



COUNTY OF PERTH LAND DIVISION COMMITTEE

The County of Perth Land Division Committee met on Monday, February 11, 2013 at 9:30 a.m. in the Council Chamber of the County Court House, 1 Huron St., Stratford.

Committee Members Present:

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

Staff Present:

Leslie Belland (Secretary-Treasurer)
Geoff VanderBaaren (Planning Representative)

1. CALL TO ORDER

With quorum present, Dave Hanly called the meeting to order at 9:30 a.m.

2. ELECTION AND APPOINTMENT OF OFFICERS FOR 2013

Dave Hanly, Planning Director called the meeting to order and performed the duties of the Interim Chair.

Members of the Land Division Committee were asked to state their intention to seek the position of Chairperson.

Member Meredith Schneider stated his intention to seek the position of Chairperson. No other members stated such intention.

The Planning Director declared Meredith Schneider as the 2013 Chairperson for the Land Division Committee.

Moved by: Ian Forrest
Seconded by: Bill French

That Leslie Belland be appointed as the 2013 Secretary-Treasurer for the Land Division Committee.
Carried.

Moved by: Rhonda Ehgoetz
Seconded by: Jim Aitcheson

That Geoff VanderBaaren be appointed as the 2013 Deputy Secretary-Treasurer for the Land Division Committee. **Carried.**

Moved by: Jim Aitcheson
Seconded by: Ian Forrest

That Dave Hanly be appointed as the 2013 Alternate Deputy Secretary-Treasurer for the Land Division Committee. **Carried.**

3. ADOPTION OF AGENDA

Moved by: Jim Aitcheson
Seconded by: Bill French

THAT the Land Division Committee agenda for February 11, 2013 be approved. **Carried.**

4. DECLARATION OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

5. ADOPTION OF PREVIOUS MINUTES

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

THAT the minutes of the November 19, 2012 Land Division Committee meeting be approved. **Carried.**

6. HEARING OF APPLICATIONS FOR CONSENT

6.1 File No.: B30/12 (Deferred from November 19th, 2012 LDC meeting)

Name of Applicant: Angela and Kevin HURST

Legal Description: Lot 81, Registrar's Compiled Plan No. 511, Ellice Ward, Township of Perth East (344 Huron Road, Sebringville)

Nature of the Application:

To create a new lot by severing a vacant 10153 square metre parcel for residential purposes, subject to a proposed easement for drainage purposes, while retaining a 2253 square metre parcel with an existing house and sheds. A cul-de-sac is proposed by the applicant for access to the newly created lots via the existing road right-of-way from Red Maple Lane.

File No.: B31/12 (Deferred from November 19th, 2012 LDC meeting)

Name of Applicant: Angela and Kevin HURST

Legal Description: Lot 81, Registrar's Compiled Plan No. 511, Ellice Ward, Township of Perth East (344 Huron Road, Sebringville)

Nature of the Application:

To create a new lot by severing a vacant 4983 square metre parcel for residential purposes, subject to a proposed easement for drainage purposes, while retaining a 2253 square metre parcel with an existing house and sheds. A cul-de-sac is proposed by the applicant for access to the newly created lots via the existing road right-of-way from Red Maple Lane.

File No.: B32/12 (Deferred from November 19th, 2012 LDC meeting)

Name of Applicant: Angela and Kevin HURST

Legal Description: Lot 81, Registrar's Compiled Plan No. 511, Ellice Ward, Township of Perth East (344 Huron Road, Sebringville)

Nature of the Application:

To create a new lot by severing a vacant 2778 square metre parcel for residential purposes, while retaining a 2253 square metre parcel with an existing house and sheds. A cul-de-sac is proposed by the applicant for access to the newly created lots via the existing road right-of-way from Red Maple Lane.

File No.: B33/12 (Deferred from November 19th, 2012 LDC meeting)

Name of Applicant: Angela and Kevin HURST

Legal Description: Lot 81, Registrar's Compiled Plan No. 511, Ellice Ward, Township of Perth East (344 Huron Road, Sebringville)

Nature of the Application:

To create a new lot by severing a vacant 3063 square metre parcel for residential purposes, while retaining a 2253 square metre parcel with an existing house and sheds. A cul-de-sac is proposed by the applicant for access to the newly created lots via the existing road right-of-way from Red Maple Lane.

