



CONSENT DECISION

APPLICATION B-08-2025

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 – Municipal Office in Ilderton, Ontario, on July 16, 2025. The said decision was reached on Consent Application B-08-2025 filed by Findlater & Associates Inc. on behalf of Michael and Kelly Gardiner 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 3, Concession 9 N, in the Municipality of Middlesex Centre, County of Middlesex.

DECISION:

GRANTED

DATE:

July 16, 2025

With Conditions: X Without Conditions:

Members concurring in the decision:

Hugh Aerts

Sue Cates

Frank Berze

Wayne Shipley

Jean Coles

Signature

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 fee for the Certificate of Consent be paid in accordance with the Municipality's Fees and Charges By-law.
3. That the size of the resultant severance be limited to approximately 1.2 ha (2.96 ac) inclusive of the dwelling, septic and water services, workshop, garage and wood storage bin, to the satisfaction of the Municipality.
4. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B-08-2025, and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
5. 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.
6. 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.
7. That the Owner enter into a severance agreement with the Municipality in order to advise future owner of the severed lot of Consent B-08-2025 of normal farm practices occurring in the area as outlined in the Farming and Food Production Protection Act, 1998, as amended.
8. That any outstanding property taxes for the severed and retained lots of Consent B-08-2025 be paid in full.
9. That, if necessary a revised assessment schedule in accordance with the Drainage Act, as amended, be commissioned and paid for by the Owner.
10. That a Zoning By-law Amendment that recognizes the residential use of the severed lot and prohibits any additional residential use on the retained lot of Consent B-08-2025 be in full force and effect.
11. That the Owner provide confirmation that the private sewage disposal system that services the residence on the severed lot of Consent B-08-2025 is wholly contained on the said lot and that a 100% contingency area exists, to the satisfaction of the Municipality.
12. That the severed and retained parcels require its own entrance and 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 an address be assigned and number erected for the retained agricultural parcel.
15. That the agricultural buildings on the severed parcel either be removed, or altered in such a way that the building meets the standards of a residential accessory building as confirmed by a structural engineer, to the satisfaction of the Chief Building Official.

16. That the resultant farm parcel of Consent Application B-08-2025 be transferred to Arva Heights Limited or a bonafide farmer to the satisfaction of the Municipality.

FURTHER THAT the reasons for granting Consent Application B-08-2025 include:

- The proposal is consistent with the Provincial Planning 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.