



CONSENT DECISION

APPLICATION B-08-2023

We, the undersigned members of Council for the Municipality of Middlesex Centre, do hereby certify that the following is a decision reached by us at a meeting at the Municipality of Middlesex Centre Offices in Coldstream, Ontario, on May 17, 2023. The said decision was reached on Consent Application B-08-2023, filed by Kelly and Karl Bulitka in order to sever a residential lot with a frontage of approximately 19.94 metres (65.4 feet) and an area of approximately 22.97 metres (75 feet) on Ilderton Road, and an area of approximately 815.39 square metres (0.2 acres), in order to create one new residential lot for the purpose of establishing a new dwelling unit on the severed lot and the retained having a frontage of approximately 23.24 metres (76 feet) on Ilderton Road, and an area of approximately 842.26 square metres (0.21 acres), from a property legally described as Lot 24, Concession 10, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 13433 Ilderton Road

DECISION: **GRANTED**

DATE: **May 17, 2023**

With Conditions: X

Without Conditions:

Members concurring in the decision:

Aina DeViet

John Brennan

Debbie Heffernan

Hugh Aerts

Sue Cates

Frank Berze

Conditions

1. That the Certificate of Consent under Section 53(42) of the *Planning Act* shall be given within two years of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of severance has been fulfilled.
2. That the fees for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-8/2023, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That the Owner's solicitor provide a Transfer in Preparation to the Municipality, together with a deposited reference plan and a Schedule describing the land to be transferred, for the purposes of the issuance of a Certificate of Consent.
5. That the Owner's solicitor submit an undertaking in a form satisfactory to the Municipality to register an electronic transfer of title consistent with the Consent decision.
6. That any outstanding property taxes for the severed and retained lots of Consent B-8/2023 be paid in full.
7. That the transfers for the subject applications be registered concurrently by the Owner's solicitor.
8. That the owner enter into a Development Agreement with the Municipality, and that the Agreement be registered against the title of the subject land, which addresses among other matters, entrance locations and construction, lot grading and drainage, building envelopes, fire hydrant location, connections to the Municipal water supply and sanitary sewer systems, all to the satisfaction of the Municipality. The Development Agreement shall require the developer to provide a certification from the engineer of record confirming that all works within the road right-of-way, stormwater controls and lot grading have been completed in conformance with municipal standards and in general conformance with the approved design.
9. That upon Condition 8 of Consent B-8/2023 being satisfied, the owner shall install separate water, stormwater and wastewater service connections to the severed parcel of Consent B-8/2023 and that the connection be installed to the satisfaction of the Municipality's Public Works and Engineering Department.
10. That, if required, the Owner's engineer shall apply and receive approval for an ECA related to the extension of municipal services associated with Consent applications B-8/2023, to the satisfaction of the Director of Public Works and Engineering.

11. That the Owner submits a Storm Water Management Report to the satisfaction of the Municipality.
12. That the owner demonstrate that post development runoff from the proposed lot will not exceed the existing conditions. Any infiltration measures or other stormwater controls required shall be installed by the developer to the satisfaction of the Municipality's Public Works and Engineering Department.
13. That the Owner submits a lot grading plan for the severed and retained lands, depicting the suitable building locations, footing/foundation elevations as well as surface grades and swale flow routes, to the satisfaction of the Municipality. The lot grading design shall ensure adjacent lots will not receive increased runoff.
14. That the owner pay a cash-in-lieu of parkland dedication in the amount of \$1300, consistent with Municipalities Fee By-law.
15. That any existing improvements such as the existing tennis court and concrete pad be removed from the severed lands to the satisfaction of the Municipality, prior to the issuance of a certificate of consent.
16. That the owner be required to dedicate lands measured up to 15 m from the centreline of construction of County Road 16 (Ilderton Road) to the County of Middlesex across the severed and retained parcels for the purposes of road widening if the right of way is not already to that width. Also note that prior to the construction of any new access to the severed parcel an entrance permit issued by the County of Middlesex will be required.

AND FURTHER THAT the reasons for granting Consent Application B-08-2023 include:

- The proposal is consistent with the Provincial Policy Statement;
- The proposal conforms to the County of Middlesex Official Plan and the Middlesex Centre Official Plan; and
- Subject to the conditions, the proposal would comply with the Middlesex Centre Comprehensive Zoning By-law.