

# **The Corporation of the Municipality of Leamington**

## **Meeting of Committee of Adjustment**

### **Agenda**

**Tuesday July 25, 2017 commencing at 5:00 PM**

**Leamington Council Chambers**

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**(A) Call to Order:**

**(B) Adoption of Minutes**

**(C) Disclosure of Pecuniary Interest:**

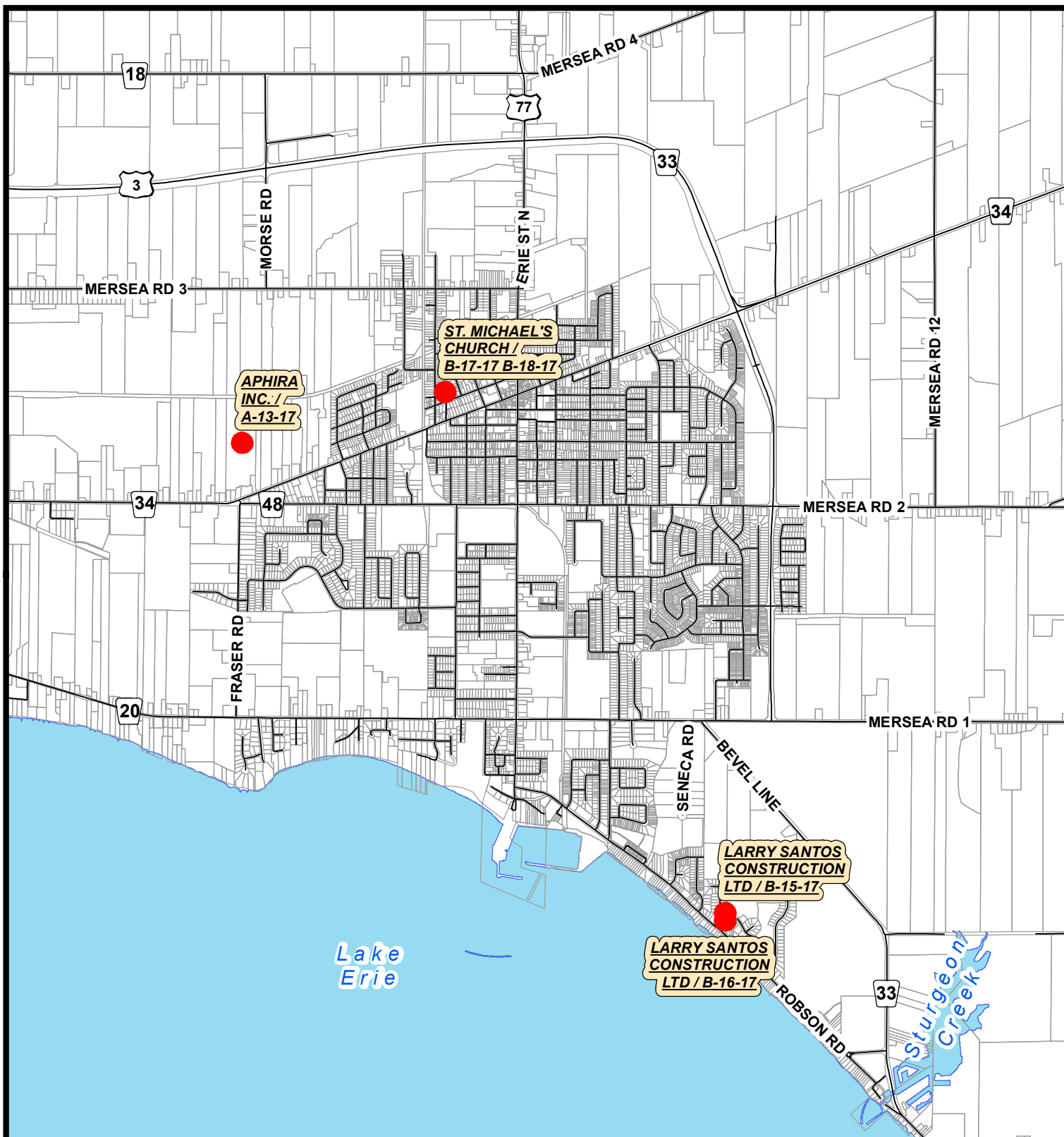
**(D) Items for Consideration:**

1. B-15-17 - Larry Santos Construction Ltd - 10 & 12 Destiny Drive - Consent to sever semi-detached units
2. B-16-17 - Larry Santos Construction Ltd - 2 & 4 Destiny Drive - Consent to sever semi-detached units
3. A-13-17 - Aphria Inc. - 265 Talbot Street West - Minor variances from side and rear yard setbacks in order to permit greenhouse expansion.
4. B-17-17 - St. Michael's Church (Diocese of London) - 29 Elliott Street - Consent to sever residential dwelling known as 9 Baird Avenue.
5. B-18-17 - St Michael's Church (Diocese of London) - 29 Elliott Street - Consent to sever residential dwelling known as 11 Baird Avenue.

