

MINUTES
LAND DIVISION COMMITTEE

The Land Division Committee of the County of Lambton met at the Lambton County Buildings at 9:00 a.m., Tuesday, November 18, 2003, to hold a hearing into an application for consent.

Present: Chair Wm. Bilton, Warden Todd Case. Members: K. Hart and P. Davidson. Also present were Deputy-Secretary-Treasurer M. Pauschenwein and Planner Maria Cossa Rossi.
Absent: None.

APPLICATION B-010/03

Stanley Richard Topilko
Con. 10, W ¼ Lot 31, SW ¼ Lot 32
1896 Gould Road
Township of Dawn-Euphemia

An application has been made with the intent to sever a lot containing a surplus dwelling. The portion to be severed is 1.6ha (3.95a) and the retained portion would be 38.85 ha (96a).

The Official Plan for the Township of Dawn-Euphemia designates these lands “Agricultural” and they are zoned “Agricultural-1 (A1) Zone” in the Township Zoning By-law 25 of 2002. There is approximately 20 acres located in the most northeastern portion of the property designated “Environmental Protection – Woodlot” (EP-WD) in the Official Plan.

Attending the meeting were: the applicant Mr. Stanley Richard Topilko and neighbours Russell Carpenter, Bob McGuire, Peter McGuire and Ross McGuire.

Mr. Topilko explained that he is renovating another farm dwelling close to London. The house is basically in good condition and sits on 90 acres which is also a farming operation. He has been a part-time farmer for the past 7 or 8 years on his Dawn-Euphemia farm. He hires custom work for his farming and uses no till operation. Mr. Topilko also said that with the new environmental policies that are in place many farmers are still not using good farming practice.

Russell Carpenter said that if the lot is severed will it be zoned residential? B. Bilton answered no – Dawn-Euphemia has the option but will not do so.

Bob McGuire stated that he has concerns that the lot would limit further expansion of surrounding farm operations. This severance would have long term ramifications. He said that what we do here today will last a long time.

There was a lengthy discussion regarding distances to barns and existing farm expansion.

The Planner read the Planning Report which had concerns with the application and made recommendations so that the applicant demonstrates to the Committee’s satisfaction the following:

- 1) that Mr. Topilko is a bona fide farmer;
- 2) that the London property is being consolidated with the Dawn-Euphemia farm operation;
- 3) that his primary residence is on the London farm property; and,

- 4) that the proposed severance application be amended from an area of 3.95 acres to 2.42 acres.

The Deputy-Secretary-Treasurer read several letters of objection from surrounding neighbours and a letter of motion from Dawn-Euphemia Council stating that they have concerns.

The Chair advised of the appeal procedures.

Case/Hart: That Application B-010/03 be deferred until more information regarding Mr. Topilko's farming operation be obtained, mainly:

- 1) that Mr. Topilko is a bona fide farmer;
 - 2) that the London property is being consolidated with the Dawn-Euphemia farm operation;
 - 3) that his primary residence is in the London farm property; and
 - 4) that the proposed severance application be amended from an area of 3.95 acres to 2.42 acres.
- Carried.

Adjournment

The Chair declared the meeting adjourned to meet again on December 16, 2003.

Time: 10:10 a.m.

William Bilton
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer