



**The Corporation of The County of Perth
County of Perth Land Division Committee**

**August 29, 2016
Council Chambers
1 Huron Street, Stratford, ON**

Council Present: Councillor Schneider
Councillor McKenzie
Councillor Aitcheson
Councillor Ehgoetz

Council Absent: Councillor Eidt

Staff Present: Leslie Belland, Secretary-Treasurer
Allan Rothwell, Director of Planning and Development

1. Call to Order

With quorum present, Councillor Schneider, Chair called the meeting to order at 9:30 A.M.

3. Disclosure of Pecuniary Interest

None disclosed.

4. Adoption of Previous Minutes

Moved By: Councillor McKenzie

Seconded By: Councillor Aitcheson

THAT the minutes of the June 27th, 2016 Land Division Committee meeting be approved.

Carried

5. Hearing of Applications For Consent

5.1 File No. B26/16

Name of Applicant/Owner: W. Ronald Richardson

Legal Description: Lot A, Concession 8 and Part Lot B, Concession 7, Gore of Downie Ward (3365 Road 119), Township of Perth South

Nature of Application: To create a new lot by severing a vacant 100 acre agricultural parcel while retaining 97 acres with an existing house and barns.

Ron Richardson and his agent, David Jacob, were in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Allan Rothwell summarized the Planner's report to the Land Division Committee noting that the proposal meets the policies of the Provincial Policy Statement and Official Plan and that the area is certainly considered to be large enough based on the original 100 acre farm parcel. Planning is recommending approval based on a number of conditions outlined in the report. Ron Richardson had no comments, other than inquiring about a municipal address for the new lot. Allan Rothwell recommended that he obtain a municipal address for the vacant parcel and further commented that the application was straight forward and appropriate being that it is merely to unmerge the two properties.

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT Application B26/16 by W. Ronald Richardson 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 and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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. 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.
4. Confirmation be received from the local municipality that all taxes have been paid in full.
5. Confirmation be received from the local municipality that all financial requirements have been met (if any).
6. That confirmation be received from the local municipality 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.

Carried

5.2 File No. B22/16

Name of Applicant: Veldman Poultry Farm Ltd.

Owner: Daniel Veldman

Legal Description: Lot 18, Concession 12 and Part Lots 2 & 3, West Oxford Road Concession, Save & Except Parts 1 & 2 on 44R-139, Gore of Downie Ward (983369 Perth-Oxford Road), Township of Perth South

Nature of Application: To create a new lot by severing a 100 acre agricultural parcel with an existing house, barns, shed, silo, and covered manure storage, while retaining a vacant 133 acres.

Dan Veldman and his agent/lawyer, Charles Dunphy, were in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Allan Rothwell summarized the Planner's report to the Land Division Committee noting that the application was straight forward and that the two parcels had merged in title. Planning is recommending approval based on compliance with Provincial Policy Statement and Official Plan policies. Charles Dunphy had no comments other than to state that the application is straight forward.

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT Application B22/16 by Veldman Poultry Farm Ltd. 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 and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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.
4. Confirmation be received from the local municipality that all taxes have been paid in full.
5. Confirmation be received from the local municipality that all financial requirements have been met (if any).
6. That confirmation be received from the local municipality 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.

Carried

5.3 REQUEST FOR CHANGE OF CONDITIONS UNDER SECTION 53(23)

Application No. B18/16 by Allan and Susan Mielke

Owner: John and Lucy Jorna

Legal Description: Lot 1, Concession 1, Lots 60 and 62, RCP 511, Part 4 on 44R-4186, Ellice Ward (284 Huron Road, Sebringville), Township of Perth East

This application was granted provisional consent on June 27th, 2016. Due to an administrative error in condition #5, the Planning Department is requesting the Land Division Committee consider granting a change of condition, which the Planning Department considers to be minor in nature, and that the \$300.00 change of condition fee be waived. This change of condition would require no re-circulation, no further appeal period, and the one year period would remain unchanged.

