

COMMITTEE OF ADJUSTMENT AGENDA

CONSENT APPLICATION B008-24

Monday, September 16, 2024 at 6:20 pm Municipal Office, 4591 Lambton Line

- 1. Call to Order
- 2. <u>Disclosure of Pecuniary Interest</u>
- 3. Minutes
 - a) Approval of Minutes of August 6, 2024 Committee of Adjustment Meeting
- 4. 6:20 pm Public Meeting, B008-24, 4478 Edys Mills Line, Konzelmann Farms Inc & Daniel Konzelmann (Agent: Roger Buurma)
 - a) Application for Severance
 - b) Public Notice, mailed August 16, 2024
 - c) Planning Report dated August 26, 2024 from Ezio Nadalin, County Planner
 - d) Septic report dated August 17, 2024, from Corrine Nauta, County Building Services
 - e) Comment received August 22, 2024 from St. Clair Region Conservation Authority
 - f) Comment received August 15, 2024 from Greg Botting, Lambton County Public Works Technician
 - g) Comment received August 15, 2024 from Enbridge Gas Inc.
 - h) Committee's Draft Decision
- 5. Adjournment



RESOLUTION – COMMITTEE OF ADJUSTMENT

Date: August 6, 2024

| Moved by: | Seconded by: | Recorded Vote: |
|--------------|--------------|----------------|
| | | Order Vote |
| ☐ A. Broad | ☐ A. Broad | A. Broad |
| ☐ A. Gray | ☐ A. Gray | A. Gray |
| ☐ P. LeBoeuf | ☐ P. LeBoeuf | P. LeBoeuf |
| ☐ M. McGuire | ☐ M. McGuire | M. McGuire |
| □ J. Meyer | ☐ J. Meyer | J. Meyer |

| That the | minutes of the August 6, 2024, Committee of Adjustment meeting be |
|----------|---|
| adopted. | Carried. |
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- MINUTES -

Committee of Adjustment Meeting Tuesday, August 6, 2024 6:00 pm, Dawn-Euphemia Township Office, 4591 Lambton Line

Chairman:

M. McGuire

Committee Members:

A. Gray

P. LeBoeuf J. Meyer

Absent:

A. Broad

Staff Present:

D. Clermont, Secretary

B. Stam, Deputy Clerk

J. Collison, Compliance Coordinator

Public Present:

Ed Stinson, Agent (via Zoom)
Diane Bergsma, Applicant

Allan Bergsma, Applicant

Stanley Burrell

Darlene Coke (via Zoom)

In accordance with Procedural By-Law 2022-31 S.3.4, Mark McGuire assumed the role of Chairman, in the absence of the Mayor. The meeting was called to order by Chairman McGuire at 6:00 pm.

Disclosure of Pecuniary Interest

No pecuniary interests were disclosed.

2024-11 Moved by Paul LeBoeuf- Seconded by Ann Gray

That the minutes of the July 15, 2024 Committee of Adjustment meeting be adopted. Carried.

Minutes, July 15 2024

| Recorded Vote | | |
|---------------|------------|--|
| Vote | | |
| 16 | A. Broad | |
| Υ | A. Gray | |
| Υ | P. LeBoeuf | |
| Υ | M. McGuire | |
| Υ | J. Meyer | |

Public Meeting:

Consent Application B007-24

6:00 pm - 6:14 pm

Applicant: Doug & Linda Crummy (Agent: Ed Stinson)

Chairman McGuire called the public hearing to order, to consider Consent Application B007-24 made by Douglas & Linda Crummy, requesting a severance of a 1.0 hectare (2.48 acres) of land from a farm parcel to create a residential in-fill lot and leaving a retained parcel of 17 hectares (42 acre), on lands described as Concession 7 N Part Lot 15 (known locally as 481 Dawn Mills Road), in the Township of Dawn-Euphemia,

The Secretary-Treasurer confirmed that notice of this public meeting had been given by mailing notice to required property owners within 60 meters (200 feet) of the subject property and required agencies, as well as posting the notice in the Municipal Office, and by having the subject property posted by the applicant.

Chairman McGuire confirmed that the following items of correspondence had been received regarding the subject application:

- a) Planning Report dated July 22, 2024 from Ezio Nadalin, County Planner (including comments from Dawn-Euphemia Public Works)
- b) Comment received June 19, 2024 from Greg Botting, County of Lambton Technician
- c) Septic Report dated July 12, 2024, from Corrine Nauta, County Building Services
- d) Comment dated July 17, 2024 from St. Clair Region Conservation Authority

The Secretary-Treasurer confirmed that no comments had been received from the public or the Dawn-Euphemia Fire Chief, adding that any recommendations presented in the Planner's report had been included in the drafting of the decision for the Committee's consideration.

The meeting was open to anyone wishing to speak in opposition to, or in support of, the application. Mr. Stanley Burrell asked about the tile to the drain that runs behind his property, which backs onto the proposed severed lot. His concern was that future buildings or trees on the residential portion could damage the tile. The Secretary-Treasurer answered that this would be an issue under the Drainage Act, and not relating to a severance, and to contact the Drainage Superintendent to discuss his concerns.

The details of the draft decision were reviewed, and a copy of which had been included in the Committee's Agenda package.

Following the discussion, the Committee passed the following resolution:

2024-12 Moved by Jason Meyer - Seconded by Paul LeBoeuf

That consent application B007-24 made by Douglas and Linda Crummy requesting a severance of a +/- 2.48 acre (1.0 hectares) from a farm parcel described as Concession 7 N Part Lot 15, known locally as 481 Dawn Mills Road, in the Township of Dawn-Euphemia, be approved subject to the following conditions:

Decision B007-24

| Recorded Vote | | | | | |
|---------------|----------|--|--|--|--|
| Vote | | | | | |
| 36 | A. Broad | | | | |
| Y | A. Gray | | | | |
| Y P. LeBoeuf | | | | | |
| Y M. McGuire | | | | | |
| Υ | Ј. Меуег | | | | |

- 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, in a form suitable for registration.
- 2. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date.
- 3. That the retained parcel be re-zoned to "Agricultural 2 (4) (A2(4)) Zone" and the severed parcel be re-zoned to the Residential - 4 (R4) Zone.
- 4. That both the retained land and the severed lot have adequate access to the road allowance subject to the approval of the appropriate road authority.
- 5. That the fee for the 911 address sign be paid and that the sign be placed on the retained farm parcel.
- 6. That the applicant enters into an agreement with the Township of Dawn-Euphemia for the costs associated with the re-apportionment of drainage assessments on the involved properties.

7. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn Euphemia 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 two years 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. Carried.

Public Meeting: Consent Application B002-24
6:15 pm - 6:27 pm Applicants: Allan & Diane Bergsma

Chairman McGuire called the public hearing to order, to consider Consent Application B002-24 made by Allan & Diane Bergsma, requesting a severance of a 1.95 acre (0.79 hectares) lot for Three Oaks Respite Cabin from a 97 acre (39.25 hectare) farm parcel described as Concession 2 Part Lot 21, RP 25R11253 Part 1, known locally as 6522 Bilton Line, in the Township of Dawn-Euphemia.

The Secretary-Treasurer confirmed that notice of this public meeting had been given by mailing notice to required property owners within 60 meters (200 feet) of the subject property and required agencies, as well as posting the notice in the Municipal Office, and by having the subject property posted by the applicant.

Chairman McGuire confirmed that the following items of correspondence had been received regarding the subject application:

- a) Planning Report dated July 22, 2024 from Ezio Nadalin, County Planner
- b) Comment received June 19, 2024 from Greg Botting, County of Lambton Technician
- c) Septic Report dated July 12, 2024 from Corrine Nauta, County Building Services

The Secretary-Treasurer confirmed that no comments had been received from the public, Dawn-Euphemia Fire Chief, Dawn-Euphemia Public Works, or St. Clair Region Conservation Authority, adding that any recommendations presented in the Planner's report had been included in the drafting of the decision for the Committee's consideration.

The meeting was open to anyone wishing to speak in opposition to, or in support of, the application. The applicants requested clarification on the road widening required as a condition of the severance. No one spoke in favour or against the application. The details of the draft decision were reviewed, and a copy of which had been included in the Committee's Agenda package.

Following the discussion, the Committee passed the following resolution:

2024-13 Moved by Paul LeBoeuf - Seconded by Ann Gray

That consent application B002-24 made by Allan and Diane Bergsma, requesting a severance of a 1.95 acre (0.79 hectares) lot from a 97 acre (39.25 hectare) farm parcel described as Concession 2 Part Lot 21, RP 25R11253 Part 1, known locally as 6522 Bilton Line, be approved subject to the following conditions:

Decision B002-24

| Recorded Vote | | |
|---------------|------------|--|
| Vote | | |
| * | A. Broad | |
| Υ | A. Gray | |
| Υ | P. LeBoeuf | |
| Υ | M. McGuire | |
| Υ | J. Meyer | |

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, in a form suitable for registration, clearly showing the proposed lot and associated utility easements contained therein.

- 2. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date.
- 3. In conjunction with the County of Lambton's long-term goal to widen the road allowance along this section of County Road 8 (Shetland Road) to a minimum 100 feet (30.4 metres), the County requests a 7 foot (2.13 metres approximate) road widening dedication along the east side of Part 1 of the most recent survey plan of survey for this property as provided with the application (Plan 25R-11253). Note that widening needs are identified uniform to the midpoint/centreline of the original road allowance. All survey and transfer of the land for road widening is at the sole cost of the applicant and all lands dedicated shall be free and clear of all encumbrances. This includes all mortgages, notices and other Municipal agreements etc. registered on the title to the lands.
- 4. That both the retained land and the severed lot have adequate access to the road allowance subject to the approval of the appropriate road authority.
- 5. That a permanent easement be obtained on the retained parcel, in order to permit continued access to the natural gas, waterline, and hydro-electrical services by the severed lot.
- 6. If applicable, that the applicant enters into an agreement with the Township of Dawn-Euphemia for the costs associated with the re-apportionment of drainage assessments on the involved properties.
- 7. That the septic system be clearly noted on the legal survey (should one be required), and a copy provided to the Lambton County Building Services Department.
- 8. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn Euphemia 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 two years 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. Carried.

Public Meeting: Consent Application B006-24
6:28 pm - 6:32 pm Applicants: Allan & Diane Bergsma

Chairman McGuire called the public hearing to order, to consider Consent Application B006-24 made by Allan & Diane Bergsma, requesting a severance in favour of a permanent easement in order to recognize continued access for Three Oaks Respite Cabin to the natural gas, waterline and hydro-electrical services on the lands described as Concession 2 Part Lot 21, RP 25R11253 Part 1, known locally as 6522 Bilton Line, in the Township of Dawn-Euphemia.

The Secretary-Treasurer confirmed that notice of this public meeting had been given by mailing notice to required property owners within 60 meters (200 feet) of the subject property and required agencies, as well as posting the notice in the Municipal Office, and by having the subject property posted by the applicant.

Chairman McGuire confirmed that the following items of correspondence had been received regarding the subject application:

a) Planning Report dated July 22, 2024 from Ezio Nadalin, County Planner (including comments from Dawn-Euphemia Public Works)

The Secretary-Treasurer confirmed that no comments had been received from the public, St. Clair Region Conservation Authority, the Dawn-Euphemia Fire Chief, or Lambton County Public Works Department, adding that any recommendations presented in the Planner's report had been included in the drafting of the decision for the Committee's consideration.

The meeting was open to anyone wishing to speak in opposition to, or in support of, the application. Committee Member Jason Meyer asked the applicants about the depth the natural gas line. According to the applicants, it is approximately three feet deep. No one spoke in favour or against the application. The details of the draft decision were reviewed, and a copy of which had been included in the Committee's Agenda package.

