

MINUTES
LAND DIVISION COMMITTEE

February 2, 2010

A meeting was held at the County Building at 9:00 a.m. on the above date.

Present

Chair Wm. Bilton. Warden J. Burns. Members S. Arnold, B. MacDougall and A. Gillis. Also present were Planner E. Nadalin and Deputy-Secretary-Treasurer T. Dewsbury.

Absent

None.

Application B-006/09

Neil MacAulay a/f John & Elaine Brennan
East Part Lot 30, Con 5
7107 & 7109 Mosside Line
Township of Dawn-Euphemia

An application has been made for a surplus dwelling severance. The proposed severance will be approximately 2 acres (.81 ha) in size and contain an existing single family dwelling, poultry plant and barns. The retained parcel would be approx. 138 acres (55.8 ha) in size and contain a single family dwelling and barn.

COMMENTS

The Official Plan for the Township of Dawn-Euphemia designates the subject lands "Agriculture" and the subject lands are zoned "Agricultural (A1) Zone" in the Township Zoning By-law 25 of 2002.

Attending the meeting were the applicants John and Elaine Brennan and Neil MacAulay.

The applicants were asked if they wished to speak to their application. Mr. Brennan explained that they have sold the farm to Mr. MacAulay, who has been farming it for the past thirteen years. They want to retire from the farming business but retain the poultry plant business.

E. Nadalin outlined the planning report and the Deputy-Secretary-Treasurer read the correspondence received from the Township of Dawn-Euphemia stating they have no objection to this application subject to the conditions being imposed.

Discussion took place regarding the proposed conditions in the planning report. B. MacDougall asked Mr. MacAulay if the conditions regarding the dwelling located on the retained portion were suitable to him. He replied that they were.

Arnold/Burns: That application B-006/09 be approved with conditions.

Carried.

Conditions:

1. That a copy of the deed and R.D. Plan or survey be submitted to the Secretary-Treasurer in digital format, if available, and properly georeferenced to the NAD83 UTM Zone 17 Coordinate System and also in a form suitable for registration.
2. That a fee of \$500.00 be paid to the County of Lambton by cash or cheque.
3. That all conditions be fulfilled within one year of the notice of decision of this consent. The certificate of consent required by Section 53(42) of the Planning Act shall be obtained within one year of the notice of decision of this consent. *The County will endeavour to send the applicant a reminder that the Provisional Consent is approaching its lapsing date. However, **each applicant is responsible for ensuring that the Provisional consent does not lapse.** If the Provisional Consent does lapse (meaning the deeds have not been stamped within one year of the notice of decision of the consent), a new application will be required. There is no provision in the Planning Act for extensions to Provisional Consents.*
4. That the applicant enter into an agreement with the Township of Dawn-Euphemia for the apportionment of drainage assessments on the involved properties.
5. 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 Dawn-Euphemia providing such access.
6. That the severed parcel be rezoned to recognize the dwelling and poultry processing use.
7. That the applicant confirm that the two adjoining parcels are merged and if not, that the retained parcel be added to the adjoining farm parcel and this property be registered in the same name and interest in order that Section 50(3) apply to any future conveyance of the retained farm parcel.
8. That the applicant satisfies the County of Lambton Private Sewage Coordinator with the following:
 - a) that a 'Notice of Advisory' be applied to both the retained and severed parcels and incorporated into the agreement, registered on title and included in all agreements of purchase or sale or lease of these

properties. The survey must demonstrate a 50 square meter contingency area that is located in native, undisturbed soils and 'reserved' for a future septic system.

- b) that both septic systems be demonstrated to this department by site diagram and be partially uncovered to confirm the component location, size and condition.

The Chair advised of appeal procedures.

Adjournment

The Chair declared the meeting adjourned.

Time: 9:55 a.m.

William Bilton
Chair

Terrie Dewsbury
Deputy-Secretary-Treasurer