The applicants, Kevin and Angela Hurst, as well as the applicants' agent Doug Luckhart were in attendance. Mr. Luckhart stated that they would like the project to go ahead and that after

meeting with the Wijnands they have agreed to putting in a hedge and making a revision to the road. He said MTE will be dealing with the drainage to the river and that the Township of Perth East was out to the site. During construction, any heavy equipment will be kept off of Red Maple and will go through the Luckhart property. The intention is not to interrupt Sebringville during the process. Four lots are being proposed, so he felt there would not be a huge traffic flow. He also said they are trying to work with the neighbours and willing to conform. Mr. VanderBaaren commented that drainage issues would be dealt with through the lot grading and servicing plan and that the Hursts would be responsible for any drain upgrades. He also said that the requirement for construction equipment to go through the Hurst property could be inserted in the development agreement. Kees Wijnands spoke and commented that his home was built in its present location to comply with minimum distance requirements and that the road allowance right beside his home is at a distance of 2.8m from his home, being well short of the required 7.6m. There is also a well located within 1m of the road allowance. He said that at the on-site meeting, it was discussed that the proposed road would be shifted to the south, increasing the north side road allowance by an extra 1.1m which he said helps, but the road will still be too close, on both the north and south sides. He felt that the proposal by the developer to plant a hedge on the south side would be like building a wall in front of the windows of his house and would block out all the winter sunlight, as the hedge would be planted within 3m of his windows. Geoff VanderBaaren commented on the on-site meeting, stating that shifting the travelled portion of the road was discussed with all parties and that this is all the Township can do. In order to carry on, he said he is looking for direction from the Wijnands as to whether the proposals are acceptable. Further discussion took place regarding the proposed size and variety of the hedge, and when it would be planted. In response to a question from Mert Schneider regarding whether Mr. Wijnands wanted a hedge, Mr. Wijnands stated that a hedge at the back of the lot from the chimney to the west was better than having a hedge block their windows. Mr. VanderBaaren said that all of the issues surrounding the planting of the hedge could be inserted in the development agreement.

Moved by: Ian Forrest

Seconded by: Rhonda Ehgoetz

THAT Application B30/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township that an approved Zoning By-law Amendment has been obtained to zone the retained and severed property for the proposed residential development.
6. Confirmation be received from the Township that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. That the applicant convey to the Township of Perth East the road extension (cul-de-sac) along with a 0.3 metre reserve along the westerly end of the road free of encumbrances and to the satisfaction of the Township of Perth East.
8. That application B 30/12 be completed concurrently with B31/12, B32/12 and B33/12.
9. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
10. That the applicant convey an easement in favour of the Township of Perth East across B30/12 and B31/12 for drainage purposes.
11. That the applicant provide a planting strip buffer along the north side of Block 14 to provide screening to the abutting residence, to the satisfaction of the Township of Perth East. **Carried.**

Moved by: Bill French
Seconded by: Jim Aitcheson

THAT Application B31/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or

Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.

4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township that an approved Zoning By-law Amendment has been obtained to zone the retained and severed property for the proposed residential development.
6. Confirmation be received from the Township that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. That the applicant convey to the Township of Perth East the road extension (cul-de-sac) along with a 0.3 metre reserve along the westerly end of the road free of encumbrances and to the satisfaction of the Township of Perth East.
8. That application B 31/12 be completed concurrently with B30/12, B32/12 and B33/12.
9. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
10. That the applicant convey an easement in favour of the Township of Perth East across B30/12 and B31/12 for drainage purposes. **Carried.**

Moved by: Rhonda Ehgoetz
Seconded by: Jim Aitcheson

THAT Application B33/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township that an approved Zoning By-law Amendment has been obtained to zone the retained and severed property for the proposed residential development.
6. Confirmation be received from the Township that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.

7. That the applicant convey to the Township of Perth East the road extension (cul-de-sac) along with a 0.3 metre reserve along the westerly end of the road free of encumbrances and to the satisfaction of the Township of Perth East.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. That application B 32/12 be completed concurrently with B30/12, B31/12 and B33/12.
Carried.

