

CONSENT DECISION

APPLICATION B-16-19-2024

We, the undersigned members of the Committee of Adjustment 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 – Ilderton Community Centre in Ilderton, Ontario, on December 18, 2024. The said decision was reached on Consent Application B-16-19-2024, filed by Brian Partridge on behalf of PW Holdings Ltd order to sever two residential lots from a 2,375.78 m² (0.59 ac) residential property, in order to facilitate the construction of a single-detached dwelling on each severed lot, where the first severed lot will have a frontage of approximately 21.4 m (70 feet) on Oxbow Drive and the first an area of approximately 717.8 m² (7,726.3 feet²), and the second a frontage of approximately 21.4 m (70 feet) on Oxbow Drive and an area of approximately 736 m² (7,922 feet²), and the retained having a frontage of approximately 21.1 m (69.2 feet) on Valleyview Drive, and an area of approximately 903.5 m² (9719.8 feet²), from a property legally described as Lot 274, 25 on Plan 113, in the Municipality of Middlesex Centre, County of Middlesex, and is municipally known as 10056 Oxbow Drive.

DECISION: **GRANTED** **DATE:** **December 18, 2024**

With Conditions: X

Without Conditions:

Members concurring in the decision:

Hugh Aerts



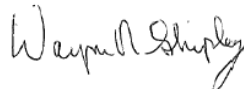
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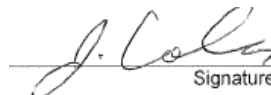
Frank Berze



Wayne Shipley



Jean Coles



Signature

Conditions

Consent B-16/2024 is subject to the following 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-16/2024 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-16/2024 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, a financial contribution to the future upgrading of Valleyview Drive to a full urban standard, and a security deposit for 100% of the cost of the works as well as any road reconstruction associated with the development, 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-16/2024 being satisfied, the owner shall install separate water, stormwater and wastewater service connections to the retained and severed parcels of Consent B-16/2024 and that these connections be installed to the satisfaction of the Municipality's Public Works and Engineering Department.
10. That the Owner submits a Storm Water Management Report to the satisfaction of the Municipality. The Storm Water Management Report must demonstrate that post development runoff from the proposed lots 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.

11. 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.
12. That the owner pay to the Municipality cash-in-lieu of parkland dedication for the severed parcel of Consent B-16/2024 in accordance with the Municipality's Fees and Charges Bylaw.
13. That the owner be required to apply for and successfully receive a minor variance for any zoning provision deficiencies related to the severed and retained parcels, to the satisfaction of the Municipality of Middlesex Centre.
14. That the Owners pay to the Municipality a total of \$19,579.38 for the purposes of funding 50% of the future road reconstruction costs of Valleyview Drive to an urban standard along the frontage of the severed lots of Consent B-16/2024, inclusive of curbs, sidewalks and road re-construction, unless the total amount has been paid to fulfill a condition of Consent B-19/2024.
15. That any existing municipal services or private utilities be wholly located within the boundaries of the retained lands.
16. That the severed and retained lands be given new Municipal addressing to the satisfaction of the Chief Building Official.
17. That the retained lands be required to apply for and receive an entrance permit for a new driveway.
18. That the existing driveway for the retained lands be removed from the severed parcel.

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AND FURTHER THAT the reasons for granting Consent Application B-16-19-2024 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
- The proposal complies with the Middlesex Centre Comprehensive Zoning By-law.