**(E) New Business:**

**(F) Adjournment:**

**(G) Date of Next Meeting: Tuesday August 29, 2017**



## Legend

● SUBJECT LANDS



Title:

## JULY 2017 COMMITTEE OF ADJUSTMENT APPLICATIONS



Scale: 1:35,000 0 180 360 720 Meters

Prepared For: Planning

Date: July 12, 2017

### 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.

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



Municipality of  
**Leamington**  
live | play | work

Larry Santos Construction Limited

B-15-17

3706-390-000-00138

## Notice of Public Hearing

An Application By: **Larry Santos Construction Limited**

**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 July 25, 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. 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:** 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.

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**Applicant:** Larry Santos Construction Limited

**Purpose of Application:** To obtain consent to sever the southerly half of a semi-detached residential dwelling, known municipally as 10 Destiny Drive (Part 2 on draft reference plan).

**Municipal Address:** 10 & 12 Destiny Drive - Lot 3, Plan 12M-616

**Roll Number:** 3706-390-000-00138

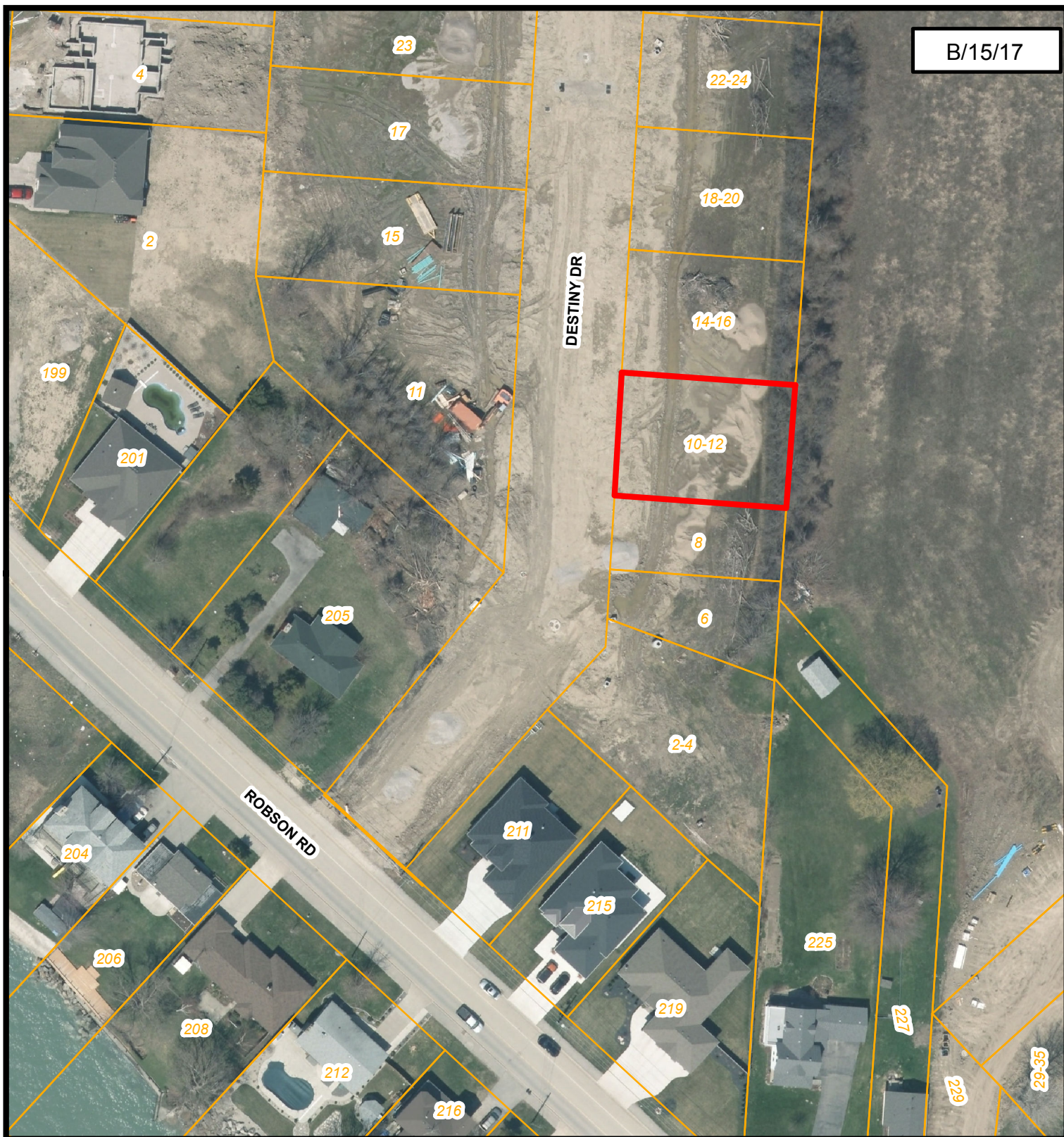
**Deadline for Agency Comments:** July 17, 2017

