



**NOTICE OF HEARING**  
pursuant to Section 45(1) and 45(2)  
of the *Planning Act*, R.S.O. 1990, as amended

**APPLICATION FOR MINOR VARIANCE (A-13/2022)**

**Owner:** Alan and Marion Wood  
**Location:** 23752 Komoka Road  
**Roll No:** 393900003001400

**Public Meeting**

The Committee of Adjustment will hold a public meeting to gather feedback regarding the minor variance application to consider the proposal. The details are as follows:

**Date:** June 15, 2022

**Time:** 6:00 p.m.

**Place:** Hybrid In-Person/Remote Meeting Online Via Zoom

**Purpose and Effect of the Application:**

The Municipality is seeking input on a development application within 60 metres of your property. The purpose and effect of the Application for Minor Variance is to seek relief from the Middlesex Centre Comprehensive Zoning By-law 2005-005 as it relates to single detached dwellings in the Agricultural (A1) Zone. The subject property historically contained two residential dwellings that were constructed in 1890 and 1953. As an existing non-conforming use, Section 4.20 of the Zoning By-law allows existing uses to continue to be used until such time as the uses cease. The Zoning By-law only permits the existing dwellings and does not contemplate the replacement of the non-conforming buildings or uses. Further, the Agricultural (A1) zone permits 1 single detached dwelling or a converted dwelling.

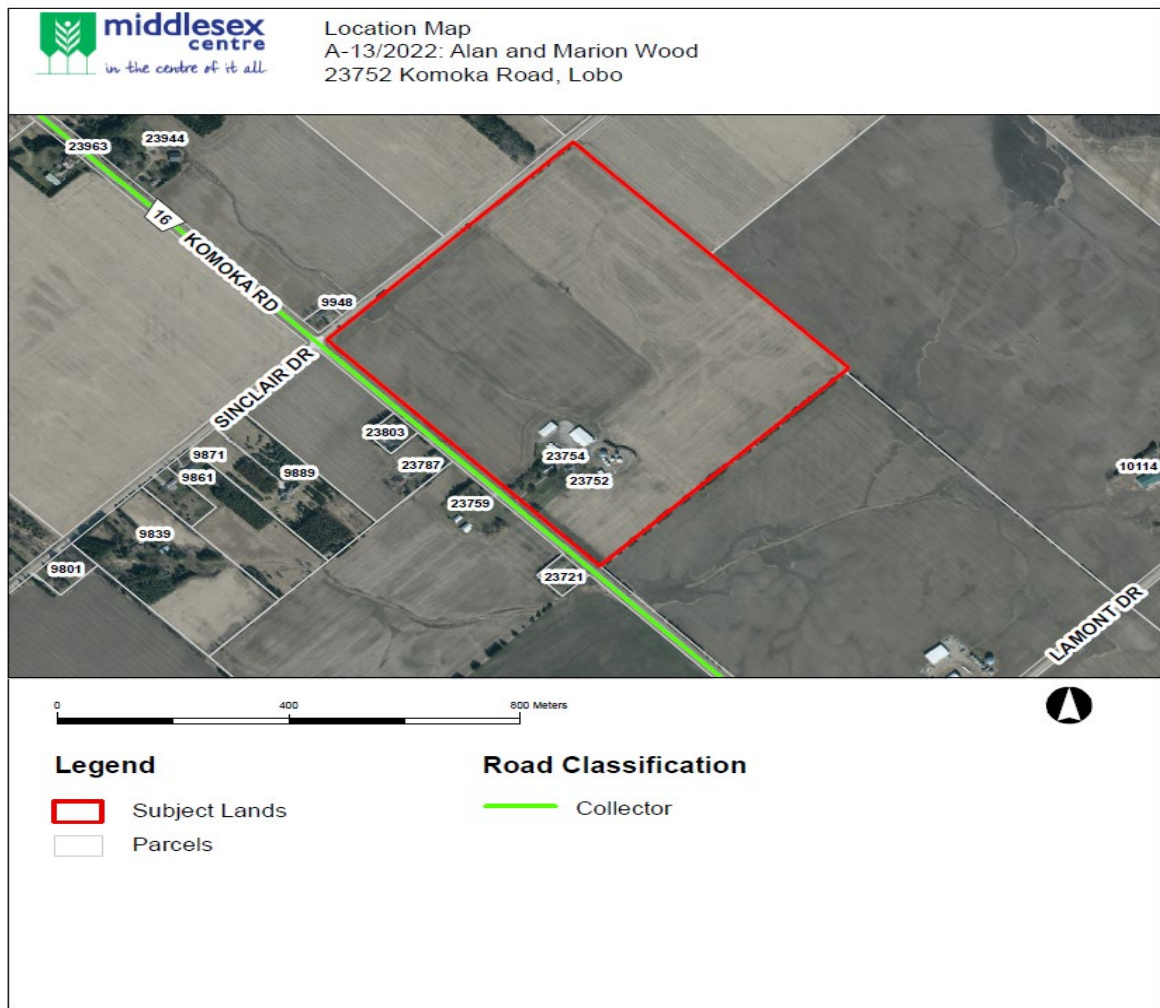
The applicant has applied to permit a non-conforming use and 2 single detached dwellings on the property. The effect of the proposal is to facilitate the replacement of 1 of the 2 non-conforming residential dwellings on the property.