Following the discussion, the Committee passed the following resolution:

2024-14 Moved by Paul LeBoeuf – Seconded by Ann Gray

That consent application B006-24 made by Allan and Diane Bergsma, requesting a severance in favour of a permanent easement in order to recognize continued access to the natural gas, waterline, and hydroelectrical services on the lands described as Concession 2 Part Lot 21, RP 25R11253 Part 1, known locally as 6522 Bilton Line, be approved subject to the following conditions:

Decision B006-24
Recorded Vote

| Recorded vote | | | |
|---------------|------------|--|--|
| Vote | | | |
| • | A. Broad | | |
| Υ | A. Gray | | |
| Υ | P. LeBoeuf | | |
| Υ | M. McGuire | | |
| Υ | J. Meyer | | |

- 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, in a form suitable for registration.
- 2. That the permanent easement be registered on title, on the retained parcel, in order to recognize the continued access to the natural gas, waterline, and hydro-electrical services.
- 3. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn Euphemia 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 two years 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. Carried.

Chairman McGuire advised the public of the appeal process.

2024-15 Moved by Ann Gray - Seconded by Jason Meyer

That the Committee of Adjustment for Consent Applications B007-24, B002-24, and B006-24 is hereby adjourned at this hour of 6:32 pm. *Carried.*

Adjournment

| Recorded Vote | | | | |
|---------------|----------|--|--|--|
| Vote | | | | |
| * | A. Broad | | | |
| Y A. Gray | | | | |
| Y P. LeBoeuf | | | | |
| Y M. McGuire | | | | |
| Υ | J. Meyer | | | |





4591 Lambton Line; RR 4, Dresden, ON N0P 1M0
Telephone: 519 -692-5148 Fax: 519-692-5511 Email: admin@dawneuphemia.cn.ca
Website: www.dawneuphemia.ca

APPLICATION FOR CONSENT

| | | OFFICE USE ONLY |
|-----|-------------|--|
| | | DATE RECEIVED July 11/34 |
| | | APPLICATION NO BUXSE 24 |
| | | ROLL NUMBER COOL COCOT 800 |
| | | FEE PAID: YES V NO NO |
| 1. | | N V 1 |
| (A) | Name | of Owner: Dan Konzelmann |
| | Addre | |
| | | . , |
| | E-mail | address: |
| | | |
| | Telepi | hone Cell |
| | | |
| (B) | Name | , address and telephone of Owner's Solicitor or Authorized Agent if applicable: |
| | 0. | \mathcal{A} |
| 101 | 10 | ger Duurma/- |
| (C) | Please | specify to whom communications should be sent: |
| | OWA | ER: () SOLICITOR: () AGENT: () |
| | CAAIAE | ER: () SOLICITOR: () AGENT: () |
| | | |
| 2. | | |
| (A) | TVDE | AND PURPOSE OF APPLICATION: |
| \~\ | | AND FORFOSE OF AFFEICATION: |
| | | New Lot () Correction of Title () |
| | | |
| | | - NOM - V |
| | | Easement () Right-of-way () |
| | | Charge () Other () |
| | | Lease () |
| (D) | If the same | |
| (B) | IT KNOW | vn, the name of the person to whom the land or an interest in the land is to be transferred, |
| | cnarge | ed or leased. Lekker Homes in Ruger Buurma |
| | | · · |
| 3. | LOCAT | TION OF LAND |
| J. | LUCAI | HOW OF LAND |
| | a) | Concession #: 7 Lot #: P + Lot 3 / × |
| | aı | Lot #: Lot #: |
| | b) | Pagintared Disp #1 |
| | וט | Registered Plan #: Lot #: |
| | c) | Reference Plan # 25R: 10512 Part #: 1+2 |
| | C) | Fan #: 170 |
| | d) | Municipal Address 4478 Edys Mills Line |
| | 4 1 | manaparadicas 1110 tags 1 mm pane |

DESCRIPTION OF LAND TO BE SEVERED: Definition: "Land to be Severed" refers to the land or interest in land you Intend to convey, lease, mortgage, etc. Frontage **Existing Use:** Proposed Use: Existing buildings and structure (specify):_ Mo na Proposed buildings or structures (Specify):____ 5. **DESCRIPTION OF LAND TO BE RETAINED:** <u>Pefinition:</u> "Land to be Retained" refers to the land or interest in land you intend to keep. Existing buildings and structure (specify): Proposed buildings or structures (Specify):_ Number of new lots (not including retained lot) proposed: 6. 7. Are there any easements or restrictive covenants which affect the subject land? No (🜌 If yes, please provide a description of the easement or restrictive covenant and its effect on the land.

8.

Official Plan Designation(s) which applies to subject land:____

| ACC | | | | | |
|------------------|--|-----------------------------|----------------|-----------------------------------|---------------------------|
| a) | Type of Access | Severed | - | Retained | |
| | Provincial Highway A Municipal Road that is maintained year rou A Municipal Road that is maintained seasona A Right-of-way | und (*) | (county | | |
| b) | If the access to the subject land is by water of the used and the approximate distance of the public road. | only, pleas nese facilit | e state the pa | rking and docking subject land an | ng facilitie d the nea |
| <u>wa</u> ti | <u>ER SUPPLY</u> | | | | |
| What | type of water supply is proposed? (Check appr | opriate Sp | pace) | | |
| TYPE | | PROPOS | ED LOT(S) | RETAINED LO | T(\$) |
| Privat Lake (| cly owned & operated piped water supply tely owned and operated individual or commun or other water body (Specify) | al well ((((| 7 | | |
| SEW/ | AGE DISPOSAL: | | | | |
| What | type of sewage disposal is proposed? (Check a | ppropriate | e Space) | | |
| TYPE | | PROPOS | ED LOT(S) | RETAINED LO | r(S) |
| | c owned and operated sanitary sewage system ely owned and operated individual or communal septic system | (| 7 | () | |
| f a pr | ivate system is proposed, has a certificate of approval been issued by the County of Lambton | Vos. 1 | \ | No. /) | |
| Pit Pri Other | | Yes (|)) | No () () () | |
| Vh en | will water supply and sewage disposal services | s be availa | ble? upon | pertain | on p |
| pplic | wn, state whether the subject land is the subjec ation for approval of an official plan or plan am g order amendment, a minor variance, a consen | endment, | a zoning by-l | aw amendment | . a Minist |
| | None | | | | |
| Please | provide the file # of the application and the sta | tus of the | application. | | |
| ile#: | Status: | | | | |