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



July 11, 2017





B/15/17

## Legend

-  MUNICIPAL DRAINS
-  SUBJECT PROPERTY



-2015 AERIAL PHOTOGRAPHY

Title:

## FIGURE 1



### COPYRIGHT

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Scale: 1:1,000

0 5 10 20 Meters  
|-----|

Prepared For: LARRY SANTOS  
CONSTRUCTION LTD

Date: July 10, 2017

Prepared By: GIS Services

File No: B/15/17

### Notes:

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111 Erie Street North, Leamington, Ontario N8H 2Z9  
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## Notice of Public Hearing

An Application By: **Larry Santos Construction Limited**

**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 July 25, 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.

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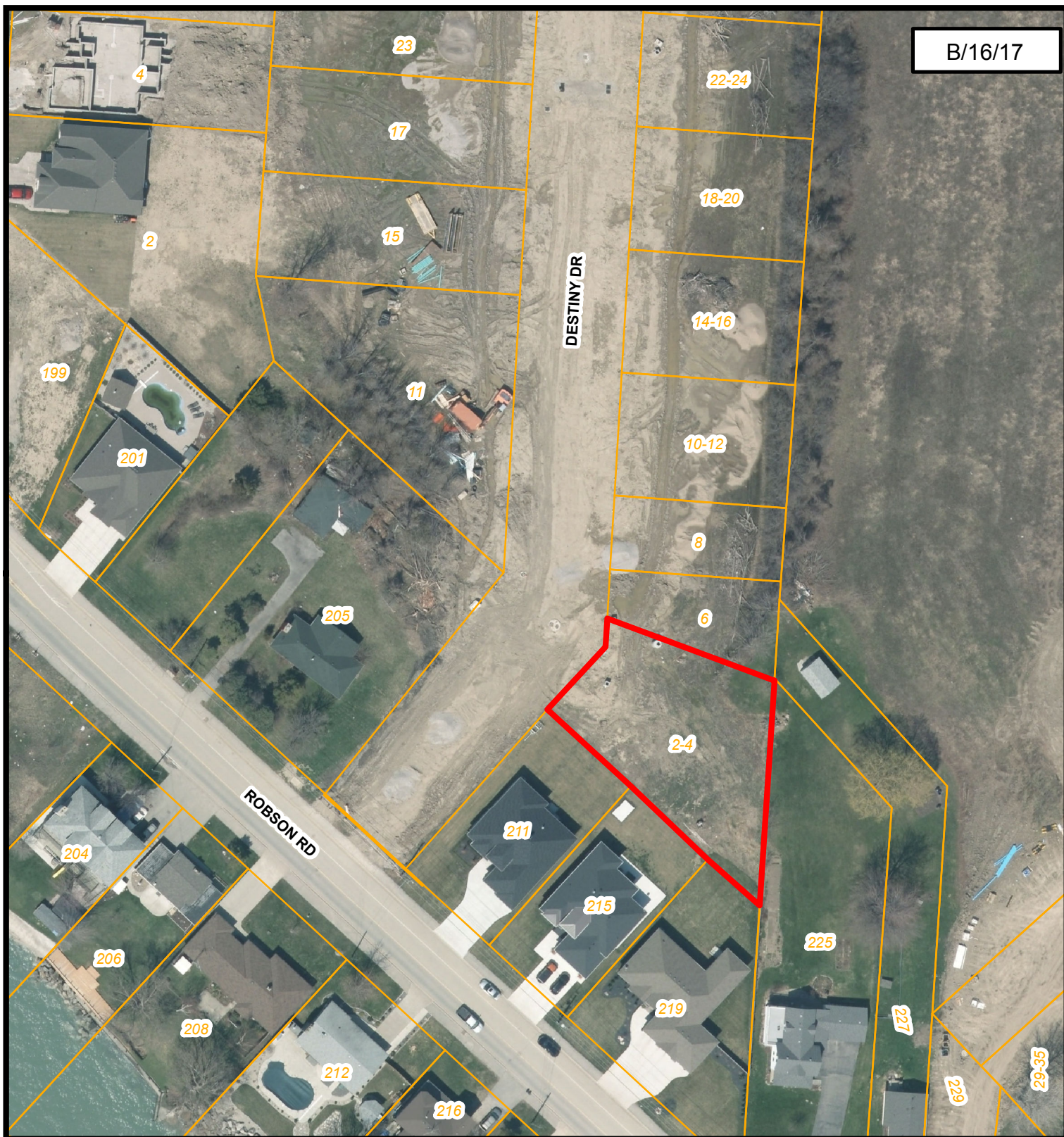
<b>Applicant:</b>	<b>Larry Santos Construction Limited</b>
<b>Purpose of Application:</b>	<b>To obtain consent to sever the southerly half of a semi-detached residential dwelling, known municipally as 2 Destiny Drive.</b>
<b>Municipal Address:</b>	<b>2 &amp; 4 Destiny Drive - Lot 1, Plan 12M-616</b>
<b>Roll Number:</b>	<b>3706-390-000-00136</b>

