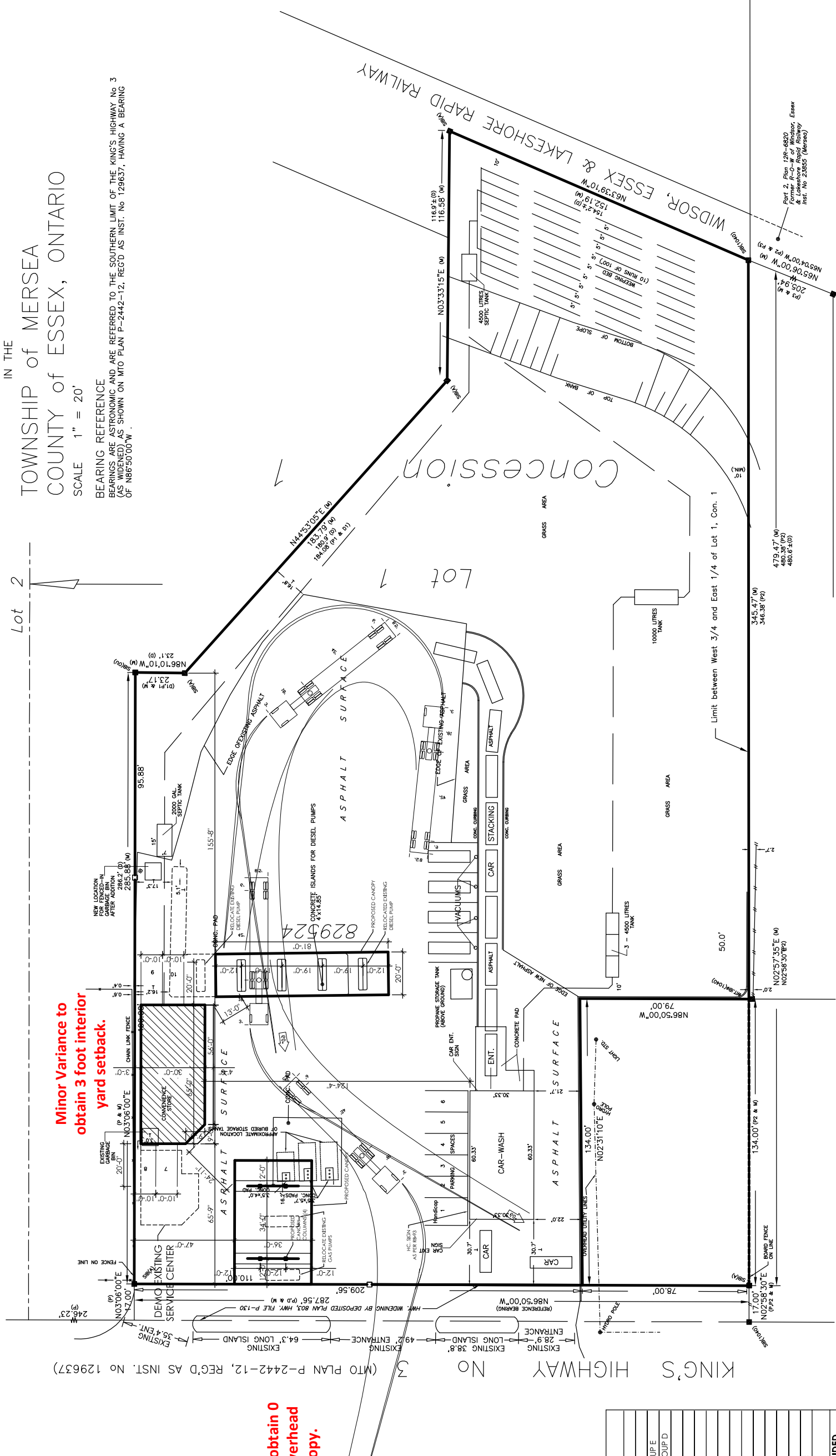
of part of LOT 1, CONCESSION 1
IN THE

SCALE 1" = 20'

BEARING REFERENCE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERN LIMIT OF THE KING'S HIGHWAY No 3
(AS WIDENED) AS SHOWN ON MTO PLAN P-2442-12, REG'D AS INST. No 129637, HAVING A BEARING
OF N86°50'00"W.

Minor Variance to obtain 3 foot interior yard setback.

Minor Variance to obtain 0 foot setback for overhead gas station canopy.



SITE DATA		
BUILDING INFORMATION		
BUILDING CLASSIFICATION	FIRST FLOOR - GROUP E SECOND FLOOR - GROUP D	
FACING STREETS	3	
PRINCIPAL ENTRY	SEE PLAN	
BUILDING AREA		
NEW BUILDING AREA	1 911 sq. ft.	
EXISTING BUILDING AREA	2 668 sq. ft.	
EXISTING BUILDING AREA TO BE DEMOLISHED	828 sq. ft.	
TOTAL BUILDING AREA	3 741 sq. ft.	
SITE INFORMATION		
CURRENT ZONING	A2-4	
PROPOSED USE	VARIETY STORE	
ZONING DATA (MD2.4)	REQUIRED	PROVIDED
MIN LOT AREA	NA	112 049 sf.
MAX LOT COVERAGE	25%	3 741 sf. (3 %)
MIN. LANDSCAPE OPEN SPACE	NA	57 204 sf. (51 %)
MAX BUILDING HEIGHT	32.81' (10 m)	24'-0" (7.3 m)

[illegible]