



COUNTY OF PERTH LAND DIVISION COMMITTEE

The County of Perth Land Division Committee met on Thursday, September 13, 2013 at 9:30 a.m. in the Court Room at the County Court House, 1 Huron St., Stratford.

Committee Members Present:

Mert Schneider (Chair)

Ian Forrest

Bill French

Jim Aitcheson

Rhonda Ehgoetz

Staff Present:

Leslie Belland (Secretary-Treasurer)

Allan Rothwell (Planning Representative)

1. CALL TO ORDER

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

2. ADOPTION OF AGENDA

Moved by: Rhonda Ehgoetz

Seconded by: Ian Forrest

THAT the Land Division Committee agenda for September 13, 2013 be amended by changing the file # of item 5.4 to B17/13, and approved. **Carried.**

3. DECLARATION OF PECUNIARY INTEREST

No Disclosure of Pecuniary Interest stated.

4. ADOPTION OF PREVIOUS MINUTES

Moved by: Jim Aitcheson

Seconded by: Ian Forrest

THAT the minutes of the June 13, 2013 Land Division Committee meeting be approved. **Carried.**

5. HEARING OF APPLICATIONS FOR CONSENT

5.1 File No.: B23/12 (AMENDED) – Application B23/12 was deferred on September 12, 2012 until the issue regarding access to Highway 23 had been addressed to the satisfaction of the Ministry of Transportation, allowing for an access permit to be obtained.

Name of Applicant: Ellen SKINNER

Legal Description: Part Lot 15, Concession 12, Logan Ward, Municipality of West Perth (5101 and 5105 Road 164)

Nature of Application:

To create a new lot by severing a 2600 square metre institutional parcel with an existing house and garage (former church rectory), while retaining 1.24 hectares including a former church. It is proposed that the church will continue to be used for institutional purposes.

The applicant was in attendance. Allan Rothwell explained the revised application noting that the severed and retained portions had been flipped from the original application in order to address MTO issues. He said Planning was recommending approval. Ian Forrest commented that the applicant should be aware that water testing programs should be in place for the two properties sharing one well.

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT Application B23/12 (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. 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.
5. Confirmation be received of an approved Zoning By-law Amendment to permit a residential use on the severed parcel.
6. Confirmation be received from the Municipality of West Perth that all taxes have been paid in full.
7. Confirmation be received from the Municipality of West Perth that all financial requirements of the Municipality have been satisfied, including any applicable development charges. **Carried.**

5.2 File No.: B12/13**Name of Applicant:** Scott STECKLY and James ROES**Legal Description:** Part Lot 5, Concession 3, Mornington Ward, Township of Perth East (Mill Street West, Milverton)**Nature of Application:**

To create a new lot by severing a vacant 1.645 hectare parcel while retaining a vacant 1.645 hectare parcel.

The applicant's lawyer, Andrew Phillips, was in attendance. He noted that he agreed with the proposed conditions and recommendations. Allan Rothwell commented that the proposal is now in compliance with the Official Plan and that Planning recommends approval.

Moved by: Ian Forrest**Seconded by:** Bill French

THAT Application B12/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.
5. Confirmation be received from the Township of Perth East 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 and for contacting the Township Clerk to satisfy this condition.
6. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to zone the severed and retained parcels for the proposed uses. **Carried.**

5.3 File No.: B15/13**Name of Applicant:** Murray and Katie BAUMAN**Legal Description:** Part Lot 15, Concession 7, Mornington Ward, Township of Perth East (7034 Perth Road 121)**Nature of Application:**

To create a new lot by severing a .30 hectare parcel with an existing house while retaining 9.84 hectares with an existing shed for a seed storage/sales business.

File No.: B16/13**Name of Applicant:** Murray and Katie BAUMAN**Legal Description:** Part Lot 15, Concession 7, Mornington Ward, Township of Perth East (7034 Perth Road 121)**Nature of Application:**

To create a new lot by severing a 0.64 hectare parcel with an existing shed for a seed storage/sales business while retaining 9.5 hectares with an existing house.

The applicants' agent, Bruce Donaldson, was in attendance. He had no concerns with the proposed conditions. Allan Rothwell commented that Planning was in support of the applications, subject to the proposed conditions.