Suggested motion:

That condition #5 of Application B18/16, as established by the Land Division Committee on June 27, 2016, be changed from:

5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to recognize the deficient lot area for the lands to be retained.

to:

5. That confirmation be received from the Township that relief from the Zoning By-law has been obtained in order to recognize the deficient lot area for the lands to be retained.

AND THAT such change is, in the opinion of the Land Division Committee, considered to be minor in nature and further that as such change of condition has been requested by the Planning Department for administrative purposes, that the change of condition fee be waived.

Peter Moreton, agent for the applicant, was in attendance.

The Secretary-Treasurer explained to the Committee that the request for the change of condition is a result of an administrative error. Allan Rothwell explained that relief from the Zoning By-law was required and that a Minor Variance as opposed to a Zoning By-law Amendment was appropriate in this situation. A Minor Variance application has already been submitted to the Township. He also noted that a Minor Variance application fee is a reduced fee, approximately half the cost compared to the fee for a Zoning By-law Amendment and that there is a savings on time so that the application can still be dealt with in a reasonable amount of time. Leslie Belland clarified for Councillor Ehgoetz that re-circulation of the consent application is not necessary and that there will be no change to the one year period in which conditions need to be satisfied.

Moved By: Councillor McKenzie

Seconded By: Councillor Ehgoetz

That condition #5 of Application B18/16, as established by the Land Division Committee on June 27, 2016, be changed from:

5. Confirmation be received from the Township of Perth East of an approved Zoning By-law Amendment to recognize the deficient lot area for the lands to be retained.

to:

5. That confirmation be received from the Township that relief from the Zoning By-law has been obtained in order to recognize the deficient lot area for the lands to be retained.

AND THAT such change is, in the opinion of the Land Division Committee, considered to be minor in nature and further that as such change of condition has been requested by the Planning Department for administrative purposes, that the change of condition fee be waived.

Carried

5.4 File No. B20/16

Name of Applicant/Owner: Raymond and Laura Kuepfer

Legal Description: Part Lot 16, Concession 7, Mornington Ward (7003 Raymond Drive, Millbank), Township of Perth East

Nature of Application: To create a lot addition by severing an approximate 1 hectare parcel with an existing house to be added to the abutting property to the south owned by Millbank Family Furniture Ltd. and described as Part Lot 16, Concession 7, Mornington Ward, Part 2 on 44R-2897, Township of Perth East, while retaining an approximate 7.5 hectare parcel with an existing barn, silo and shed. The lands to be retained will have a 66.75m x 110.67m right-of-way in favour of the lands subject to the lot addition.

Peter Moreton, agent for the applicants, was in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Mr. Rothwell made the committee aware of comments received that morning by telephone from Gary Martin, who owns the property to the east

of the property being added to and south of the proposed severed area at 4038 Perth Line 72 . Mr. Martin would like to see a raised berm abutting the residential lot, with a sufficient number of trees abutting the lot, both of a minimum height and diameter being planted and keeping the parking on the west side of the buildings, away from the residential property. Also to have proper studies being taken to ensure no adverse odours, noise, dust, etc. from the furniture stain booth are impacting the residential property. He asked why the configuration of the property is L-shaped.

Allan Rothwell summarized the Planner's report to the Land Division Committee. In terms of the application, Allan pointed out on the aerial photo what is being severed, retained, and added to, and the location of Perth Line 72 and Anna Mae's Restaurant, as well as the Kissing Bridge Trail, Allan asked committee members to refer to the enlarged copy of the site plan. He noted that all access points will come in along Raymond Drive, however, the Township of Perth East is recommending that access to and from the property be by Raymond Drive as opposed to over a right-of-way on private lands. Peter Moreton noted there is a proposed site plan that will deal with Mr. Martin's issues and that the whole idea of going through the site plan process initially was to make sure size was sufficient to accommodate what the Kuepfer's wanted to do with respect to the expansion of their retail store and also the relocation and slight expansion of their finishing facility located in the north-east corner of the severed lot, which may change slightly. He also noted that MOE has very strict standards and that any environmental issues would have to be checked regularly as the subject property is located in the downtown area. If approved by the Committee, he said that they had no objections to the Raymond Drive road development and that buffering has already been discussed with the neighbours and that the slope difference would be dealt with at the site plan stage. He said that he would be dealing with the Zoning By-law Amendment and that a site plan would be prepared in advance to ensure the severed portion is of a sufficient size. Allan Rothwell advised that if the buffering issues can be dealt with through the site plan and MOE issues can be dealt with, then Planning has no issues for development within Millbank. Councillor Ehgoetz had a question regarding the proposed easement, asking if the owners are expected to develop Raymond Drive. Peter Moreton replied that the applicant was prepared to develop a 100 foot extension of Raymond Drive. Allan Rothwell noted that the retained area is within the Hamlet designation of the County Official Plan, therefore development of Raymond Drive would be of a benefit in the future.