| File | #: |
|-------|--|
| ls | the subject land within an area of land designated under any provincial plan or pla |
| | re answer to the above is yes, does the application conform to or does it conflict with the applicable vincial plan or plans. |
| The | current Zoning of the subject land in the applicable Zoning By-Law A2 to be merged |
| Has | any land been severed from the parcel originally acquired by the owner of the subject land? |
| If ve | es - date of transfer un known Name of the transferee unknown |
| | s of the severed land 1897 oil heritage Read |
| USe | s of the severed land |
| | |
| SEV | VERANCES IN RURAL AREAS: |
| | <u>'ERANCES IN RURAL AREAS:</u> |
| | ERANCES IN RURAL AREAS: e: This section is to be completed only for applications in Rural or Agricultural Areas. |
| | |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No (|
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? 40 expand a current lot |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No (|
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? 40 expand a current lot |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? — Lo expand a carrent lot Are there any barns located on the subject lands or within 1 km of the subject lands? Yes () No () If the answer is "yes", provide the following information for each barn (use additional pages if necessary): |
| Not | Is the severance intended to provide a residential lot? Yes () No () Why? Are there any barns located on the subject lands or within 1 km of the subject lands? Yes () No () If the answer is "yes", provide the following information for each barn (use additional pages if necessary): -Type of Livestock |
| Not | e: This section is to be completed only for applications in Rural or Agricultural Areas. Is the severance intended to provide a residential lot? Yes () No () Why? |
| Not | Is the severance intended to provide a residential lot? Yes () No () Why? Are there any barns located on the subject lands or within 1 km of the subject lands? Yes () No () If the answer is "yes", provide the following information for each barn (use additional pages if necessary): -Type of Livestock -# of Current Livestock -Potential Housing Capacity |

* To be signed in front of the Township Official.

| Dated at the Tiunship of Dawn- Euphemia this 11 day of July 20 24 |
|--|
| INVA Konzelmann Farms (Tran Konzelmann) of the Township of Dawn-Euphemia, |
| in the County of Lambton solemnly declare that all the statements contained in this application are true, and I/We |
| make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and |
| effect as if made under oath and by virtue of the Canada Evidence Act. |
| |
| (Signature) of applicant, solicitor or authorized agent) |
| (<u>Signature</u>) of applicant |
| DECLARED before me at Township of Town - Euphemia in the |
| County of Lambton this 11 day of July 2024. |
| A Commissioner, etcBrooklyn Stam, Deputy Clerk |
| Commissioner for the Township of Dawn-Euphemia Province of Ontario |
| FIDAMOR OF CHICAGO |

Vacant Lot - No Dwelling or septice

| Plages | anewar | tha | following | questions: |
|--------|---------|------|-----------|------------|
| 1000C | aliowei | n ic | TOROWING | questions, |

| 1. | Will any component of the existing sewage system be relocated or replaced? | | |
|----|--|--|--|
| | YesNo | | |
| 2. | Will the proposed construction decrease the existing separation distance between the structure and the existing sewage system? | | |
| | YesNo | | |
| 3. | Is the existing system malfunctioning or discharging sewage onto the ground or into surface water? | | |
| | YesNo | | |
| 4. | What is the size of the existing septic tank? | | |
| 5. | What is the size of the existing leaching bed? | | |
| 6. | What is the finished floor area of the present dwelling? | | |
| 7. | What will the finished floor area be after construction? | | |
| | 1 Roger Buarna CERTIFY THAT THE INFORMATION (Print name in full) | | |
| | CONTAINED HEREIN IS TRUE AND CORRECT. | | |
| | Signature Owner Agent | | |
| | Date: March 21/2024 | | |

Lambton County GIS



Legend

Assessment Parcels Citations

Location



Notes

County of Lambton



789 Broadway St Wyoming, ON NON 1TO www.lambtongis.ca

84 0 42 8. Metres



1: 1,652

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Lambton County GIS



Legend

Assessment Parcets
Citations

Location

Notes

County of Lambton



789 Broadway St Wyoming, ON NON 1TO www.lambtongis.ca

671 0 336 671 Metres



1: 13,217

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



The Corporation of the Township of Dawn-Euphemia 4591 Lambton Line RR 4 Dresden, ON N0P 1M0 Telephone: 519-692-5148

Fax: 519-692-5511

Email: admin@dawneuphemia.on.ca



PUBLIC NOTICE SEVERANCE APPLICATION **COMMITTEE OF ADJUSTMENT**

APPLICATION NO. B-008/24

TAKE NOTICE that a consent application has been made by Konzelmann Farms Inc. (c/o: Dan Konzelmann) with respect to lands described as Dawn Concession 7, Part Lot 31, RP 25R10512, Parts 1 and 2, Dawn-Euphemia Township (known municipally as 4478 Edys Mills Line). The application involves a minor lot adjustment and transfer of land between two adjacent landowners. The transfer of 0.4 hectares (1 acre) from the surrounding agricultural property to the rural residential lot will be subsequently merged and no new lot will be created.

AND FURTHER TAKE NOTICE that the Committee of Adjustment for the Township of Dawn-Euphemia has appointed Monday, September 16, 2024, at 6:20 p.m. for the purpose of a public hearing into this matter, to be held in the Township of Dawn-Euphemia Municipal Office, 4591 Lambton Line, RR 4, Dresden, Ontario. Signed, written submissions regarding the application will be accepted by the Secretary-Treasurer prior to or during the hearing.

If you wish to be notified of the decision of the Township of Dawn-Euphemia Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary - Treasurer of the Committee of Adjustment at the address noted below.