Moved by: Rhonda Ehgoetz**Seconded by:** Ian Forrest

THAT Application B15/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice signs and sign frames posted on the subject property have been returned to the issuing Municipality within 30 days of the decision of the Land Division Committee. If the notice signs are not returned, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.
5. Confirmation be received from the Township of Perth East 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 and for contacting the Township Clerk to satisfy this condition.

6. Confirmation be received from the Township of Perth East that an approved Zoning By-law Amendment has been obtained to zone the retained and severed properties for their proposed uses.

Moved by: Jim Aitcheson
Seconded by: Bill French

THAT Application B16/13 be granted provisional consent subject to the same conditions imposed on B15/13. **Carried.**

5.4 File No.: B17/13

Name of Applicant: Christopher and Nancy ELLENS

Legal Description: Part of Park Lot 38, Registrar's Plan 339, Mitchell Ward, Municipality of West Perth (109 Herbert Street)

Nature of the Application:

To create a lot addition by severing a vacant 9286.4 square metre industrial zoned parcel to be added to abutting property owned by Whirl Creek Logistics-Villeneuve while retaining 7190.9 square metres with an existing house, pool and sheds.

The applicants' agent, Trevor McNeil, was in attendance. He noted that the application had previously been before the Land Division Committee, however the application had lapsed as the conditions could not be met by the required time period. The conditions have since been fulfilled, therefore, the applicants are proceeding with the new application. He questioned West Perth's recommendation to accept cash in lieu of the land, and suggested it should be if required. He also noted that a Zoning By-law Amendment Application had been submitted.

Moved by: Bill French
Seconded by: Jim Aitcheson

THAT Application B17/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.

5. 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.
6. That the area being severed be added to the abutting industrial parcel located to the north and south and the closed portion of St. Andrews Street owned by Whirl Creek Logistics-Villeneuve 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.
7. 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.
8. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.
9. Confirmation be received of an approved Zoning By-law Amendment to zone the severed parcel for its intended industrial use.
10. Confirmation be received of an approved Site Plan Agreement to regulate site conditions for the severed parcel.
11. Confirmation be received that all taxes have been paid in full.
12. Confirmation be received that all financial requirements of the Municipality be satisfied. **Carried.**

5.5 File No.: B18/13

Name of Applicant: Michael FISCHER

Owner: Ron and Suzie HOWARD

Legal Description: Lot 29, Registered Plan 493, and Block 7, Registered Plan 554, Listowel Ward, Municipality of North Perth (825 Edgar Street W.)

Nature of the Application:

To create a lot addition by severing a vacant 45.49 square metre residential parcel to be added to abutting property owned by Michael Fischer, described as Part Lot 30, Registered Plan 493, Being Part 1 on 44R-915 and Block 8, Registered Plan 554, while retaining 1010.7 square metres with an existing house and shed.

The applicant was in attendance. He explained the reason for his application is the fact that his driveway is on his neighbour's property and that he wanted to make it legal. He also requested a reduction in his severance application fee due to the extenuating circumstances. Allan Rothwell noted the pie shaped lot and advised that if the severance is approved, a fence would soon be built. Ian Forrest noted that the Land Division Committee typically receives one or two similar applications per year.

Moved by: Ian Forrest

Seconded by: Bill French

THAT a reduction in the application fee not be granted. **Carried.**

Moved by: Rhonda Ehgoetz
Seconded by: Jim Aitcheson

THAT Application B18/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice signs and sign frames posted on the subject properties have been returned to the issuing Municipality within 30 days of the decision of the Land Division Committee. If the notice signs are not returned, confirmation must be received that a replacement sign fee of \$100.00 per sign has been paid to the issuing Municipality prior to the final consent approval.
5. 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.
6. That the area being severed be added to the abutting parcel to the east owned by Michael Fischer and that Section 50(3) or (5) of the Planning Act, 1990 shall apply to any subsequent conveyance or transaction of the severed and retained parcel and the Certificate under Section 53(42) shall contain reference to this stipulation.
7. Confirmation be received from a solicitor that the resultant lot (severed lands and the land to which it is being added) and the retained parcel 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.
8. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.
9. Confirmation be received that all financial requirements of the Municipality of North Perth have been met (if any). **Carried.**

5.6 File No.: B19/13**Name of Applicant:** 583 Barber Ltd.**Legal Description:** Part of Block A, Registered Plan 419, Being Part 1 on Reference Plan 44R-5013, Listowel Ward, Municipality of North Perth (583 Barber Avenue North)**Nature of the Application:**

To create an access easement on 583 Barber Avenue North in favour of 601 Barber Avenue North.