Moved By: Councillor Ehgoetz

Seconded By: Councillor McKenzie

THAT Application B20/16 by Raymond and Laura Kuepfer 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 and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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.
4. Confirmation be received from the local municipality that all taxes have been paid in full.
5. Confirmation be received from the local municipality that all financial requirements have been met (if any).

6. That confirmation be received from the local municipality 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.
7. That confirmation be received from the Township of Perth East that the lands subject to Application No. B20/16 have been re-zoned as required to be in compliance with the Township of Perth East Zoning By-law 30-1999.
8. 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.
9. That the severed parcel be added to the abutting parcel described as Part of Lot 16, Concession 7, Former Township of Mornington, and further described as Part 2 on Registered Plan 44R-2897 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.
10. 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.
11. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.
12. That confirmation be received from the Township of Perth East that a Consent Servicing Agreement between the owner/applicant and the Township has been entered into to address applicable servicing and development issues to the satisfaction of the Township, specifically the extension of Raymond Drive to the satisfaction of the Township.

13. That a site grading, drainage and stormwater management plan be completed to the satisfaction of the Township to manage post development storm water for quantity and quality control.

Carried

5.5 File No. B27/16 and B28/16

Name of Applicant/Owner: B27/16 – H & J Donegan Holdings Inc.

Name of Applicant/Owner: B28/16 – Wayne & Nicole Nicolle

Legal Description: Lot 48 (B27/16) and Lot 50 (B28/16), Plan 44M-33, Listowel Ward (Anger Street E.), Municipality of North Perth

Nature of Application:

B27/16 – To create a right-of-way over a 136.2 square metre area, in favour of the abutting land owners to guarantee continued access over a proposed shared driveway, while retaining a 1096.6 vacant parcel.

B28/16 – To create a right-of-way over a 136.2 square metre area, in favour of the abutting land owners to guarantee continued access over a proposed shared driveway, while retaining a 1100.5 square metre vacant parcel.

Trevor McNeil, agent for the applicants was in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Allan Rothwell summarized the Planner's report to the Land Division Committee noting the proposal is to allow for two multi-unit dwellings to have a shared access driveway, which would take up less space for a driveway and would allow mutual access to and from Parcel A and B in terms of the proposed parking arrangements. In terms of the Provincial Policy Statement and the County and Listowel Ward Official Plans, the proposal is appropriate, subject to standard conditions, for development to occur.

Trevor McNeil advised that a site plan had been approved by the municipality in the first week of August. He noted that the driveway was in the middle of the two properties with one half of the driveway being on each property. With there being a fourplex on each property, having the parking in the middle would allow the backyards to back onto the existing

housing on both sides so there would be less impact from car lights, etc. and be less offensive to neighbours by sharing the driveway. Allan Rothwell advised that if the Land Division Committee did not approve the right-of-ways, that access could be one way in and one way out, although it would be tight. He said it was appropriate for a shared driveway especially in light of site plan approval having been obtained. Councillor Aitcheson asked for clarification as to whether the shared access would not go quite to the back of the property. Trevor McNeil replied that he was correct and that there would be grass to the back of the property in order to prevent a thorough fare. Councillor Schneider stated that he doesn't feel one, 6 metre wide shared driveway is a good idea being the driveway will be on two different properties with potential for property owners to not see eye to eye. Allan Rothwell replied that there will be eight dwellings so all neighbours would have to get along especially since there would be driveway maintenance in the future. Councillor Schneider asked for clarification of how wide the driveway would be and Trevor McNeil replied that it would be just shy of 20 feet wide.

