



COUNTY OF PERTH LAND DIVISION COMMITTEE

The County of Perth Land Division Committee met on Monday, June 13, 2011 at 9:30 a.m. in the Council Chamber at the County Court House, 1 Huron St., Stratford.

Committee Members Present:

Ian Forrest (Chair)
 Mert Schneider (Vice-Chair)
 Jim Aitcheson
 Bill French
 Rhonda Ehgoetz

Staff Present:

Leslie Belland (Secretary-Treasurer)
 Dave Hanly (Planning Representative)

1. CALL TO ORDER

With quorum present, Chair Ian Forrest called the meeting to order at 9:30 a.m.

2. ADOPTION OF AGENDA

Moved by: Mert Schneider
Seconded by: Bill French

THAT the Land Division Committee agenda for June 13, 2011 be approved, as amended. **Carried.**

3. DECLARATION OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

4. ADOPTION OF PREVIOUS MINUTES

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT the minutes of the April 18, 2011 Land Division Committee meeting be approved. **Carried.**

5. HEARING OF APPLICATIONS FOR CONSENT

- 5.1 **File No.:** B04/11 - AMENDED
Name of Applicant: Vernon and Marilyn ERB
Legal Description: Lot 8, Registered Plan 543, North Easthope Ward, Township of Perth East (4010 North Hill Drive, Shakespeare)
Nature of the Application: Application B04/11 was originally circulated on March 11, 2011 and submitted to the Perth County Land Division Committee for consideration at their April

18th, 2011 meeting. At that meeting, the Committee deferred the application to allow the applicants time to consult with the Perth County Planning Department regarding amending the application to revise the size of the proposed severed lot. An amended application has been submitted. The purpose of Application B04/11, as amended, is to create a new lot for residential purposes by severing a 581.97 square metre parcel with an existing shed and gazebo while retaining a 957.52 square metre parcel with an existing single detached dwelling.

Vern and Marilyn Erb were in attendance. Mr. Erb noted the original proposed 49 foot lot line had been larger than recommended; however, the application has been amended to increase the lot line to satisfy his neighbour's concerns. Dave Hanly confirmed that minimums are met. Murray and Charlotte McTavish were also in attendance and Mr. McTavish advised that when they built their home, they had a restriction of building no less than 1,400 square feet and that they were still concerned that a reasonable sized house would not be built on the Erb's severed lot. Discussion took place regarding the possibility of putting a 1,400 square foot restriction on the lot. Dave Hanly commented that the municipality has the right to do so, but never has in the past.

Mr. Erb made a request of the Committee to waive the \$250 application amendment fee.

Moved by: Bill French
Seconded by: Jim Aitcheson

THAT Application B04/11 - AMENDED be granted provisional consent subject to the following conditions:

1. Confirmation be received from a solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.
2. The Committee being provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provision of the Registry Act or Land Titles Act (2 copies of Registered Reference Plan required).
3. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid. **Carried.**

Moved by: Rhonda Ehgoetz
Seconded by: Jim Aitcheson

THAT the \$250 application amendment fee be waived. **Carried.**

- 5.2 **File No.:** B07/11
Name of Applicant: DeKONING BROS. INC.
Legal Description: Part Lot 9, Registered Plan 159 and Lot 14, Registered Plan 161, Listowel Ward, Municipality of North Perth (185 Albert Avenue)
Nature of the Application: To create a 4m x 52m easement in favour of abutting lands owned by 771887 Ontario Limited. The easement will allow for the installation of piping to connect a proposed storm drain to services on Albert Street from the proposed future development of the abutting lands to the west owned by 771887 Ontario Limited.

Ron DeKoning and Trevor McNeil were in attendance. Trevor presented the application noting the easement would allow for installation of a pipe to the road for the proposed development.

Moved by: Mert Schneider
Seconded by: Jim Aitcheson

THAT Application B07/11 be granted provisional consent subject to the following conditions:

1. Confirmation be received from a solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.
2. The Committee being provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provision of the Registry Act or Land Titles Act (2 copies of Registered Reference Plan required).
3. Confirmation be received from the Municipality of North Perth that all financial requirements have been met (if any). **Carried.**

- 5.3 **File No.:** B08/11
Name of Applicant: Rashid ABDUL
Owner: 1343946 Ontario Inc.
Legal Description: Part of Lot 44 and 61, Registered Plan 339 (Being Part 2 on the sketch), Mitchell Ward, Municipality of West Perth (76 Ontario Road)
Nature of Application: To create an easement with a width of 0.185 metres, a length of 15.084 metres, and an area of 2.793 square metres for the purpose of establishing a building footing for the construction of a new building with a zero lot line on the abutting property to the west of the subject land.

Rashid Abdul was in attendance. He had no comments. Dave Hanly noted that the application was strictly for easement purposes for rebuilding the Dollar Store in Mitchell, and to allow for a footing to be constructed on the neighbouring property.