Moved by: Ian Forrest
Seconded by: Rhonda Ehgoetz

THAT Application B33/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township that an approved Zoning By-law Amendment has been obtained to zone the retained and severed property for the proposed residential development.
6. Confirmation be received from the Township that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. That the applicant convey to the Township of Perth East the road extension (cul-de-sac) along with a 0.3 metre reserve along the westerly end of the road free of encumbrances and to the satisfaction of the Township of Perth East.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. That application B 33/12 be completed concurrently with B30/12, B31/12 and B32/12.
Carried.

6.2 File No.: B43/12 (Parcel A)**Name of Applicant:** Henry and Gerdina VANMEURS**Legal Description:** Part Lot 1, Concession 10, Ellice Ward, Township of Perth East (Perth Road 119, Gads Hill)**Nature of the Application:**

To create a new lot by severing a vacant 6777.01 square metre agricultural parcel for residential purposes, while retaining an approximate 301167 square metre parcel with an existing driving shed.

File No.: B44/12 (Parcel B)**Name of Applicant:** Henry and Gerdina VANMEURS**Legal Description:** Part Lot 1, Concession 10, Ellice Ward, Township of Perth East (Perth Road 119, Gads Hill)**Nature of the Application:**

To create a new lot by severing a vacant 2250.3 square metre agricultural parcel for residential purposes, while retaining an approximate 301167 square metre parcel with an existing driving shed.

File No.: B45/12 (Parcel C)**Name of Applicant:** Henry and Gerdina VANMEURS**Legal Description:** Part Lot 1, Concession 10, Ellice Ward, Township of Perth East (Perth Road 119, Gads Hill)**Nature of the Application:**

To create a new lot by severing a vacant 2250.3 square metre agricultural parcel for residential purposes, while retaining an approximate 301167 square metre parcel with an existing driving shed.

File No.: B46/12 (Parcel D)**Name of Applicant:** Henry and Gerdina VANMEURS**Legal Description:** Part Lot 1, Concession 10, Ellice Ward, Township of Perth East (Perth Road 119, Gads Hill)**Nature of the Application:**

To create a new lot by severing a vacant 2250.3 square metre agricultural parcel for residential purposes, while retaining an approximate 301167 square metre parcel with an existing driving shed.

File No.: B47/12 (Parcel E)**Name of Applicant:** Henry and Gerdina VANMEURS**Legal Description:** Part Lot 1, Concession 10, Ellice Ward, Township of Perth East (Perth Road 119, Gads Hill)**Nature of the Application:**

To create a new lot by severing a vacant 2480.9 square metre agricultural parcel for residential purposes, while retaining an approximate 301167 square metre parcel with an existing driving shed.

The applicants' agent, Trevor McNeil, was in attendance. Mr. McNeil commented that there has been a previously approved OPA for the subject property and that Lot A is large but the frontage is only 17m. He said the applications are straight forward. Mr. VanderBaaren commented that the OPA was approved with anticipation that consent applications would follow. He said that an easement was required for Township access and maintenance purposes to an existing drain. He commented on the condition for road widening on Parcel E imposed by Public Works, noting the purpose is to establish road width consistent with the

adjacent property lines. He said that any access would be via Andy Street and not onto Perth Road 119. Ian Forrest confirmed that the barn that appears on the aerial photo on Parcel D has been flattened.

Moved by: Bill French
Seconded by: Rhonda Ehgoetz

THAT Application B43/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed property for the proposed residential development.
6. Confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. An undertaking from a solicitor that the Deeds for Consent Application B43/12, B44/12, B45/12, B46/12 and B47/12 will be registered concurrently.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. Confirmation be received from the Township of Perth East that the 0.3 metre reserve (Block 21, Plan 506) has been opened as municipal road.
10. That the applicant provide an easement in favour of the Township of Perth East along the easterly side of this lot for maintenance of the existing drain. **Carried.**

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

THAT Application B44/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed property for the proposed residential development.
6. Confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. An undertaking from a solicitor that the Deeds for Consent Application B43/12, B44/12, B45/12, B46/12 and B47/12 will be registered concurrently.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. Confirmation be received from the Township of Perth East that the 0.3 metre reserve (Block 21, Plan 506) has been opened as municipal road. **Carried.**

Moved by: Bill French
Seconded by: Rhonda Ehgoetz

THAT Application B45/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed property for the proposed residential development.
6. Confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. An undertaking from a solicitor that the Deeds for Consent Application B43/12, B44/12, B45/12, B46/12 and B47/12 will be registered concurrently.