**Deadline for Agency Comments: July 17, 2017**

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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

July 11, 2017



B/16/17

## Legend

-  MUNICIPAL DRAINS
-  SUBJECT PROPERTY



-2015 AERIAL PHOTOGRAPHY

Title:

## FIGURE 1



### COPYRIGHT

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Scale: 1:1,000

0 5 10 20 Meters  
|-----|

Prepared For: LARRY SANTOS  
CONSTRUCTION LTD

Date: July 10, 2017

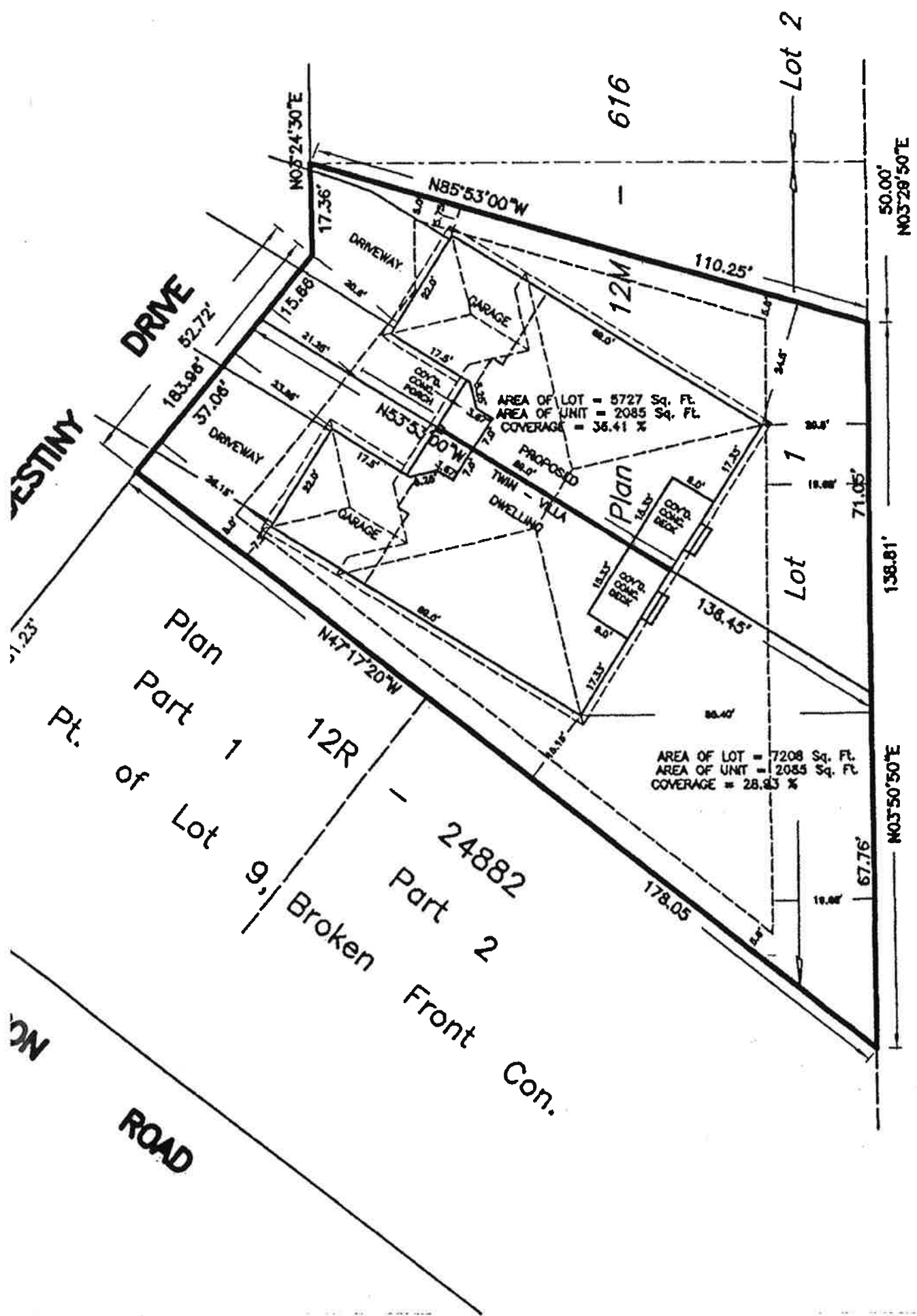
Prepared By: GIS Services

File No: B/16/17

### Notes:

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





Municipality of Leamington



July 14, 2017

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

