



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

**October 31, 2016
Council Chambers
1 Huron Street, Stratford, ON**

Council Present: Councillor Schneider
Councillor Eidt
Councillor McKenzie
Councillor Ehgoetz
Councillor Aitcheson

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.

2. Confirmation of the Agenda

Moved By: Councillor Eidt

Seconded By: Councillor Aitcheson

THAT the Land Division Committee agenda for October 31st, 2016 be approved;

Carried

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 August 29, 2016 Land Division Committee meeting be approved.

Carried

5. Hearing Of Applications For Consent

5.1 File No. B30/16

Name of Applicant/Owner: Joanne Marie Subject

Legal Description: Part Lot 1, Concession 13, Being Part 1 & 2 on 44R-1518, Elma Ward, Municipality of North Perth (6607 Road 173)

Nature of Application: To create a new lot by severing approximately 12.13 acres with an existing house and metal clad building for agricultural related industrial use, while retaining 87.87 acres with an existing metal clad shed. The proposed severed and retained parcels were originally two separate lots which were merged by Right of Survivorship.

Joanne Subject, applicant, was in attendance.

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Moved By: Councillor Aitcheson

Seconded By: Councillor Ehgoetz

THAT Perth County Land Division Committee APPROVE the Application for Consent to Sever by Joanne Marie Subject for property described as Part of Lot 1, Concession 13, 6607 Road 173, Municipality of North Perth (Elma Ward) as the proposal conforms to the policies of the Provincial Policy Statement (2014) and the County Official Plan, 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
5. Confirmation be received from the local municipality that all taxes have been paid in full; and
6. Confirmation be received from the local municipality that all financial requirements have been met (if any).

Carried

5.2 File No. B13/16, B14/16, B15/16, and B16/16 (Deferred from June 27th, 2016)

Name of Applicant: Ron Davidson Land Use Planning Consultant Inc.

Owner: South Saugeen Developments Ltd. and Snapstone Enterprises Ltd.

Legal Description: Part Lot 23, Concession 2, Lots 4 and 5, RCP 487, Park Lot 7, RP 290, Wallace Ward, Municipality of North Perth (Walton Avenue)

Nature of Application:

Each application (B13/16, B14/16, B15/16, and B16/16) proposes to create a new lot by severing a vacant 0.41 hectare agricultural parcel per lot for residential purposes, while retaining a vacant 0.41 hectare parcel. One detached dwelling is proposed per lot.

Ron Davidson, applicant, was in attendance.

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Mr. Davidson agreed with all proposed conditions. Inquiries from the Committee members regarding density, the extension of David Street and municipal services were replied to by Planning Director, Allan Rothwell.

Moved By: Councillor Eidt

Seconded By: Councillor Aitcheson

THAT Perth County Land Division Committee APPROVE the Applications for Consent to Sever by Ron Davidson for property described as Lots 4 and 5, RCP 487, Park Lot 7, Registered Plan 290, Walton Avenue, North Perth (Wallace Ward) 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
5. Confirmation be received from the local municipality that all taxes have been paid in full;
6. Confirmation be received from the local municipality that all financial requirements have been met (if any);
7. Confirmation be received from the local municipality that a Zoning By-law Amendment is approved to place the subject property within an appropriate development zone that includes a restriction on dwellings within the rear half of the new lots;
8. Confirmation be received from the local municipality that Walton Avenue has been extended along the full length of the easterly

boundary of the subject property, including a temporary turning circle at the northerly limit, and opened as a public roadway by the Municipality of North Perth;

9. Confirmation be received from the local municipality that a satisfactory Drainage Plan for the subject property has been prepared; and
10. Confirmation be received from the local municipality that a Consent Servicing Agreement between the applicant and the Municipality is entered into to address all of the applicable servicing and development issues to the satisfaction of the Municipality including the following: the developer is responsible for all costs associated with the construction of Walton Ave N, a storm water management plan and the requirement to connect to municipal services, when available.”.