8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. Confirmation be received from the Township of Perth East that the 0.3 metre reserve (Block 21, Plan 506) has been opened as municipal road. **Carried.**

Moved by: Rhonda Ehgoetz
Seconded by: Ian Forrest

THAT Application B46/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed property for the proposed residential development.
6. Confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. An undertaking from a solicitor that the Deeds for Consent Application B43/12, B44/12, B45/12, B46/12 and B47/12 will be registered concurrently.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. Confirmation be received from the Township of Perth East that the 0.3 metre reserve (Block 21, Plan 506) has been opened as municipal road. **Carried.**

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT Application B47/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed property for the proposed residential development.
6. Confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the applicant and the Township has been entered into to address all of the applicable servicing and development issues to the satisfaction of the Township.
7. An undertaking from a solicitor that the Deeds for Consent Application B43/12, B44/12, B45/12, B46/12 and B47/12 will be registered concurrently.
8. That confirmation be received from the Township that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth East in accordance with Section 65.1 of the Drainage Act R.S.O. to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment.
9. Confirmation be received from the Township of Perth East that the 0.3 metre reserve (Block 21, Plan 506) has been opened as municipal road.
10. Confirmation be received that a 0.3 metre reserve be granted to the County of Perth along the easterly side yard abutting Perth Road 119. **Carried.**

6.3 File No.: B41/12

Name of Applicant: AMISH MENNONITE CONGREGATION OF THE TOWNSHIP OF MORNINGTON

Owners: Lloyd and Martha Albrecht

Legal Description: Part Lot 14, Concession 7, Mornington Ward, Township of Perth East

Nature of the Application:

To create a lot addition to an existing cemetery by severing a vacant 6,222.5 square metre agricultural parcel to be added to the abutting Part Lot 4, Concession 7 owned by the Trustees of the Amish Mennonite Congregation, while retaining approximately 40.1 hectares with an existing single family residence and accessory buildings.

The applicant's agent/lawyer, Mark Tarbush, was in attendance. He explained that this application had previously been approved, however, it had lapsed.

Moved by: Ian Forrest

Seconded by: Bill French

THAT Application B41/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. A solicitor's undertaking shall be received which shall be to the effect that, at the time of registration of the transfer to which the certificate under Section 53(42) of the Planning Act, 1990 is affixed, the name(s) of the owner(s) of the abutting lands to which the parcels are being joined, are the same as the transferee(s) in the said transfers.
5. That the area being severed be added to the abutting lot owned by Trustees of the Amish Mennonite Congregation and that Section 50(3) or (5) of the Planning Act, 1990 shall apply to any subsequent conveyance or transaction of the severed parcel and the Certificate under Section 53(42) shall contain reference to this stipulation.
6. Confirmation be received from a solicitor that the resultant lot (severed lands and the land to which it is being added) will be encumbered by any mortgage(s) as one lot at the time of registration of transfer or that there are no outstanding mortgages/encumbrances on the lands to which the severed lands are being added.
7. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N. **Carried.**

6.4 File No.: B40/12

Name of Applicant: Janice, ELG

Legal Description: Part of Park Lot 36, Registered Plan 339, Mitchell Ward, Municipality of West Perth (3 Clayton Street)

Nature of the Application:

To create a new lot by severing a vacant 5,250 square foot residential parcel while retaining a 12,180 square foot parcel with an existing single-family dwelling.

The applicant, Janice Elg, was in attendance. Janice explained that this proposal had previously been applied for by the previous owner of the subject property, and approved, however, it had lapsed. There was some discussion regarding drainage and the fact that sanitary services at this location are uncommonly deep. Mr. VanderBaaren stated there would be extra costs for the applicant if she goes forward with the proposal as the connection to the sanitary services may need to be performed by an approved outside contractor.