If a person or public body that files an appeal of a decision of the Township of Dawn-Euphemia Committee of Adjustment in respect of the proposed consent does not make written submission to the Township of Dawn-Euphemia Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal (OLT) may dismiss the appeal.

If you are aware of any persons interested or affected by this application who have not received a copy of this notice, it would be appreciated if you would so inform them.

Additional information regarding the application and copies of this notice will be available to the public for inspection at the Township of Dawn-Euphemia Municipal Office, from 8:30 a.m. to 4:30 p.m., Mondays to Fridays.

Dated at the Township of Dawn-Euphemia this 16th day of August, 2024.

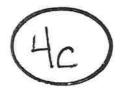


Secretary-Treasurer Committee of Adjustment Township of Dawn-Euphemia 4591 Lambton Line, RR 4 Dresden, ON NOP 1M0 Telephone: 519-692-5148

Fax: 519-692-5511

Donna Clermont

Email: clerk@dawneuphemia.on.ca





PLANNING AND DEVELOPMENT SERVICES REPORT



| TOWNSHIP OF DAWN EUPHEMIA COMMITTEE | OF ADJUSTMENT |
|--|--|
| Ezio Nadalin, Planner | |
| | |
| Corrine Nauta, Dipl. M.A., Dipl. M.M., CBCO | |
| Acting Manager, Planning & Development Servi | ices |
| August 26, 2024 | |
| September 16, 2024 | |
| Open Session | |
| Agenda Item: B-008/24 | |
| Consent to Sever – 4478 Edys Mills Line | |
| CON 7, PT LOT 31, RP 25R10512, PARTS 1 & 2 | |
| Owner: Konzelmann Farms Inc. (c/o: Dan Konze | elmann) |
| | Ezio Nadalin, Planner Corrine Nauta, Dipl. M.A., Dipl. M.M., CBCO Acting Manager, Planning & Development Servi August 26, 2024 September 16, 2024 Open Session Agenda Item: B-008/24 Consent to Sever – 4478 Edys Mills Line CON 7, PT LOT 31, RP 25R10512, PARTS 1 & 2 |

SITE PHOTO



EXECUTIVE SUMMARY:

With regards to Application **B008/24**, the owner of **4478 Edys Mills Line** is seeking consent to sever +/- 0.4 hectares (1 acre) of land. The application involves a minor lot adjustment and transfer of land between two adjacent landowners. The transfer of 0.4 hectares (1 acre) from the surrounding agricultural property to the rural residential lot will be subsequently merged and no new lot will be created. The remnant farm parcel would have an approximate area of +/- 59.3

hectares (146.6 acres) and would meet and/or exceed Township of Dawn-Euphemia Zoning Bylaw size and frontage requirements and as for the severed parcel it would be added to the existing adjacent under-sized lot thereby creating a new lot with an area of +/- 0.67 hectares (1.65 acres).

BACKGROUND/SITE CONTEXT:

Diagram 1: Showing Proposed Parcel Severance - Macro View.



Diagram 2: Showing Proposed Parcel Severance - Micro View.



APPLICATION REVIEW - PLANNING ACT/PROVINCIAL POLICY STATEMENT:

Consent application **B008/24** meets the general intent and purpose of both the Planning Act and the PPS (Provincial Planning Statement).

Subsection 2.3.4.2 of the PPS allows for <u>Lot adjustments</u> in *prime agricultural areas* for *legal and technical reasons* which are defined as, severances for purposes such as easements, corrections of deeds, quit claims, and <u>minor boundary adjustments which do not result in the creation of a new lot</u>, which is the case here.

Given that the current lot is currently undersized, we are also addressing the intent of **Subsection 2.3.4.1 (c)** of the PPS which requires that any new lot must meet the minimum size requirements to accommodate the use, appropriate sewage and water services.

<u>APPLICATION REVIEW - COUNTY OF LAMBTON OFFICIAL PLAN (OP):</u>

The subject property appears to be located within the "Agricultural Area", which in accordance with **Subsection 4.2.3** (b) and (d) of the County of Lambton Official Plan would allow Consent applications to: (b) enlarge existing farm lots, provided it does not result in the creation of an undersized farm parcel; and (d) to allow minor boundary adjustments, having regard to Section.

4.2.2 and including but not limited to minor boundary adjustments to increase the size of a non-farm lot where necessary to accommodate private services.

This application meets the intent and purpose of the County of Lambton Official Plan.

APPLICATION REVIEW - TOWNSHIP OF DAWN-EUPHEMIA OFFICIAL PLAN:

The subject property is designated "Agricultural Area" in the Township of Dawn - Euphemia Official Plan while the adjacent property (ie. the residential lot) is located within the "Rural Cluster Area." The adjacent residential properties to the east and south are all presently located within the "Rural Cluster Area."

Subsection 9.1 of the Township of Dawn-Euphemia Official Plan states that the policies of the Agricultural Area shall generally apply to rural clusters with the exception that consents may be granted for: the creation of a new lot for a single-detached dwelling; a lot addition to an existing undersized residential lot; or the extension of an existing industrial or commercial use.

The proposed development would consist of a minor lot line adjustment and in this case no new land uses would be created and there would be no increases in lot density. The severed portion would be merged to the adjacent lot and would have minimal effect on the surrounding properties.

In general, the concept of conveying small portions of existing agricultural lands to create a more properly sized lot in terms of "Reasonable Use/MOEE Guidelines" for a private septic system and would more closely reflect the intent and purpose of the Township of Dawn-Euphemia Official Plan.

APPLICATION REVIEW – ZONING BY-LAW:

With respect to Township of Dawn-Euphemia Zoning By-law 54 of 2014 the subject property is located within the "Agricultural-2 (A2) Zone" while the adjacent property is located within the

"Residential-4 (R4) Zone." It should also be noted that the adjacent residential properties, located to the east and south are all presently located within the "Residential-4 (R4) Zone."

