

CONSENT DECISION

APPLICATION B-19-2023

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 October 18, 2023. The said decision was reached on Consent Application B-19-2023, filed by Courtney Sinclair on behalf of Joel Gordon Robson, Jay Everett Robson, James Willard Robson in order to sever a residence surplus to a farm operation as a result of consolidation, from a lot legally described as Part of Lot 30, Concession 12 South, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 12674 Twelve Mile Road.

DECISION:

GRANTED

DATE:

September 20, 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 met.
2. That the fee 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-19/2023 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 the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-19/2023 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
7. That any outstanding property taxes for the severed and retained lots of Consent B-19/2023 be paid in full.
8. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
9. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and reduced frontage and prohibits any additional residential use on the retained lot of Consent B-19/2023 be in full force and effect.
10. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of Consent B-19/2023 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.
11. That the Owner either be required to drill a new well on the lands to be severed, or confirm its location will be wholly contained on the said lot, to the satisfaction of the Municipality.
12. That the severed land requires its own entrance, address and any laneway connecting the retained and severed land shall be altered in such a way that one cannot travel from one parcel of land to the other.
13. That the hydro service for the severed lands be fully within the boundary of the proposed severed lot.

14. That the agricultural buildings on the remnant parcel either be removed, or altered in such a way, through a building permit, that it would no longer be suitable for housing livestock to the satisfaction of the municipal building department, thereby ensure no compliance issues with MDS.
15. That any remaining buildings on the severed lands maintain their own hydro service wholly contained on the retained lands, if required.
16. That any access between the severed and retained parcels be removed, including any driveways connecting the two parcels, to the satisfaction of the Chief Building Official.
17. That an address be assigned and number erected for the retained agricultural parcel.

AND FURTHER THAT the reasons for granting Consent Application B-19/2023 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.