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT Application B27/16 by H & J Donegan Holdings Inc. and B28/16 by Wayne & Nicole Nicolle 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 (3 copies of Registered Reference Plan required and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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.
4. Confirmation be received from the local municipality that all taxes have been paid in full.
5. Confirmation be received from the local municipality that all financial requirements have been met (if any).

Carried

5.6 File No. B19/16

Name of Applicant/Owner: Donald and Anne McCallum

Legal Description: Part Lots 67 and 68, Registered Plan 187, Listowel Ward (390 Elm Avenue N.), Municipality of North Perth

Nature of Application: To create a new lot for residential purposes by severing a 443.1 square metre parcel with an existing shed while retaining a 443.1 square metre parcel with an existing single-detached dwelling.

Donald McCallum was in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Allan Rothwell summarized the Planner's report to the Land Division Committee noting that the proposed retained lot would not meet minimum exterior side yard or rear yard requirements and that a Zoning By-law Amendment would be required if the application was approved. Planning has suggested that the application be approved. Teri Houston, the tenant living in the house on the proposed severed area, was in the audience and

when asked by Councillor Schneider where did she live, she replied at 390 Elm Ave. Allan Rothwell noted that a Zoning By-law Amendment would be needed to deal with the exterior and rear yard requirements. Councillor McKenzie noted that the frontage, which is currently on Elm Ave., would change to Palace Street. Allan Rothwell then pointed out on the overhead photo where the issues are with the front, rear, and exterior side yards. Councillor Schneider asked if the municipal address would change and Mr. Rothwell replied that it would not.

Moved By: Councillor Aitcheson

Seconded By: Councillor McKenzie

THAT Application B19/16 by Donald and Anne McCallum 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 and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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.

4. Confirmation be received from the local municipality that all taxes have been paid in full.
5. Confirmation be received from the local municipality that all financial requirements have been met (if any).
6. Confirmation be received from the local municipality that an amendment to the North Perth Zoning By-law is approved to recognize the lot and yard deficiencies of the retained lot.

Carried

5.7 File No. B21/16

Name of Applicant: Rodney Bell

Owner: Rodney Bell and Lisa Marie Spradrow

Legal Description: Part Lot 21, Concession 2, North Easthope Ward (4118 Perth Road 107), Township of Perth East

Nature of Application: To create a lot addition for a parking area by severing a vacant .7985 parcel, to be added to the abutting property to the north with an existing church and cemetery. It is described as Part Lot 21, Concession 2, North Easthope Ward, Township of Perth East, and owned by the Trustees of St. Andrews Cemetery. The retained parcel will be 94.2 acres in size with an existing house, barn, and driveshed.

Rodney Bell and Murray McTavish, a representative of the church trustees were in attendance.

The Secretary-Treasurer presented the application and read all comments received, noting that proper Notice of Hearing was given in accordance with the requirements of the Planning Act.

Allan Rothwell summarized the Planner's report to the Land Division Committee. He commented that the proposal is appropriate, that MDS distances are met and that the only issue is that the proposed parking area should be buffered from the abutting property to reduce noise and dust. Murray McTavish advised that he had checked into Provincial requirements for cemeteries. He noted that the area is currently being rented from the landowner and he has been cutting the grass and that the

intention is for cemetery visitors to have a safer parking area off of the road. Alex McMillan, another church trustee, was in the audience and offered comments that he would like to see no disturbance to the existing drainage. Allan Rothwell noted that any drainage issues would be dealt with by the site plan condition.

Moved By: Councillor McKenzie

Seconded By: Councillor Aitcheson

THAT Application B21/16 by Rodney Bell 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 and 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.