Moved by: Ian Forrest

Seconded by: Bill French

THAT Application B40/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Municipality of West Perth that all taxes have been paid in full.
5. Confirmation be received from the Municipality of West Perth that all financial requirements of the Municipality have been satisfied (if any). **Carried.**

6.5 File No.: B38/12

Name of Applicant: LISTOWEL TOWN CENTRE HOLDINGS LTD.

Legal Description: Part Lots 7-9, Plan 194 and Part Lots 23, 24, 29 & 30, Plan 149, Municipality of North Perth (145 Main Street E., Listowel)

Nature of the Application:

To create a new lot by severing a vacant 11,024 square foot commercial parcel while retaining a 24,002 square foot parcel with an existing two storey office building. The retained portion is subject to two easements, one for utility purposes and the other for access right-of-way.

The agent for the applicant, Luke Simpson, was in attendance. Mr. Simpson explained that the severed portion is used entirely for parking and that there are no parking restrictions.

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT Application B38/12 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. The Committee being provided with an electronic file containing the digital plotting of the description under the provision of the Registry Act or Land Titles Act, including the textual description of file format, map standards used, scale, and location information such as lot, concession and municipality in a geocoded Autocad.dxf format. Alternatively, the Committee being provided with an Order pursuant to Section 150 of the Land Titles Act, R.S.O. 1990 or Section 80 of the Land Registry Act, R.S.O. 1990 issued by a Land Registrar exempting the transfer from the requirement that a reference plan be deposited.
4. Confirmation be received from the Municipality of North Perth that an Agreement regarding parking satisfactory to the Municipality of North Perth has been registered on title.

5. Confirmation be received from the Municipality of North Perth that all financial requirements of the Municipality have been satisfied (if any). **Carried.**

6.6 File No.: B39/12

Name of Applicant: Robert and Marjorie IRVINE

Legal Description: Part Lot 22, Concession 1, North Easthope Ward, Township of Perth East (2252 Line 34)

Nature of the Application:

To create a new lot by severing a vacant 0.87 acre agricultural parcel for a proposed recreational area together with an easement for pedestrian and maintenance vehicle access, while retaining an 86.6 acre parcel with an existing barn and shed.

The applicants, Robert and Marjorie Irvine, were in attendance. Mr. Irvine commented that the MTO has thrown them a curve being that they will not consider a mutual entrance at this location and he wondered if there was an alternative regarding access to the severed portion. He explained that a lot of effort has gone into this proposal as a conservation project and that he doesn't want to see the parcel sold with the farm. He said that they have nine, 20-25 foot ash trees that have been inoculated for ash borer, that there have been over 100 trees planted on this lot and another 20 are to be planted this spring, as well they will be putting in a hedge border. This is something they wanted to share with the community, but now may have to consider not having public access to it. Mr. VanderBaaren suggested that the application be deferred in order to allow the applicants time to discuss the access issue with MTO. Ian Forrest commented that a deferral would be appropriate until the MTO issues were sorted out. Jim Aitcheson also agreed a deferral would be appropriate and questioned whether an 8 foot width for the proposed easement was adequate. Mr. VanderBaaren said that if it was necessary to get an emergency vehicle to the severed portion that the existing laneway would be used. Jane Bowles brought forward concerns regarding the proposal on behalf of the Thames Talbot Land Trust stating that it doesn't fit the OP as recreational land, and that the proposal would be creating a landlocked parcel. Mr. Irvine commented whether a walkway from Rose Marie's restaurant could serve as access to the severed portion.

Moved by: Ian Forrest

Seconded by: Bill French

THAT Application B39/12 be deferred to allow the applicants time to discuss the access issues with the Ministry of Transportation. **Carried.**

6.7 File No.: B42/12

Name of Applicant: GSP GROUP INC. (c/o Caroline Baker)

Owner: Sherry Makedos

Legal Description: Part Lot 30, Concession 5, South Easthope Ward, Township of Perth East (2587 Perth Line 29)

Nature of the Application:

To create a lot addition by severing a vacant 40 acre Agricultural and Natural Resources/Environment parcel to be added to the abutting Part Lot 30, Concession 5 and Part Lot 30, Concession 6 owned by Bruce and Sandra Schmidt, while retaining a 10 acre parcel with an existing dwelling.

