

COUNTY OF PERTH LAND DIVISION COMMITTEE

The County of Perth Land Division Committee met on Monday, October 20, 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)
Mark Swallow (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: Bill French
Seconded by: Ronda Ehgoetz

THAT the Land Division Committee agenda for October 20, 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: Ian Forrest

THAT the minutes of the August 18, 2014 Land Division Committee meeting be approved. **Carried.**

5. HEARING OF APPLICATIONS FOR CONSENT

5.1 File No.: B17/14

Name of Applicant: Augustin Georg Walch

Legal Description: Lot 6 and Part Lot 7, Concession 3, Lot 6, Concession 4, Downie Ward, Township of Perth South (3780 Road 122)

Nature of the Application: To create a new lot by severing an approximate 99 acre vacant agricultural parcel while retaining approximately 130 acres with an existing residence, barns and sheds.

The applicant's wife, Christine Eppinger, was in attendance. Mark Swallow noted that the application is straight forward, that there was a previously severed portion from the subject property and that there is no surplus farmhouse.

Moved by: Jim Aitcheson

Seconded by: Rhonda Ehgoetz

THAT Application B17/14 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 taxes have been paid in full.
6. Confirmation be received from the Township of Perth South that all financial requirements of the Township have been satisfied (if any).
7. 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. **Carried.**

5.2 File No.: B19/14**Name of Applicant:** Mark and Laura Burgers**Legal Description:** Part Lot 16, Concession 8, Elma Ward, Municipality of North Perth (93 Arthur Street, Atwood)**Nature of Application:** To create a new lot by severing an approximate 0.72 hectare residential parcel with an existing house, while retaining approximately 0.38 hectares for residential purposes.

The applicants were in attendance. Mark Swallow noted that the subject property is inside the Atwood policy area, that infilling lots are encouraged and that it is a cul-de-sac development. Bill French asked whether Baker Street would connect to it and Mark Swallow replied that it is not known yet. Mark Burgers replied that it is a possibility in the future. Mark Swallow noted that there is no need for consideration of the possible connection to Baker Street by the Municipality at this time. Ian Forrest indicated there should be an agreement between the Municipality and the applicants regarding cost and payment for the road extension.

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

THAT Application B19/14 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 Municipality of North Perth that all financial requirements of the Municipality have been satisfied (if any).
6. Confirmation be received from the Municipality of North Perth that the apportionment schedule for municipal drains in this area be updated to the satisfaction of the Municipality of North Perth 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 Municipal Clerk to satisfy this condition.

7. Confirmation be received from the Municipality of North Perth that Arthur Street East has been extended as shown on the consent application sketch prepared by J. Don MacMillan Limited, and opened as a public roadway by the Municipality of North Perth. **Carried.**

5.3 File No.: B20/14

Name of Applicant: Dan Brown, Stratford Farm Equipment

Owner: Jeff Jackson, Kenilyn Farms Ltd.

Legal Description: Part Lots 8 and 9, Concession 1, Downie Ward, Township of Perth South

Nature of Application: To create a lot addition by severing a 2.023 hectare vacant agricultural parcel to be added to the abutting commercial property to the west owned by Stratford Farm Equipment Limited and described as Part Lot 9, Concession 1, Downie Ward, while retaining a 32.8325 hectare parcel with an existing house and shed. A new 100' x 300' farm equipment building is proposed for the severed portion.

The applicant was in attendance. Mark Swallow noted that the proposal met the tests for the minimum amount of land required and that the size is appropriate for the expansion.

Moved by: Jim Aitcheson

Seconded by: Bill French

THAT Application B20/14 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 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.

6. Confirmation be received from the Township of Perth South that all taxes have been paid in full.
7. Confirmation be received from the Township of Perth South that all financial requirements of the Township have been satisfied (if any).
8. Confirmation be received from the Township of Perth South that the severed parcel has been rezoned to permit the proposed farm equipment sales use.
9. 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.
10. That the area being severed be added to the abutting property owned by Stratford Farm Equipment Limited, 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.
11. 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.
12. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N. **Carried.**

6. REPORTS

6.1 New and Pending Applications report received for information.

7. **CORRESPONDECE** - None

8. **APPEALS** - None

9. **OTHER BUSINESS** – None

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

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

12. **NEXT MEETING** – November 24, 2014.

13. **ADJOURNMENT**

Moved by: Ian Forrest
Seconded by: Jim Aitcheson

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

Leslie Belland, Secretary-Treasurer

Meredith Schneider, Chairman

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