File No.: B20/13**Name of Applicant:** 601 Barber Ltd.**Legal Description:** Part of Block A, Registered Plan 419, Being Parts 1 and 2 on Reference Plan 44R-5012, Listowel Ward, Municipality of North Perth (601 Barber Avenue North)**Nature of the Application:**

To create an access easement on 601 Barber Avenue North in favour of 583 Barber Avenue North.

File No.: B21/13**Name of Applicant:** 633 Barber Ltd.**Legal Description:** Lot 23, Part Lot 24, Part Block A, Registered Plan 419, Being Parts 1 to 4 on Reference Plan 44R-5011, Listowel Ward, Municipality of North Perth (633 Barber Avenue North)**Nature of the Application:**

To create an access easement on 601 Barber Avenue North in favour of 633 Barber Avenue North.

File No.: B22/13**Name of Applicant:** 659 Barber Ltd.**Legal Description:** Part Lot 24, Lot 25, Part Lot 26, Registered Plan 419, Being Parts 1 and 2 on Reference Plan 44R-5009, Listowel Ward, Municipality of North Perth (659 Barber Avenue North)**Nature of the Application:**

To create an access easement on 659 Barber Avenue North in favour of 689 Barber Avenue North.

File No.: B23/13**Name of Applicant:** 689 Barber Ltd.**Legal Description:** Part Lot 26, Lots 27 and 28, Registered Plan 419, Being Part 1 and 2 on Reference Plan 44R-5009, Listowel Ward, Municipality of North Perth (689 Barber Avenue North)**Nature of the Application:**

To create an access easement on 689 Barber Avenue North in favour of 659 Barber Avenue North.

The applicants' agent, Scott Patterson, was in attendance. He had nothing further to add. Allan Rothwell noted that all properties are owned separately and that they share driveways. He also noted that the County of Perth had recently granted Draft Plan approval for a series of condominium applications to convert the existing rental apartments to condominium apartments and that Planning is recommending approval of the consent applications.

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

THAT Application B19/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice signs and sign frames posted on the subject properties have been returned to the issuing Municipality within 30 days of the decision of the Land Division Committee. If the notice signs are not returned, confirmation must be received that a replacement sign fee of \$100.00 per sign has been paid to the issuing Municipality prior to the final consent approval. **Carried.**

Moved by: Bill French
Seconded by: Rhonda Ehgoetz

THAT Application B20/13 be granted provisional consent subject to the same conditions imposed on B19/13. **Carried.**

Moved by: Jim Aitcheson
Seconded by: Ian Forrest

THAT Application B21/13 be granted provisional consent subject to the same conditions imposed on B19/13. **Carried.**

Moved by: Bill French
Seconded by: Rhonda Ehgoetz

THAT Application B22/13 be granted provisional consent subject to the same conditions imposed on B19/13. **Carried.**

Moved by: Rhonda Ehgoetz
Seconded by: Bill French

THAT Application B23/13 be granted provisional consent subject to the same conditions imposed on B19/13. **Carried.**

5.7 File No.: B24/13**Name of Applicant:** Keith and Cheryl BRIDGE**Legal Description:** Part Lots 19, 20, and 21, Concession 10, Wallace Ward, Municipality of North Perth (220 King Street, Palmerston)**Nature of the Application:**

To create a new lot by severing a vacant 40.0 hectare agricultural parcel, while retaining 51.2 hectares with an existing house, shed, and two barns. A new house is proposed for the severed portion.

Keith and David Bridge were in attendance. Keith questioned how much the parkland dedication fee would be and Allan Rothwell replied that it would be \$1,000 plus there would be a separate fee for development charges.