**Applicant:** Aphria Inc.

**Address of property:** 265 Talbot St W

**Roll Number:** Multiple Assessment Roll Numbers

**Purpose:** To obtain relief from Zoning Bylaw 890-09, as amended, in order to permit the expansion of an existing greenhouse operation on the subject lands. The Zoning Bylaw requires minimum setbacks of 15 metres, however, the proposed expansion is to have a 9.3 metre east side yard setback, a 10.3 metre west side yard setback and an 8.5 metre setback from the former railway corridor along the north boundary of the site.

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

**Date:** Tuesday July 25, 2017                      **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.

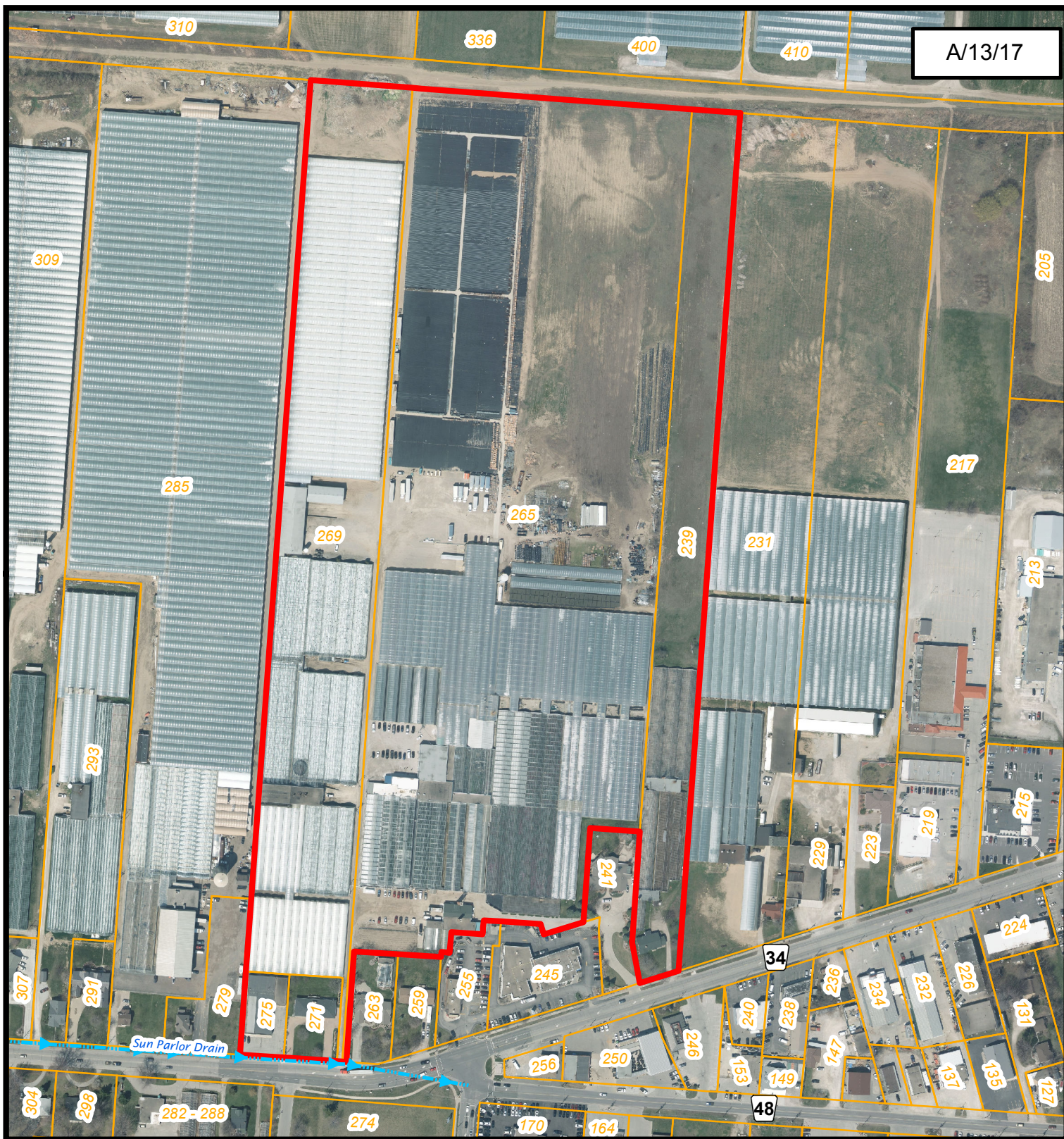
**Failure to Attend Meeting:** If you do not attend the meeting, it may proceed in your absence and, except as otherwise provided in The Planning Act, you will not be entitled to any further notice in the proceedings.