Moved by: Bill French
Seconded by: Rhonda Ehgoetz

THAT Application B08/11 be granted provisional consent subject to the following conditions:

1. Confirmation be received from a solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.
2. The Committee being provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provision of the Registry Act or Land Titles Act (2 copies of Registered Reference Plan required).
3. Confirmation be received from the Municipality of West Perth that all financial requirements have been met (if any).
4. Confirmation be received from the Municipality of West Perth that all taxes have been paid in full.

5. Confirmation be received that the Parkland Dedication Fee associated with the residential development on the benefitting property from the easement (i.e. Dollar Store property), be paid to the Municipality of West Perth. **Carried.**

- 5.4 **File No.:** B09/11
Name of Applicant: Rashid ABDUL
Owner: 68 Ontario Road – McTaggart Wettlaufer Insurance Broker Inc.
 70 Ontario Road – Rashid Abdul
Legal Description: Part of Lot 44 and 61, Registered Plan 339 (Being Part 1, 3 and 4 on the), Mitchell Ward, Municipality of West Perth (68 and 70 Ontario Road)
Nature of Application: Has two purposes: 1) To create an easement with a width of 0.185 metres, a length of 22.398 metres, and an area of 4.14 square metres for the purpose of establishing a building footing for the construction of a new building with a zero lot line on the abutting property to the east of the subject land. 2) To create a reciprocal right-of-way for an existing indoor set of stairs currently shared between the two existing buildings.

Rashid Abdul was in attendance. He had no comments. Dave Hanly noted that the application was for a proposed easement for footings and shared stairway right-of-way.

Moved by: Mert Schneider
Seconded by: Jim Aitcheson

THAT Application B09/11 be granted provisional consent subject to the following conditions:

1. Confirmation be received from a solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.
2. The Committee being provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provision of the Registry Act or Land Titles Act (2 copies of Registered Reference Plan required).
3. Confirmation be received from the Municipality of West Perth that all financial requirements have been met (if any).
4. Confirmation be received from the Municipality of West Perth that all taxes have been paid in full.
5. Confirmation be received that the Parkland Dedication Fee associated with the residential development on the benefitting property from the easement (i.e. Dollar Store property), be paid to the Municipality of West Perth. **Carried.**

- 5.5 **File No.:** B11/11
Name of Applicant: Dennis McCORQUODALE
Legal Description: Part Lot 18, Concession 13, Blanshard Ward, Township of Perth South (1761 Perth Road 139)
Nature of Application: To create a new lot by severing a 39,186 square foot residential parcel with an existing single-detached dwelling while retaining 41,588 square feet. A 1,300 square foot single-detached dwelling is proposed for the severed portion.

Dennis McCorquodale was in attendance. He had no comments. Dave Hanly noted that the application is straight forward and is for a residential creation at the south west corner of Rannoch. The suitability for a sewage system on the property would require some research. Mr. McCorquodale commented that only 4 or 5 trees may have to come down.

Moved by: Jim Aitcheson
Seconded by: Mert Schneider

THAT Application B11/11 be granted provisional consent subject to the following conditions:

1. Confirmation be received from a solicitor that the Certificate of the Official will be scanned and attached to the electronic registration of the Transfer.
2. The Committee being provided with a description that is consistent with the application and equal to that required for registration of a deed/transfer or other conveyance of interest in land under the provision of the Registry Act or Land Titles Act (2 copies of Registered Reference Plan required).
3. Confirmation be received from the Township of Perth South that all financial requirements have been met (if any).
4. Confirmation be received from the Township of Perth South's Building Official that the land is suitable for a private sewage system.
5. Confirmation be received from the County of Perth Public Works that an approved access permit has been obtained in accordance with County Standards. **Carried.**

6. REPORTS

Moved by: Bill French
Seconded by: Mert Schneider

THAT the June 13, 2011 report on new and pending applications be approved. **Carried.**

7. CORRESPONDECE - None

8. OTHER BUSINESS

8.1 **Moved by:** Jim Aitcheson
Seconded by: Mert Schneider

THAT the verbal report given in regards to the Ontario Association of Committees of Adjustment and Consent Authorities (OACA) Fall Seminar and the annual OACA conference held in May and attended by Ian Forrest, Rhonda Ehgoetz, and Leslie Belland be accepted. **Carried.**

8.2 For information purposes, Dave Hanly briefed the Committee on a recent decision in Huron County regarding creation of a new non-farm residential lot in a prime farmland area designated as Agriculture that had been appealed by the OFA and M.M.A.H.

- 8.3 Leslie Belland recommended to the Committee that it would be advantageous to the consent application process to require that a PIN printout of the subject property be submitted with each application to confirm ownership.

Moved by: Jim Aitcheson
Seconded by: Mert Schneider

THAT as part of the consent application submission process, a PIN printout be required for all applications. **Carried.**

9. CLOSED MEETING – No Closed Meeting

10. REPORTING OUT FROM CLOSED MEETING

11. NEXT MEETING

August 15th or 18th was suggested. Leslie will contact Committee members with set date.

12. ADJOURNMENT

Moved by: Jim Aitcheson

THAT the meeting adjourn at 11:10 a.m. **Carried.**

Ian Forrest, Chairman