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

THAT Application B24/13 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.
5. Confirmation be received from the Municipality of North Perth that all financial conditions of the Municipality have been met (if any).
6. Confirmation be received from the Maitland Valley Conservation Authority that a site plan for the proposed residence and accessory structures on the severed lot has been reviewed and approved by the MVCA to ensure that they are located a suitable distance from the watercourse, regulated lands and woodlands. **Carried.**

5.8 File No.: B25/13**Name of Applicant:** Jamie BAILEY and Trudie WISEMAN**Legal Description:** Part Lot 39, Concession 1, South Easthope Ward, Township of Perth East (2949 Line 34)**Nature of the Application:**

To create a lot addition by severing a vacant 20,000 square foot residential parcel to be added to the abutting property to the south owned by Lloyd and Paula Ortelli and described as Part Lot 39, Concession 1, South Easthope, Being Part 1 on 44R-1680, while retaining 60,000 square feet with an existing house.

The applicant, Jamie Bailey, was in attendance as was the abutting property owner, Lloyd Ortelli. Allan Rothwell noted that Planning was recommending approval based on the conditions. Also in attendance was Shawn McCormick, a neighbour of Mr. Bailey's. He commented that he approved of the proposal.

Moved by: Ian Forrest**Seconded by:** Bill French

THAT Application B25/13 be granted provisional consent subject to 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.
5. Confirmation be received from the Township of Perth East 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 and for contacting the Township Clerk to satisfy this condition.
6. 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.

7. That the area being severed be added to the abutting lot owned by Lloyd and Paula Ortelli 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.
8. 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.
9. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N. **Carried.**

5.9 File No.: B26/13

Name of Applicant: Bruce KEMPSTON

Owner: Paul and Tammy HORN

Legal Description: Part Lot 9, Registrar's Compiled Plan 467, Wallace Ward, Municipality of North Perth (8634 Road 164)

Nature of the Application:

To create a new lot for residential purposes by severing approximately 0.15 hectares while retaining 5.08 hectares with an existing house, barn, office, and garage.

The owner of the subject property, Paul Horn, was in attendance. Allan Rothwell advised that as a result of the reduced lot size, a tertiary treatment system would be required as a condition of severance. It was agreed that the condition should be reworded to say an appropriate sewage system for the proposed residential use would be required. Ian Forrest questioned the size of the building envelope.

Moved by: Jim Aitcheson
Seconded by: Rhonda Ehgoetz

THAT Application B26/13 be granted provisional consent subject to 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 by the Perth County Land Division Committee Secretary-Treasurer that the notice sign and sign frame posted on the subject 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, confirmation must be received that a replacement sign fee of \$100.00 has been paid to the issuing Municipality prior to the final consent approval.

5. Confirmation be received from the Municipality of North Perth of an approved Zoning By-law Amendment to place the severed lot in the "Hamlet Village Residential Zone (HVR)" with modifications to recognize the reduced lot area, and to require an appropriate sewage system for the proposed residential use.
6. Confirmation be received from the Municipality of North Perth of an approved Zoning By-law Amendment to recognize the reduced lot frontage and lot area of the retained lot in the "Future Development Zone (FD-5).
7. Confirmation be received from the Ministry of Transportation of the approval for the proposed access to Highway No. 23 (Road 164). **Carried.**

6. REPORTS

6.1 New and Pending Applications

Moved by: Rhonda Ehgoetz
Seconded by: Ian Forrest

THAT the September 13, 2013 report on new and pending applications be received for information.
Carried.

7. CORRESPONDECE - None

8. APPEALS - None

9. OTHER BUSINESS

9.1 Allan Rothwell gave a brief update on the status of Application B39/12 by Robert and Marjorie Irvine in regards to discussions with MTO.

9.2 As per a request from the Land Division Committee members to adopt a policy in regards to limiting the length of time an applicant and/or member of the public has to address the Committee, Allan Rothwell reviewed the County of Perth Procedural By-law 3174-2010 with the Committee and suggested that the same general guidelines be followed and that the Chairperson advise those in attendance to keep their comments brief and to the point and not to duplicate comments that have already been presented.

Moved by: Bill French
Seconded by: Jim Aitchison

THAT the Planning Department be requested to draft a script for the Chairperson when conducting the public hearing. **Carried.**

10. CLOSED MEETING – No Closed Meeting

11. REPORTING OUT FROM CLOSED MEETING – N/A

12. NEXT MEETING

Monday, November 18, 2013.

13. ADJOURNMENT

Moved by: Bill French

Seconded by: Ian Forrest

THAT the meeting adjourn at approximately 11:15 a.m. **Carried.**



Leslie Belland, Secretary-Treasurer



Meredith Schneider, Chairman