**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:** July 17, 2017

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





## Legend

 MUNICIPAL DRAINS

 SUBJECT LAND



-2015 AERIAL PHOTOGRAPHY

Title:


## FIGURE 1



### COPYRIGHT

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Scale: 1:3,700

0 18.5 37 74 Meters  


Prepared For: APHRIA INC.

Date: July 11, 2017

Prepared By: GIS Services

File No: A/13/17

### Notes:

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







UPDATED

## Notice of Public Hearing

**An Application By:** The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario

**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.

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<b>Applicant:</b>	The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario
<b>Purpose of Application:</b>	To obtain consent to sever a 13.7 metre wide lot from the St Michael's Church property. The proposed lot will have an area of approximately 0.06 hectares and is currently occupied by the single detached residential dwelling known as 9 Baird Avenue.
<b>Municipal Address:</b>	29 Elliott Street
<b>Roll Number:</b>	3706-020-000-12400
<b>Deadline for Agency Comments:</b>	July 17, 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

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<b>Municipal Address:</b>	29 Elliott Street
<b>Roll Number:</b>	3706-020-000-12400
<b>Deadline for Agency Comments:</b>	July 17, 2017

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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







TOPOGRAPHIC SURVEY  
OF  
LOTS 10, 17, ALLEY (CLOSED BY Inst. No. 21435 Leam)  
AND PART OF LOTS 11 AND 12  
REGISTERED PLAN 197  
AND  
LOTS 1 AND 2  
AND PART OF LOTS 3, 4 AND 5  
REGISTERED PLAN 242  
AND  
LOT 14  
REGISTERED PLAN 595  
IN THE  
MUNICIPALITY OF LEAMINGTON  
COUNTY OF ESSEX, ONTARIO  
© VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC.

SCALE : 1"=30'  
0 15.0 30.0 60.0 90.0 120.0 150.0 FEET

ELEVATIONS  
ELEVATIONS SHOWN ON THIS PLAN ARE IN FEET TO CANADIAN GEODETIC DATUM

BENCH MARK  
BENCH MARK No. 81U032, ELEVATION 629.15'  
LEAMINGTON DISTRICT HIGH SCHOOL, 125 TALBOT STREET WEST, TABLET IN  
CONCRETE FOUNDATION 1.0' WEST OF SOUTHEAST CORNER, 0.5' BELOW BRICK SIDING.

SITE BENCH MARK  
AS SHOWN ON FACE OF PLAN

AREA  
2.99± ACRES

## CAUTION

UNDERGROUND UTILITIES AND SERVICES SHOWN ON THIS PLAN ARE  
APPROXIMATE AND MUST BE VERIFIED BEFORE CONSTRUCTION

## LEGEND

○ MH	DENOTES HYDRO MANHOLE	◆ FH	DENOTES FIRE HYDRANT
○ MS	DENOTES SEWER MANHOLE	◆ WM	DENOTES WATER METER
○ MHT	DENOTES TELEPHONE MANHOLE	◆ WVS	DENOTES WATER VALVE (Service)
○ MHTR	DENOTES TRAFFIC MANHOLE	◆ WVM	DENOTES WATER VALVE (Main)
○ MHW	DENOTES WATER MANHOLE	◆ GM	DENOTES GAS METER
■ CB	DENOTES CATCH BASIN	◆ GV	DENOTES GAS VALVE
■ DCB	DENOTES DOUBLE CATCH BASIN	■ HM	DENOTES HYDRO METER
◆ LSC	DENOTES LIGHT STANDARD CONCRETE	■ Pst	DENOTES TELEPHONE PEDESTAL
◆ LSW	DENOTES LIGHT STANDARD WOOD	◆ PstGV	DENOTES CABLE TV PEDESTAL
◆ UPc	DENOTES UTILITY POLE CONCRETE	◆ Tns	DENOTES TRAFFIC SIGN
◆ UPs	DENOTES UTILITY POLE STEEL	◆ TnsG	DENOTES TRAFFIC SIGNAL
◆ UPw	DENOTES UTILITY POLE WOOD	◆ TnsB	DENOTES TRAFFIC SIGNAL BOX
◆ GP	DENOTES GUY POLE	◆ TH	DENOTES TESTHOLE
◆ GW	DENOTES GUY WIRE	◆ BM	DENOTES BENCH MARK
◆ BM	DENOTES BOLLARD	○ VCP	DENOTES VERTICAL CONTROL POINT
◆ PM	DENOTES PARKING METER	◆ SC	DENOTES SEWER CLEANOUT
◆ TC	DENOTES TOP OF CURB	◆ AV	DENOTES INVERT
◆ BC	DENOTES BOTTOM OF CURB		