The proposed lot addition would increase the rural residential lot size from 0.26 hectares (0.65 acres) to approximately +/- 0.67 hectares (1.65 acres), which would bring it closer into line with the current development standard of 0.8 hectares (1.98 acres), as reflected in the MOEE Guidelines, and as indicated in the Township of Dawn-Euphemia Zoning By-law Table "A" minimum lot size requirements.

The larger lot size would accommodate space for a contingency private septic system in a manner that would not create cumulative negative impacts from potential septic failures under the "Reasonable Use/MOEE Guidelines."

This application meets the intent and purpose of the Township of Dawn-Euphemia Zoning Bylaw.

CONCLUSION:

Planning staff supports approval of the above noted application as it is consistent with the applicable policies and regulations of the Ontario Planning Act.

RECOMMENDATION(S):

That the Township of Dawr-Euphemia Committee of Adjustment **APPROVE** Consent Applications **B008/24** subject to the following conditions:

- 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 in a form suitable for registration. This should be done for the rural residential severance (B008/24).
- 2. That the provisional approval be granted as a stipulated consent as a lot addition such that the severed parcel is merged with the adjacent property, described as Oil Heritage Road, DAWN CONC. 7, PT. LOT 31, RP 25R11150, PART 1, and is registered in the same name and interest as per Section 50(3) of the Ontario Planning Act.
- 3. The applicant enters into an agreement with the Municipality for the apportionment of drainage assessment as required.
- 4. Other standard conditions as set by the Township of Dawn-Euphemia.
- 5. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn-Euphemia will endeavor 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 two years 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.

DEPARTMENT AND AGENCY COMMENTS:

| County of Lambton Building Services | No concerns with this proposal as submitted and no added provisional conditions will be required as it relates to "Reasonable Use Guidelines" and future septic feasibility. |
|---|---|
| St. Clair Region Conservation Authority | No concerns. Any future development would subject to Ont. Reg. 41/24 and a permit would be required. |
| Enbridge Gas Inc. | Service lines are available in the area, should service relocation be required the associated cost will be the responsibility of the landowner. Should new service line be required contact the Attachment Centre at 1-866-772-1045. |
| County of Lambton Public Works Department | The identified retained agricultural lands currently front Oil Heritage Road (County Road 21). Public Works has no comment regarding this retained portion of land and its frontage. While it may not be immediately relevant, Public Works notes that any modification of existing agricultural access shall require an Entrance Permit Application from this office. |
| | The identified severed lands are to be merged with the existing residential parcel at the corner of Edys Mills Line and Oil Heritage Road. This will result in an approximate doubling of the lot frontage that currently exists along Oil Heritage Road. While not immediately relevant, Public Works shall require its new residential access be placed as north as possible and away from the stop-controlled intersection of Edys Mills Line at Oil Heritage Road. An Entrance Permit Application shall be required in due course and in conjunction with any residential proposal. |
| | As it relates to potential future impacts to the County roadway, Public Works is of the understanding that the zoning for the retained agricultural land will not have an option for a future farm dwelling. Should this be incorrect, the Committee of Adjustment can inform the undersigned. |

Brooklyn Stam



From:

Corrine Nauta < Corrine. Nauta@county-lambton.on.ca>

Sent:

Saturday, August 17, 2024 9:38 AM

To:

Ezio Nadalin

Subject:

FW: B008-24 - Request for Comment - 4478 Edys Mills

Ezio,

The Building Services Department can support the above-noted application, as presented with no conditions, as it relates to Reasonable Use Guidelines and future septic feasibility for the subject properties.

If you require any further information, please do not hesitate to contact the undersigned.

Corrine Nauta. Dipl. M.A., Dipl. M.M., CBCO
Chief Building Official
Manager, Building Services
Manager, Planning & Development Services - Interim
The Corporation of the County of Lambton
789 Broadway Street, Box 3000
Wyoming, ON NON 1T0

Office: 519-845-5420 x5352 Toll Free:1-866-324-6912

Fax: 519-845-3817

Email:corrine.nauta@county-lambton.on.ca

From: Brooklyn Stam <deputy.clerk@dawneuphemia.on.ca>

Sent: Thursday, August 15, 2024 9:00 AM

To: Don Ewing (Personal) <donald.ewing88@gmail.com>; Paul Dalton, Dawn-Euphemia Public Works, Superintendent

<roads@dawneuphemia.on.ca>; Corrine Nauta < Corrine. Nauta @county-lambton.on.ca>

Cc: Ezio Nadalin <ezio.nadalin@county-lambton.on.ca>
Subject: B008-24 - Request for Comment - 4478 Edys Mills

Good morning,

Attached are the application and Notice of Public Meeting for consent file B008-24 regarding 4478 Edys Mills, submitted by Daniel Konzelmann, with Roger Buurma as agent.

Please forward any comments you may have to Ezio Nadalin, County Planner, by no later than noon of August 26, 2024.

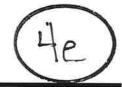
Thank you,

Brooklyn Stam

Deputy Clerk

Township of Dawn-Euphemia

Brooklyn Stam



From:

Shelby Campbell <scampbell@scrca.on.ca>

Sent:

Thursday, August 22, 2024 1:31 PM

To:

Brooklyn Stam; Donna Clermont, Dawn-Euphemia Clerk; ezio.nadalin@county-

lambton.on.ca

Subject:

RE: B008-24 - Notice of Public Meeting - 4478 Edys Mills Line

Good Afternoon,

Thank you for circulating us. SCRCA can offer the following comment:

B008-24 - 4478 Edys Mills Line

Portions of the subject property are regulated by the Conservation Authority under Ontario Regulation 41/24. As no new lots will be created and the severed portion will be merged as a lot addition to the abutting parcel at the corner of Edys Mills Line and Oil Heritage Road, SCRCA has no concerns with the proposed consent application. Any future development and/or site alteration within the regulated area on either the retained or receiving parcel will require written permission from the Conservation Authority under Ontario Regulation 41/24.