If it has been determined that the subject property is a whole lot on an original Township Plan of Survey and an Exemption Order cannot be provided by a Land Registrar, satisfactory proof of same shall be provided by a Solicitor, with confirmation stating the reason why an Exemption Order cannot be provided.

3. 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.

4. That confirmation be received from the Township of Perth East that property taxes have been paid in full for the subject property.
5. That confirmation be received from the Township of Perth East that all financial requirements of the municipality have been met (if any).
6. That 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.
7. Confirmation be received from the local municipality that a Zoning By-law Amendment has been approved.
8. 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.
9. That the area being severed be added to the abutting property owned by the Trustees of St. Andrews Cemetery and described as Part Lot 21, Concession 2, North Easthope Ward, Township of Perth East, 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.
10. 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.
11. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.
12. That confirmation be received from the Township that an Agreement dealing with the establishment of a parking area has been entered into with the owner of the lands to be enlarged.

13. That a site grading, drainage and stormwater management plan be completed to the satisfaction of the Township to manage post development storm water for quantity and quality control.

Carried

5.8 File No. B25/16

Name of Applicant/Owner: CJW Custom Framing Inc.

Legal Description: Part Lot 19, Concession 1, Part 3 & 4, Plan 44R-5245; T/W easement over Part 2 on 44R-5228 as in PC127911; Subject to an easement for entry as in PC129503, Mitchell Ward (Clarke Street), Municipality of West Perth

Nature of Application: To create a lot addition by severing a vacant 3036 square metre parcel to be added to the abutting property to the east owned by Patrick Tschudi and Josef Anton Tschudi, and described as Part Lot 19, Concession 1 in the former geographical Township of Logan, now in the Mitchell Ward of the Municipality of West Perth, designated as Parts 1 & 2 on Plan 44R-5228, subject to an easement over Part 2 on 44R-5228 in favour of Part Lot 19, Concession 1 as in PC127911, while retaining a vacant 3036 square metre industrial parcel.

The applicant was not in attendance, therefore it could not be confirmed if the notice sign had been posted on the property for the required 14 day period.

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT Application B25/16 by CJW Custom Framing Inc. be deferred until the October 31st, 2016 Land Division Committee meeting for the following reason:

The applicant was not in attendance at the public hearing; therefore, it could not be confirmed that the Notice of Application sign, as required under Section 53(5) of the Planning Act, was posted on the subject property, and further that it remained on the property for the required notice period of at least 14 days prior to the public hearing.

Carried

6. Reports

6.1 New Files/Pending Files Report

Moved By: Councillor McKenzie

Seconded By: Councillor Aitcheson

THAT the August 29th, 2016 report on new and pending applications be received for information.

Carried

7. Correspondence – None

8. Appeals – None

9. Other Business

9.1 The Ontario Association of Committees of Adjustment and Consent Authorities (OACA)

Attached is information regarding the 2016 Fall Seminar being held in Orangeville on September 22nd and 23rd,

9.2. Circulations

Regarding circulation of applications to agencies, Leslie advised the committee members that as per the Planning Director, she would no longer be circulating to phone companies other than Bell Canada.

9.3. Meeting Room Set-up

Allan Rothwell discussed the set-up of the meeting room with the committee members. Since the projection screen had been moved to the west wall of the Council Chamber, it was necessary to move the committee member desks so the screen could be viewed by everyone. It was agreed this set-up would work for subsequent meetings.

9.4. New Consent Application Forms and Report to LDC

Allan Rothwell advised the committee members that our consent application form has been revised and is a fillable form available on the County's website. He also advised that the Planners will be providing a report to the Land Division Committee which will include their recommendation and all proposed conditions and that reports will no longer contain signatures. The report will be included in the agenda package.

10. Closed Session Meeting and Reporting Out

No Closed Meeting

11. Next Meeting Date – October 31, 2016

12. Adjournment

Moved By: Councillor McKenzie

Seconded By: Councillor Ehgoetz

THAT the meeting adjourn at 11:13 A.M.;

Carried