



COUNTY OF PERTH LAND DIVISION COMMITTEE

The County of Perth Land Division Committee met on Monday, June 23, 2014 at 9:30 a.m. in the Council Chamber 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)
Adam Betteridge (Planner)

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: Ian Forrest
Seconded by: Bill French

THAT the Land Division Committee agenda for June 23, 2014 be approved. **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 28, 2014 Land Division Committee meeting be approved. **Carried.**

5. HEARING OF APPLICATIONS FOR CONSENT

5.1 File No.: B07/14

Name of Applicant: Marianne De Brabandere

Owner: Braeben Farms Ltd.

Legal Description: Part Lots 14, 15, and 16, EMR Concession, Blanshard Ward, Township of Perth South (1842 Perth Road 163)

Nature of the Application: To create a lot addition by severing a vacant 24.761 acre agricultural parcel to be added to Part Lot 16 and 17, EMR, Blanshard Ward, owned by Kie Farms Ltd. and Erica Kiestra, while retaining 100.032 acres.

The applicant, Marianne De Brabandere, was in attendance. She had no comments. Allan Rothwell commented that the application is straight forward, that both the severed and retained portions conform to the minimum parcel size, and that the Planning Department is recommending approval.

Moved by: Bill French

Seconded by: Jim Aitcheson

THAT Application B07/14 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 georeferenced 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 South that all financial requirements of the Township (if any) have been met.
6. Confirmation be received from the Township of Perth South that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Township of Perth South 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.

7. 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.
8. That the area being severed be added to the abutting property owned by Kie Farms Ltd. and Erica Kiestra, described as Part Lot 16 and 17, EMR Concession, Blanshard Ward, Township of Perth South, and that Section 50(3) or (5) of the Planning Act, 1990 shall apply to any subsequent conveyance or transaction of the severed parcels and the Certificates under Section 53(42) shall contain reference to this stipulation.
9. Confirmation be received from a solicitor that the resultant lot (severed land 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 land is being added.
10. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N. **Carried.**

5.2 File No.: B08/14

Name of Applicant: Edward Becker

Owner: 2285462 Ontario Inc.

Legal Description: Part 2 of Ramsay Street, Registered Plan 331, South Easthope Ward, Township of Perth East (2176A and 2176B Andrew Street, Shakespeare)

Nature of Application: To create a new lot by severing a vacant 716.58 square metre parcel for residential purposes, while retaining a vacant 716.66 square metre residential parcel.

The applicant, Edward Becker, was in attendance. He stated that he wished to revise his application to include an easement for a shared well in order that the shared water and well agreement would have no expiry. He noted that the well had now been drilled. Allan Rothwell commented that this is an unusual situation in that the subject property has a municipal sewer but no municipal water, and this is the reason why a well had to be drilled. Chairman Schneider asked whether the severed and retained lots were vacant and Mr. Becker confirmed that a semi had been built on the property.

Moved by: Ian Forrest

Seconded by: Bill French

That the amended application be considered a MINOR adjustment. **Carried.**

Moved by: Ian Forrest

Seconded by: Rhonda Ehgoetz

THAT Application B08/14, as amended to include an easement for shared well/water purposes, 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 georeferenced 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 that all financial requirements of the Township of Perth East have been satisfied
7. Confirmation be received from the Township of Perth East that the parkland dedication fee has been paid.
8. Confirmation be received from a Solicitor that a shared water and well agreement has been registered on title.
9. That an easement be provided for shared well and water purposes and that such easement be described on a reference plan, and that confirmation of such easement be received from a Solicitor in the form of a draft transfer easement document,
10. That an amended application fee of \$300.00 be paid to the County of Perth. **Carried.**

6. REPORTS

6.1 New and Pending Applications

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

THAT the June 23, 2014 report on new and pending applications be received for information.
Carried.

7. CORRESPONDECE

7.1 February 10, 2014 correspondence from the Municipality of North Perth suggesting a question be added to the LDC's questionnaire regarding municipal drainage re-apportionment (deferred from April 28th).

Moved by: Ian Forrest
Seconded by: Bill French

THAT a reply letter be sent to the Municipality of North Perth to advise that their correspondence of February 10, 2014 had been discussed by the Land Division Committee and that a decision had been made that the questionnaire for further information that is currently filled out by the Municipality of North Perth and West Perth would be abandoned, and that the update of municipal drainage apportionment would be included in the Planner's report to each respective Council as a suggested condition of severance. **Carried.**

7.2 June 12, 2014 correspondence from Trevor McNeil regarding the date for the August Land Division Committee meeting was received and discussed. The LDC Secretary-Treasurer was directed to advise Mr. McNeil that the next meeting of the Land Division Committee would take place on August 18th.

8. APPEALS - None

9. OTHER BUSINESS

9.1 Appointment of Adam Betteridge as Deputy LDC Secretary-Treasurer, to replace Geoff VanderBaaren.

Moved by: Rhonda Ehgoetz
Seconded by: Jim Aitcheson

THAT Adam Betteridge be appointed as Deputy LDC Secretary-Treasurer for 2014. **Carried.**

10. CLOSED MEETING – No Closed Meeting

11. REPORTING OUT FROM CLOSED MEETING – N/A

12. NEXT MEETING – August 18, 2014.

13. ADJOURNMENT

Moved by: Rhonda Ehgoetz
Seconded by: Ian Forrest

THAT the meeting adjourn at 10:12 a.m. **Carried.**