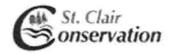
Kind regards,

Shelby Campbell

Planning Technician

St. Clair Region Conservation Authority 205 Mill Pond Cres., Strathroy, ON N7G 3P9 Tel: 519-245-3710 Ext. 276 Fax: 519-245-3348

scampbell@scrca.on.ca
Website: www.scrca.on.ca



The contents of this e-mail and any attachments are intended for the named recipient(s). This e-mail may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error, are not the named recipient(s), or believe that you are not the intended recipient immediately notify the sender and permanently delete this message without reviewing, copying, forwarding, disclosing or otherwise using it or any part of it in any form whatsoever.

From: Brooklyn Stam < deputy.clerk@dawneuphemia.on.ca>

Sent: August 15, 2024 9:25 AM

To: Olivia Leger < olivia.leger@county-lambton.on.ca>; Planning General Inbox < planning@scrca.on.ca>; bluebox@bra.org; Bell Canada - Circulations Intake, Planning & Design < circulations@wsp.com>; rowcentre@bell.ca; Ontario Lands < ONTLands@enbridge.com; tarik.kasem@enbridge.com; michael.cromwell@enbridge.com;

jeff.vandermeersch@enbridge.com

Cc: 'Ezio Nadalin' <ezio.nadalin@county-lambton.on.ca>

Subject: B008-24 - Notice of Public Meeting - 4478 Edys Mills Line

Good morning,

Attached is the Notice of Public Meeting for consent application B008-24 regarding 4478 Edys Mills Line.



Public Works Department 789 Broadway Street, Box 3000 Wyoming, ON NON 1T0

Telephone: 519-845-0801 Toll-free: 1-866-324-6912

Fax: 519-845-3872

August 15, 2024



Secretary-Treasurer Committee of Adjustment The Corporation of the Township of Dawn-Euphemia 4591 Lambton Line, R.R. 4 Dresden ON NOP 1M0

Attn: Donna Clearmont, Secretary-Treasurer

Re: <u>Severance Application B-008-24 for 4478 Edys Mills Line - Merge with Corner Lot at Oil Heritage Road (County Road 21)</u>

The County has reviewed the above noted application and has the following comments in relation to the proposed severance.

The identified retained agricultural lands currently front Oil Heritage Road (County Road 21). Public Works has no comment regarding this retained portion of land and its frontage. While it may not be immediately relevant, Public Works notes that any modification of existing agricultural access shall require an Entrance Permit Application from this office.

The identified severed lands are to be merged with the existing residential parcel at the corner of Edys Mills Line and Oil Heritage Road. This will result in an approximate doubling of the lot frontage that currently exists along Oil Heritage Road. While not immediately relevant, Public Works shall require its new residential access be placed as north as possible and away from the stop-controlled intersection of Edys Mills Line at Oil Heritage Road. An Entrance Permit Application shall be required in due course and in conjunction with any residential proposal.



As it relates to potential future impacts to the County roadway, Public Works is of the understanding that the zoning for the retained agricultural land will not have an option for a future farm dwelling. Should this be incorrect, the Committee of Adjustment can inform the undersigned at their convenience.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,

Greg Botting, A.Sc.T. Technician, Public Works

c. Brooklyn Stam, Deputy Clerk, Township of Dawn-Euphemia Ezio Nadalin, Planner, Township of Dawn-Euphemia Matt Deline, Manager of Public Works, County of Lambton

Brooklyn Stam

From: Ontario Lands <ONTLands@enbridge.com>

Sent: Thursday, August 15, 2024 9:28 AM

To: Brooklyn Stam

Subject: RE: B008-24 - Notice of Public Meeting - 4478 Edys Mills Line



Thank you for your correspondence with regard to the proposed Severance. Enbridge Gas Inc, does have service lines running within the area which may or may not be affected by the proposed severance.

Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the Attachment Centre at 1-866-772-1045.

Should you require any further information, please contact the undersigned.

Barbara M.J. Baranow Analyst Land Support

Enbridge Gas Inc.

50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

From: Brooklyn Stam <deputy.clerk@dawneuphemia.on.ca>

Sent: Thursday, August 15, 2024 9:25 AM

To: Olivia Leger <olivia.leger@county-lambton.on.ca>; planning@scrca.on.ca; bluebox@bra.org; Bell Canada -

Circulations Intake, Planning & Design < circulations@wsp.com>; rowcentre@bell.ca; Ontario Lands

<ONTLands@enbridge.com>; Tarik Kasem <Tarik.Kasem@enbridge.com>; Michael Cromwell

<michael.cromwell@enbridge.com>; Jeff Vandermeersch <Jeff.Vandermeersch@enbridge.com>

Cc: 'Ezio Nadalin' <ezio.nadalin@county-lambton.on.ca>

Subject: [External] B008-24 - Notice of Public Meeting - 4478 Edys Mills Line

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate? DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good morning,

Attached is the Notice of Public Meeting for consent application B008-24 regarding 4478 Edys Mills Line.

Please forward any comments you may have to Ezio Nadalin, County Planner (cc'd) by no later than noon of August 26, 2024.

Thank you,

Brooklyn Stam

Deputy Clerk

Township of Dawn-Euphemia



RESOLUTION – COMMITTEE OF ADJUSTMENT

Date: August 6, 2024

| Moved by: | Seconded by: | Recorded Vote: |
|--------------|--------------|----------------|
| | | Order Vote |
| ☐ A. Broad | ☐ A. Broad | A. Broad |
| ☐ A. Gray | ☐ A. Gray | A. Gray |
| ☐ P. LeBoeuf | ☐ P. LeBoeuf | P. LeBoeuf |
| ☐ M. McGuire | ☐ M. McGuire | M. McGuire |
| ☐ J. Meyer | ☐ J. Meyer | J. Meyer |

That consent application made by Konzelmann Farms Inc and Daniel Konzelmann requesting a severance of a 1.0 acre (0.4 hectares) parcel from lands described as Concession 7, Part Lot 31, RP 25R10512, Parts 1 & 2, (known locally as 4478 Edys Mills Line) to be merged with the vacant lot described as Concession 7 Part Lot 31 RP 25R11150 Part 1 be approved subject to the following 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 in a form suitable for registration. This should be done for the rural residential severance (B008/24).
- That the provisional approval be granted as a stipulated consent as a lot addition such that the severed parcel is merged with the adjacent property, described as Oil Heritage Road, DAWN CONC. 7, PT. LOT 31, RP 25R11150, PART 1, and is registered in the same name and interest as per Section 50(3) of the Ontario Planning Act.
- 3. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date.
- 4. That the fee for the 911 address sign be paid and that the sign be placed on the residential parcel.
- 5. That both the retained land and the severed lot have adequate access to the road allowance subject to the approval of the appropriate road authority, being County of Lambton Roads Department.
- 6. That the applicant enters into an agreement with the Township of Dawn-Euphemia for the costs associated with the re-apportionment of drainage assessments on the involved properties.
- 7. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn Euphemia 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 two years 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. Carried.