Carried

5.3 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; Together with an easement over Part 2 on 44R-5228 as in PC127911; Subject to an easement for entry as in PC129503, Mitchell Ward, Municipality of West Perth (Clarke Street)

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 (in the former Township of Logan) as in PC127911, while retaining a vacant 3036 square metre industrial parcel.

Amanda Weir, co-owner of CJW Custom Framing Inc. was in attendance.

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Mrs. Weir was in agreement with the Municipality's requirement of having to build within two years. Mr. Rothwell advised Mrs. Weir that a new site plan was required for both the revised and retained lots.

Moved By: Councillor McKenzie

Seconded By: Councillor Eidt

THAT Perth County Land Division Committee APPROVE the Application for Consent to Sever by CJW Custom Framing Inc. for property described as Part of Lot 19, Concession 1, (Mitchell Ward) 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
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, R.S.O. 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. Confirmation be received from the local municipality that all taxes have been paid in full;
7. Confirmation be received from the local municipality that all financial requirements have been met (if any);
8. Confirmation be received from the local municipality that the existing site plan agreements be modified to reflect the new property configurations;
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, R.S.O. 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 described as Part of Lot 19, Concession 1, Mitchell Ward, Municipality of West Perth, and that Section 50(3) or (5) of the Planning Act, R.S.O. 1990 shall apply to any subsequent conveyance or transaction of the severed parcels and the Certificates

under Section 53(42) of the Planning Act, R.S.O. 1990 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. THAT the existing site plan agreements be modified to reflect the new property configurations;
13. That the owner enter into a revised agreement with the Municipality of West Perth regarding the required 2 year building commitment. The agreement is to reflect a reduced buy back purchase price if the owner does not complete a building within the two years from the date of acquisition as required under the existing agreement.
14. An undertaking from a solicitor that the parcels will be consolidated under Land Titles onto one P.I.N.

Carried

5.4 File No. B29/16

Name of Applicant/Owner: David Boone and Sheila Vanmeurs

Legal Description: Lot 1, Concession 10, Parts 1 and 2 on 44R-5037, Ellice Ward, Township of Perth East (Andy Street, Gadshill)

Nature of Application: To create a new lot by severing a 3036 square metre vacant parcel for residential purposes while retaining a 3739 square metre vacant parcel.

Trevor McNeil, agent for the applicants, was in attendance.

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Mr. McNeil explained the purpose of the application noting that the proposed severed lot will be in keeping with surrounding lots, that

Linhaven Drive will not be extended as per the Township of Perth East, and that there is no intention to cap off the catch basin.

Moved By: Councillor Aitcheson

Seconded By: Councillor Eidt

THAT Perth County Land Division Committee APPROVE the Application for Consent to Sever by David Boone and Sheila Van Meurs for property described as Part of Lot 1, Concession 10, Former Township of Ellice, Township of Perth East (further described as Parts 1 and 2, 44R-5037) 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
5. Confirmation be received from the local municipality that all taxes have been paid in full;
6. Confirmation be received from the local municipality that all financial requirements have been met (if any);
7. That confirmation be received from the Township of Perth East that the lands subject to Application No. B29/16 have been re-zoned as required to be in compliance with the Township of Perth East Zoning By-law 30-1999;
8. 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;
9. That confirmation be received from the Township of Perth East that the parkland dedication fee of \$3,887.70 has been paid.

Carried

5.5 File No. B31/16

Name of Applicant/Owner: Habitat For Humanity Heartland Ontario Inc.

Legal Description: Part Lots 26 and 31, Registered Plan 185, Listowel Ward, Municipality of North Perth (621 and 623 Elma Street West)

Nature of Application: To create a new lot by severing an approximate 458.2 square metre parcel for residential purposes, together with an approximate 64.6 square metre sanitary sewer easement, while retaining 426.8 square metres. One dwelling unit of a semi-detached dwelling is currently under construction on both the severed and retained portions.