DECIDUOUS AND CONIFEROUS TREES ARE DENOTED DT AND CT RESPECTIVELY.  
A PREFIX TO THE DESCRIPTION DESIGNATES THE NUMBER OF TREE TRUNKS WHEN  
TREES ARE CLUMPED TOGETHER AND A SUFFIX DENOTES THE TREE DIAMETER OR  
(NTS) NOT TO SCALE.

— C —	DENOTES OVERHEAD CABLE TV LINE
— G —	DENOTES GAS LINE
— H —	DENOTES OVERHEAD HYDRO LINE
— CS —	DENOTES COMBINED SEWER
— SA —	DENOTES SANITARY SEWER
— ST —	DENOTES STORM SEWER
— T —	DENOTES OVERHEAD TELEPHONE LINE
— W —	DENOTES WATER LINE

UNDERGROUND CABLE, HYDRO OR TELEPHONE LINES ARE PREFIXED WITH THE LETTER "U"  
(CABLE = uC HYDRO = uH TELEPHONE = uT)

## LEGEND AND NOTES

DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING  
BY THE COMBINED SCALE FACTOR OF 0.99979272

SIB DENOTES 1" X 1" X 4'-0" STANDARD IRON BAR  
SIBB DENOTES 5/8" X 5/8" X 2'-0" SHORT STANDARD IRON BAR  
IB DENOTES 3/4" DIAMETER X 2'-0" ROUND IRON BAR  
C/C DENOTES CUT-CROSS  
CP DENOTES 5mm X 50mm STEEL PIN  
DENOTES SURVEY MONUMENT FOUND  
DENOTES SURVEY MONUMENT SET AND MARKED 1502  
DENOTES WITNESS  
DENOTES SET (S) DENOTES MEASURED (M) DENOTES DEED (D)  
SIB'S SHOWN ON THIS PLAN HAVE BEEN SET IN LIEU OF SIB'S WHERE THE  
POSSIBILITY THAT UNDERGROUND UTILITIES EXIST.

(S/P) DENOTES SET PROPORTIONALLY  
(P) DENOTES PLAN 12R-2249  
(P1) DENOTES PLAN 12R-8425  
(P2) DENOTES PLAN 12R-7252  
(P3) DENOTES PLAN OF SURVEY BY (1172) Dated: July 30, 1986 Plan File: F-360.  
(P4) DENOTES PLAN OF SURVEY BY (1502) Dated: Dec. 5, 1996 Plan File: F-4484.  
(P5) DENOTES REGISTERED PLAN 595  
(P6) DENOTES PLAN OF SURVEY BY (1502) Dated: April 28, 1994 Plan File: F-3573.  
(P7) DENOTES PLAN OF SURVEY BY (1201) Dated: Sept. 24, 1991 Plan File: F-2015.  
(P8) DENOTES PLAN OF SURVEY BY (1502) Dated: Jan. 21, 2000 Plan File: F-5312.  
(1902) DENOTES VERHAEGEN • STUBBERFIELD • HARTLEY • BREWER • BEZAIRE INC., O.L.S.  
(1040) DENOTES WILLIAM J. SETTERINGTON, O.L.S.  
(1341) DENOTES RICHARD W. MURRAY, O.L.S.  
(1112) DENOTES STUBBERFIELD, HARTLEY, BREWER LIMITED, O.L.S.  
(1201) DENOTES CLARKE SURVEYORS INC., O.L.S.

CAUTION: THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT  
BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

DATE AUGUST 27, 2012.

