

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, June 8, 2004, to hold a hearing into an application for consent.

Present: Chair P. Davidson, Warden Todd Case. Members: J. Burns and J. Foubister. Also present were Deputy-Secretary-Treasurer M. Pauschenwein and Planner Maria Cossa-Rossi.

APPLICATION B-006/04

Irene Alice Thrower
Concession 5 SER, West Part Lot 19
RP 25R4531 Part 2
5412 Nauvoo Road
Township of Warwick (Watford)

An application has been made with the intent to sever a parcel of land having a frontage of 27.28m (89.5'), a depth of 31.69m (103.96') and an area of 864.7m² (9307.8 ft.²). The retained portion will have a frontage of 31.85m (104.4'), a depth of 63.55m (208.4') and an approximate area of 2024m² (.5a).

The proposed severed portion contains an auto body shop that is currently vacant, but used occasionally by the applicant's son for personal auto body work. The proposed retained portion contains a single family detached dwelling occupied by the applicant. The applicant wishes to separate the body shop from the residential portion in order to place her estate in order for her children. At this time, Mrs. Thrower does not have plans to sell the auto body shop.

The applicant previously applied for this severance under Application B-060/89 and the severance was granted. However, the severance lapsed because the deed was not deposited with the County of Lambton Secretary-Treasurer within one year of granting the severance.

The Official Plan for the Township of Warwick designates these lands as "Residential" and they are also zoned "Residential 1 (R1)" in the Township Zoning By-law 54 of 2000.

The applicant did not appear to speak to the application.

The Planner read the planning report and the Deputy-Secretary-Treasurer read other correspondence received.

Burns/Case: That Application B-006/04 be approved with conditions.

Carried.

Conditions:

1. That a copy of the deed and R.D. Plan or survey in a form suitable for registration be deposited with the Secretary-Treasurer.
2. That a fee of \$500.00 be paid to the County of Lambton by cash or certified cheque.

3. That all conditions be fulfilled within one year of the notice of decision of this consent. That the certificate of consent required by Sections 53(42) of the Planning Act, be obtained within one year of the notice of decision of this consent.
4. That the applicant enter into an agreement with the Township of Warwick for the apportionment of drainage assessments on the involved properties.
5. That an entrance permit be obtained from the County Public Works office if any new access driveways are required onto Confederation Line (County Road 39) and/or Nauvoo Road (County Road 79).
6. That a 5.1816 metre (17 foot) road widening be deeded to the County of Lambton across the frontage of the severed parcel.
7. That a survey be obtained, showing the location of the building on the severed portion and showing the rear yard setback.
8. That a minor variance be obtained if, after survey, it is determined that the rear yard setback is less than 7 metres.

APPLICATION B-007/04

Casey & Gertie Farms Ltd. a/f
Stanley & Karin Allaby
Concession 2 SER, Part Lot 8 &
Part Closed Road Allowances
6749 Zion Line
Township of Warwick

An application has been made with the intent to add land to an existing 40.47ha (100 a) agricultural lot owned by Casey and Gertie Farms Ltd. Stanley and Karin Allaby propose to sever a triangular portion of approximately 0.768ha (0.19 a) from their property to convey to Casey and Gertie Farms Ltd. The Allaby's retained lot would be approximately 8.7ha (21.5 a).

Casey and Gertie Farms Ltd., owned by Gertrude and Cornelius Rombouts, want to add this small triangular lot to their holdings in order to better provide them with access between their farms located north and south of Zion Line.

The Official Plan for the Township of Warwick designates the lands to be severed "Hazard and Environmental Protection" and they are zoned "Environmental Protection – Hazard" in the Township Zoning By-law 54 of 2000. The Rombouts' lot is designated "Agriculture", "Hazard and Environmental Protection" and "Significant Woodlots" in the Township of Warwick Official Plan and zoned "Environmental Protection – Hazard", "Agricultural-1" and "Environmental Protection – Woodlot".

The applicants did not attend to speak to the application.

The Planner read the planning report.

Case/Foubister: That Application B-007/04 be approved with conditions.

Carried.

Conditions:

1. That a copy of the deed and R.D. Plan or survey in a form suitable for registration be deposited with the Secretary-Treasurer.
2. That a fee of \$500.00 be paid to the County of Lambton by cash or certified cheque.
3. That all conditions be fulfilled within one year of the notice of decision of this consent. That the certificate of consent required by Sections 53(42) of the Planning Act, be obtained within one year of the notice of decision of this consent.
4. That the severed lands are deeded in the same name and interest as the lands to which they are being added and that Section 50(3) of the Planning Act applies to any future conveyances or transactions.
5. That the applicant enter into an agreement with the Township of Warwick for the apportionment of drainage assessments on the involved properties.
6. That if either the severed portion or the retained portion does not have an access culvert after the consent, then the applicant is responsible for the cost of the Township of Warwick providing such access.

PLAN OF SUBDIVISION

APPLICATION C-01/2004

Part Lot Control
1565647 Ontario Inc. (Gina Vozza)
Parts of Plan 2 Described as
Lots 5 and 6, East of Francis Street,
Lots 23, 24, 25 and 26, South of Queen,
Lots 21, 22, 23, 24 and 25, North of Victoria,
Registered Plan 2 (former Twp. of Plympton)
Town of Plympton-Wyoming

An application has been made by 1565647 Ontario Inc. (Gina Vozza), owner of the lands comprising Parts of Plan 2, County of Lambton described as Lots 5 and 6, East of Francis Street, Lots 23, 24, 25 and 26 South of Queen, Lots 21, 22, 23, 24 and 25, North of Victoria, Registered Plan 2 (former Township of Plympton) Town of Plympton-Wyoming. The Reference Plan of Survey shows the lots proposed for configuration. By-law #52 of 2004 to exempt the aforementioned lands from part lot control was passed by The Town of Plympton-Wyoming Council on the 2nd day of June, 2004.

The purpose of lifting part lot control is to permit a reconfiguration of the existing lots. A by-law lifting part-lot control, passed by the council of a local municipality, does not take effect until it is approved by the subdivision approval authority.

The applicant did not attend to speak to the application.

Foubister/Burns: That the Land Division Committee make recommendation to the Secretary-Treasurer that the Application C-01/2004 for Part Lot Control be approved.

Carried.

Adjournment

The Chair declared the meeting adjourned to meet again on July 6, 2004.

Time: 10:15 a.m.

Pat Davidson
Chair

Madeline Pauschenwein
Deputy-Secretary-Treasurer