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

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Mr. Moreton explained the purpose of the application noting that it was straight forward. He advised that the lot was rather deep, therefore the sanitary system was located at the back of the property with a proposed easement for services.

Moved By: Councillor McKenzie

Seconded By: Councillor Ehgoetz

THAT Perth County Land Division Committee APPROVE the Application for Consent to Sever by Habitat For Humanity Heartland Ontario Inc. for property described as Part of Lots 26 & 31, Registered Plan 185, 621 Elma Street West, Municipality of North Perth (Listowel Ward) as it complies with the Provincial Policy Statement (2014), and the Listowel Ward Official Plan, 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
5. Confirmation be received from the local municipality that all taxes have been paid in full; and
6. Confirmation be received from the local municipality that all financial requirements have been met (if any).

Carried

5.6 File No. B08/16

Name of Applicant: Douglas A. Culbert, O.L.S.

Name of Owner: William E. Hocking Estate and Daniel J. Murphy (Estate Trustee)

Legal Description: Lot 30, Concession 10 and Part Lot 32, North Thames Road Concession, Fullarton Ward, Municipality of West Perth (6152 Perth Line 20)

Nature of Application: To create a new lot by severing an approximate 45 hectare parcel with an existing shed, while retaining an approximate 51.8 hectare vacant parcel. The lands to be severed will have a 6 metre wide easement running along the western portion of the property for the purpose of providing access to a portion of the retained lands.

Douglas Culbert, applicant, was in attendance. Also in attendance was Larry Bertens, a neighbour of the owners, and Ken Pridham and his wife Amberly Knott, potential buyers of Doris Hocking's property.

The Secretary-Treasurer presented the application, 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 presented all comments received and advised the Committee that the Planning Department was recommending that the application be granted provisional consent.

Mr. Culbert explained that the purpose of the application was to separate two farm lots. He noted that access to the retained farm lot was not possible from the existing laneway. Mr. Bertens made inquiries regarding the legal right-of-way to be created and asked if Lot 32 were to be severed, at what point would it need access? Mr. Culbert replied that permission could not be obtained from Lillian Hocking to pass over her property. Mr. Pridham then spoke and advised that he and his wife were potentially purchasing Doris Hocking's property and asked if it was possible for the laneway to come off of Line 21 and Road 108. Councillor McKenzie replied this area was tied up in the estate and that this was a legal technicality that would be solved once the severance took place.

Moved By: Councillor McKenzie

Seconded By: Councillor Eidt

THAT Perth County Land Division Committee APPROVE Consent Application No. B08/16 by Daniel Murphy and the Estate of William Hocking affecting property described as Lot 10, Concession 30 and Part of Lot 32, North Thames Road Concession (Fullarton Ward) as the proposal conforms to the policies of the Provincial Policy Statement (2014) and the County Official Plan, 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 local municipality that the apportionment schedule for municipal drains in this area be reviewed, and updated (if necessary) to the satisfaction of the local municipality in accordance with Section 65.1 of the Drainage Act, R.S.O. 1990 to show the new development and that the applicant will be responsible for all costs associated with this re-apportionment;
5. Confirmation be received from the local municipality that all taxes have been paid in full;
6. Confirmation be received from the local municipality that all financial requirements have been met (if any).

Carried

6. Reports**6.1 New Files/Pending Files Report**

Moved By: Councillor McKenzie

Seconded By: Councillor Ehgoetz

That the Land Division Committee receive the Secretary-Treasurer's report on new and pending applications, dated October 31, 2016, for information.

Carried

7. Correspondence - None**8. Appeals - None****9. Other Business - None****10. Next Meeting Date - December 12, 2016****11. Adjournment**

Moved By: Councillor Ehgoetz

Seconded By: Councillor Eidt

THAT the meeting adjourn at 11:10 A.M.;

Carried