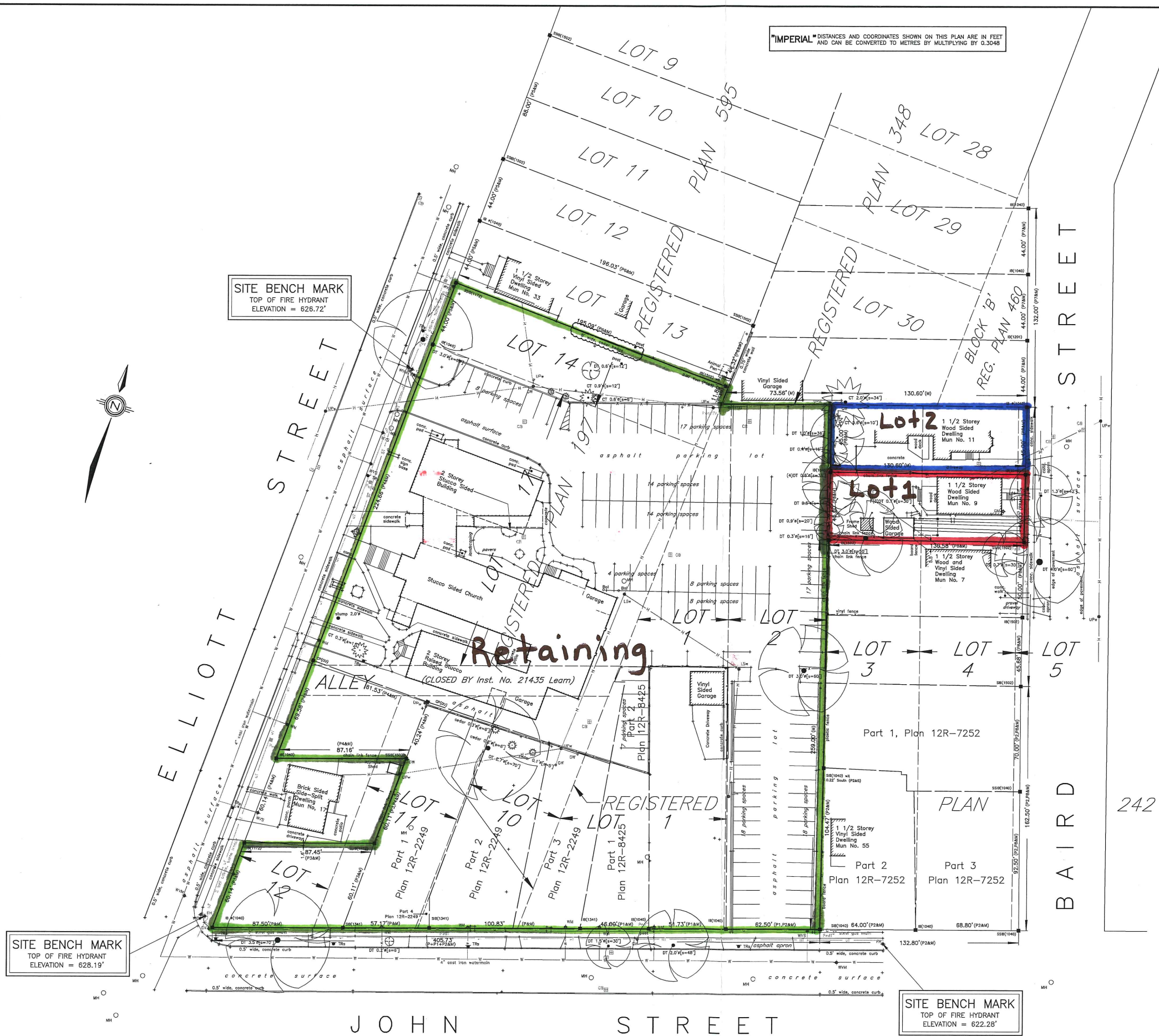
B.J. BEZAIRE  
ONTARIO LAND SURVEYOR  
for VERHAEGEN • STUBBERFIELD • HARTLEY  
BREWER • BEZAIRE INC.

WINDSOR  
475 Devonshire Road, Suite 200  
N9Y 2L5  
Ph: (519) 258-1772  
Fax: (519) 258-1791

VERHAEGEN  
STUBBERFIELD  
HARTLEY  
BREWER  
BEZAIRE  
INC.

LEAMINGTON  
187 Talbot Street East  
N8H 1L8  
Ph: (519) 322-2375  
Fax: (519) 322-2875

ONTARIO LAND SURVEYORS  
www.yslhbbsurveys.com  
DRAWN BY: CMH  
CHECKED BY: BJB  
WORK ORDER: 5-12493  
FILE NO.: E-197-1  
DATE: Thursday, January 24, 2013 12:23:22 PM  
CAD FILE: 51249300 02-12-2012.dwg  
PLAN FILE NO.: H-1332



SITE BENCH MARK  
TOP OF FIRE HYDRANT  
ELEVATION = 626.19'

SITE BENCH MARK  
TOP OF FIRE HYDRANT  
ELEVATION = 622.28'