In attendance was Caroline Baker representing the GSP Group Inc., Sherry Makedos, the owner of the subject property, and her spouse Metaxas Makedos, and abutting property owner Bruce Schmidt and his son Gary. Caroline Baker advised that an OPA had previously been applied for regarding the subject property and that it had been denied. Her opinion was that the consent proposal conforms to Section 11.7.2 of the Official Plan and that the OPA was not necessary. She also stated that there is not a new lot being created, there are no new buildings proposed, and that MDS I does not apply. She advised that the OPA has been appealed and if the consent is denied, she would be combining the appeals. Greg Schmidt advised the Committee that he works on the abutting farm and that his father wishes to purchase 40 acres from the owner. He said their productivity could be increased with the extra acreage. Metaxas Makedos made a presentation to the Committee to support the application, in particular making comparisons with the approved Dosman OPA and the similarities in the applications. He requested that proposed conditions #4 and #5 not be included as it was his feeling that an OPA was not required and that certain sections of the ZB would allow the proposal without a ZBA. Mr. VanderBaaren stated that an OPA was required as the OP agricultural and severance policies are strong and specific and do not allow for the severance of farm parcels. In regards to the Dosman OPA application, he said that County Council gave approval for a house to be built, that there were no new lot lines and that the Township of Perth East approved the ZBA after appropriate studies had been completed. He reiterated that it was an existing lot. Mr. VanderBaaren recommended that the proposed conditions remain in place and that the Planning Department was firm in its opinion that an OPA is required and recommended that the Committee not approve the application. Brian Wilhelm, a Remax sales representative commented that in his opinion there are inconsistencies in the policies for farmland being added to farmland. He said he did not have a specific interest in this proposal, he only wanted to make some general comments. Bill French advised that he is in favour of this type of application, that it makes common sense, is excellent planning, that the PPS allows for it, and that by denying this type of application, barriers are being put up for future farmers. Ian Forrest commented that the existing house is not going to be torn down, that he disagrees with the parallels to the Dosman application, and that he disagrees that the house could be considered as surplus. From a Perth East perspective, he stated that if we create residential lots in the countryside then we need to be prepared to provide residential services. From a planning perspective, he said we shouldn't be putting a residence in the middle of a woodlot in a farming area. He felt that the Committee should be consistent with the denial of the OPA. Jim Aitcheson stated that he agreed with Mr. Forrest's comments, and repeated that the house will not be torn down.

Moved by: Ian Forrest
Seconded by: Rhonda Ehgoetz

THAT Application B42/12 be denied as the proposal does not conform to the policies of the County of Perth Official Plan. **Carried.**

7. REPORTS

7.1 The February 11, 2013 report on new and pending applications was reviewed.

Moved by: Rhonda Ehgoetz
Seconded by: Ian Forrest

THAT the February 11, 2013 report on new and pending applications be approved. **Carried.**

8. CORRESPONDECE - None

9. APPEALS

9.1 B5/12 Appeal by James Martin – Appointment for Hearing. For information only.

10. OTHER BUSINESS

10.1 Ontario Association of Committees of Adjustment and Consent Authorities (OACA) 2013 Memberships. The Committee agreed to leave the current LDC membership in Ian Forrest's name.

10.2 Sign deposit fees

The Planning Department proposed that \$50.00 sign deposit fees no longer be collected, and that alternatively, the following condition be imposed on all provisional consents:

Confirmation be received by the County that the notice sign and sign frame posted on the property has been returned to the issuing municipality within 30 days of the decision of the Land Division Committee. If the notice sign is not returned, the County must receive confirmation that the replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT the above-noted proposed condition regarding notice signs and frames be imposed on all provisional consents. **Carried**

10.3 LDC 2013 meeting dates. To be determined at a further meeting.

11. **CLOSED MEETING – No Closed Meeting**

12. **REPORTING OUT FROM CLOSED MEETING – N/A**

13. **NEXT MEETING**

Scheduled for Monday, March 25, 2013.

14. **ADJOURNMENT**

Moved by: Jim Aitcheson
Seconded by: Bill French

THAT the meeting adjourn at 12:32 p.m. **Carried.**

Leslie Belland, Secretary-Treasurer

Meredith Schneider, Chairman