## Proposal Summary

Requirements	Relief Requested
<p>Section 4.20 – <u>Non Conforming Uses</u> states: Nothing in this By-law shall apply:</p> <p>(a) to prevent the use of any land, building or structure for any purpose prohibited in this By-law if such land, building or structure was lawfully used for such purpose on the date of the passing of the By-law, so long as it continues to be used for that purpose; and</p> <p>(b) to prevent the erection or use for a purpose prohibited in this By-law of any building or structure for which a permit has been issued under the <u>Building Code Act</u> prior to the date of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for purposes for which it was erected and provided the permit has not been revoked under such Act.</p>	<p>Continue to permit a non-conforming use in order to replace an existing building (dwelling)</p>
<p>Section 5.1.1 – <u>Permitted Uses</u> within the Agricultural (A1) zone states: No land shall be used and no buildings or structures shall be erected, used, or altered in the Agricultural (A1) zone except for the following (<i>list reduced</i>):</p> <p>Converted dwelling</p> <p>Single detached dwelling</p>	<p>Permit 2 single detached dwellings</p>

## Description and Location of the Subject Lands:

The subject property is located on the west corner of Komoka Road and Sinclair Drive. The land is legally described as CON 6 N PT LOT 5, in the Municipality of Middlesex Centre, County of Middlesex.



## What can I expect at the Public Meeting?

The public meeting is an opportunity for members of the public to learn more about the proposed development. You will have the opportunity to hear a brief presentation about the development, ask questions, and/or make statements either in favour of, or in opposition to the development.

The public meeting will take place during a Council meeting and the mayor will keep the meeting in order and allow the applicant (or their development team), the registered public participants, and Council to speak and ask questions.

You are invited to participate in the public meeting by submitting comments and/or concerns via email to [planning@middlesexcentre.on.ca](mailto:planning@middlesexcentre.on.ca) in advance of the meeting or by registering to participate in the public meeting by calling in and joining the meeting online via Zoom. If you have questions about the application we encourage you to contact the Planner directly in advance of the meeting and they may be able to answer your questions.

To register to participate in the public meeting by phone please send your request to participate no later than the Monday prior to the meeting via email to [planning@middlesexcentre.on.ca](mailto:planning@middlesexcentre.on.ca) and provide the following information: Your First and Last Name, the phone number that you will be calling in on, your home address with postal code, and prepared speaking notes.

Speaking notes will be forwarded to Council in advance of the meeting for their information and consideration. If for any reason you cannot connect or you lose your connection the meeting will continue to proceed in our absence, however council will have your comments concerns in advance to take into consideration. Only those that register to participate will be permitted to call in.

### **What if I can't participate in a Public Meeting?**

You can learn more about the proposed development by contacting the Planner, or by visiting the Municipality's website under Public Notices at the below link. You may choose to submit comments via letter or email, however at this time an email is encouraged. You may watch the meeting on Middlesex Centre's YouTube channel, a link to which may be found on our website: [middlesexcentre.on.ca/council-meeting](https://middlesexcentre.on.ca/council-meeting). We try to livestream the meetings in real-time, however from time-to-time this may not be possible due to technical issues. In these cases, a recorded copy of the meeting will be available on the municipal YouTube channel within 48 hours.

<https://middlesexcentre.on.ca/services/residents/planning-services>

### **Why is this Public Meeting being held and what are your rights?**

Within Ontario, the planning and development process is open and transparent, where opinions from all individuals and groups are welcomed. By law municipalities must hold a public meeting. This meeting is one of your chances to learn about the development proposal and offer your opinions.

Under the legislation governing this development process, which is Section 45 of the *Planning Act*, you have the following rights:

1. If you do not attend or are not represented at the Hearing, the Committee may proceed in your absence and you will not be entitled to any further notice of the proceedings. Written comments may be submitted to the Secretary-Treasurer prior to the Hearing. Please note that all written material submitted and verbal comments presented will form part of the public record and will be available for full disclosure.
2. Any persons may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Minor Variance Application.
3. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality before the Minor Variance Application is approved or refused;
  - a. the person or public body is not entitled to appeal the decision of the Municipality of Middlesex Centre to the Ontario Land Tribunal,
  - b. the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Board, there are reasonable grounds to do so.

4. If you wish to be notified of the decision of Council of the Municipality of Middlesex Centre in regards to the proposed Minor Variance Application, you must make a written request to the Planning Division of the Municipality of Middlesex Centre at 10227 Ilderton Road, RR #2, Ilderton, ON N0M 2A0.

If you have any questions please do not hesitate to contact the planner, Marion Cabral. For more information about this matter, including information about appeal rights, contact the planner Marion Cabral for the Municipality of Middlesex Centre at 519-930-1006.

### Other Planning Act Applications:

None.

If you are aware of any persons affected by these applications who have not received a copy of this notice, it would be appreciated if you would so advise them.

**DATED** at the Municipality of Middlesex Centre this 3<sup>rd</sup> day of June, 2022.

James Hutson  
Municipal Clerk  
Municipality of Middlesex Centre  
10227 Ilderton Road, RR 2  
Ilderton, ON N0M 2A0