The Corporation of the Township of Dawn-Euphemia 4591 Lambton Line, RR #4, Dresden, ON NOP 1M0

Telephone: 519-692-5148 Fax: 519-692-5511

Email: clerk@dawneuphemia.on.ca Website: www.dawneuphemia.ca

PROVISIONAL CONSENT COMMITTEE OF ADJUSTMENT FOR THE TOWNSHIP OF DAWN-EUPHEMIA

(Ont. Regulation 547/96)

*** **DECISION** ***

FILE # B008 / 24

In the case of an application made by Konzelmann Farms Inc and Daniel Konzelmann requesting a severance of a 1.0 acre (0.4 hectares) parcel from lands described as Concession 7, Part Lot 31, RP 25R10512, Parts 1 & 2, (known locally as 4478 Edys Mills Line) to be merged with the vacant lot described as Concession 7 Part Lot 31 RP 25R11150 Part 1 be APPROVED subject to the following conditions:

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 in a form suitable for registration. This should be done for the rural residential severance (B008/24).
- 2. That the provisional approval be granted as a stipulated consent as a lot addition such that the severed parcel is merged with the adjacent property, described as Oil Heritage Road, DAWN CONC. 7, PT. LOT 31, RP 25R11150, PART 1, and is registered in the same name and interest as per Section 50(3) of the Ontario Planning Act.
- 3. That any municipal taxes and local improvements including interest and penalties thereon that may be owing and payable with respect to the lands be paid to date.
- That the fee for the 911 address sign be paid and that the sign be placed on the residential parcel.
- 5. That both the retained land and the severed lot have adequate access to the road allowance subject to the approval of the appropriate road authority, being County of Lambton Roads Department.
- 6. That the applicant enters into an agreement with the Township of Dawn-Euphemia for the costs associated with the re-apportionment of drainage assessments on the involved properties.
- 7. That all conditions be fulfilled within two years 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 two years of the notice of decision of this consent. The Township of Dawn Euphemia 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 two years 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.

Members concurring in the above ruling:

| | Alan Broad | Ann Gray | |
|----------------------------------|----------------------------------|---|--|
| Mark McGuire | Jason Meyer | <u> </u> | Paul LeBoeuf |
| | ****** CERTIFICAT | ION ****** | |
| that the above is a true copy of | of the decision of the Committee | of Adjustment with re | wnship of Dawn-Euphemia certify espect to the application recorded otice of Decision being September |
| | Secr | na Clermont, etary-Treasurer, Cor nship of Dawn-Euphe | mmittee of Adjustment emia |

NOTE: The last day for appeal of the above decision is the 8th day of October, 2024



The Corporation of the Township of Dawn-Euphemia 4591 Lambton Line, RR #4, Dresden, ON N0P 1M0

Telephone: 519-692-5148 Fax: 519-692-5511

Email: clerk@dawneuphemia.on.ca Website: www.dawneuphemia.ca

PROVISIONAL CONSENT **COMMITTEE OF ADJUSTMENT**

Application Number B008-24

A hearing was held by the Committee of Adjustment appointed by the Council of the Township of Dawn-Euphemia at the Municipal Building, Rutherford, ON, on September 16, 2024, to consider Application Number B008-24, the Committee's decision being to grant the consent subject to conditions.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

Submissions were made by Lambton County Planning and Development Services, Lambton County Building Services, the St Clair Region Conservation Authority, Lambton County Public Works, Enbridge Gas Inc., and the applicants, which assisted the committee in making an informed decision with appropriate conditions of approval.

The Planning Act states: "Any person or public body may, not later than 20 days after the giving of notice under subsection (17) is completed, appeal the decision or any condition imposed by the council or the Minister or appeal both the decision and any condition to the Ontario Land Tribunal by filing with the Secretary-Treasurer, a notice of appeal setting out the reasons for the appeal, accompanied by the fee prescribed under the Ontario Land Tribunal Act."

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

The last day for appeal of Application Number B008-24 is the 8th day of October, 2024. The notice of appeal must be filed with the Secretary Treasurer of the Committee of Adjustment and must set out the reasons for the appeal and must be accompanied by a cheque or money order in the amount of \$400.00 for the appeal made payable to the Minister of Finance.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

No other applications are being considered at this time with respect to the subject lands.

Secretary-Treasurer, Committee of Adjustment Township of Dawn-Euphemia 4591 Lambton Line RR #4 Dresden, ON NOP 1M0



RESOLUTION – COMMITTEE OF ADJUSTMENT

Date: August 6, 2024

| Moved by: | Seconded by: | Recorded Vote: |
|--------------|--------------|----------------|
| | | Order Vote |
| ☐ A. Broad | ☐ A. Broad | A. Broad |
| ☐ A. Gray | ☐ A. Gray | A. Gray |
| ☐ P. LeBoeuf | ☐ P. LeBoeuf | P. LeBoeuf |
| ☐ M. McGuire | ☐ M. McGuire | M. McGuire |
| ☐ J. Meyer | ☐ J. Meyer | J. Meyer |

| That the Committee of Adjustment for Severance Application | | | |
|--|----------|--|--|
| #B008-24 is hereby adjourned at the hour of pm. | Carried. | | |
| | | | |
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