

Owner:	Robert Bentley Crain	Hearing Date: October 8, 2024
Agent/Applicant:	Zanderplan Inc.	
File No.:	B24/038	
Municipality:	Town of Perth	
Subject Lands:	Part Lots 15 & 21 Plan 8828	



NOTICE OF DECISION
Subsection 53 of the *Planning Act*

Date of Notice: October 8, 2024

Dear Sir / Madam;

Pursuant to section 53 of the *Planning Act*, a provisional consent has been granted on the above application. Please find enclosed a copy of the decision.

The last date for appeal is **October 28, 2024**. If by this date, no notice of appeal is received, the decision of the Lanark County Land Division Committee is final and binding.

The Lanark County Land Division Committee may, prior to the lapsing date, change a condition(s) of consent. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent. The process of changing a condition will involve another twenty-day appeal period, unless the Lanark County Land Division Committee considers the change to be minor.

Pursuant to S. 53(19), only the Applicant, the Minister, a specified person or any public body may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf. The notice of appeal must be filed with the Secretary-Treasurer of the Lanark County Land Division Committee and it must set out the reasons for the appeal and be accompanied by the fee charged by the Tribunal. If you wish to appeal to the Ontario Land Tribunal, the appeal must be submitted on the A1 Appeal Form which is available from the OLT website at www.olt.gov.on.ca

The application and associated files are available upon request by contacting the undersigned.

Cindy Deachman, Secretary-Treasurer
Lanark County Land Division Committee

1-613-267-4200 ext. 1530
E-mail: plan@lanarkcounty.ca

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Having given notice of the proposal as set out in subsection 53(5)(a) of the Planning Act, and having determined that a plan of subdivision is not necessary for the proper and orderly development of the municipality and that the proposal is consistent with the policy statements issued under subsection 3(1) of the Planning Act, and having had regard to the matters under subsection 51(24) of the Planning Act, the Land Division Committee decided to give a provisional consent subject to the following conditions:

No.	Condition
1.	An acceptable reference plan (survey) or legal description of the severed lands and the "In Preparation" Transfer, draft deed or Instrument conveying the severed lands shall be submitted to the Secretary-Treasurer of the Land Division Committee for review and consent endorsement within a period of two years after the "Notice of Decision" is given under Section 53 (17) or (24) of the Planning Act. This submission shall include an undertaking from the Applicant's lawyer to register and provide a receipted copy of Transfer/deed or instrument conveying the severed lands and any associated agreements (not able to be registered prior), or applications to consolidate required by the conditions prior to or at the time of requesting the endorsement of the consent Schedule.
2.	The applicant shall provide the Secretary-Treasurer of the Land Division Committee with a digital copy of the deposited reference plan.
3.	The surveyor or owner shall submit the draft Reference Plan electronically or in paper form for review and approval by Town and County planning staff prior to depositing. This ensures that the survey matches the approved consent.
4.	Two hard copies of the final reference plan and a digital copy of the reference plan shall be submitted to the Town of Perth prior to the final clearance letter being released.
5.	The Town confirms that any and all outstanding fees and taxes have been paid prior to the consent being completed.
6.	The Town shall receive cash in lieu of parkland in accordance with the Planning Act, s. 51(1);
7.	The Owner shall dedicate to the town land along the frontage of the retained lands in the following manner: <ul style="list-style-type: none"> a. The land to be dedicated shall be the width required to provide 33 feet from the centre of the existing travelled road; b. The land to be dedicated shall be described as a separate part of a Reference Plan of Survey to be prepared and deposited at the Owner's expense and filed with the Secretary-Treasurer prior to the stamping of the deeds;

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- c. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Town of Perth" and shall include the following attached to the Transfer/Deed as a schedule: "The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended".
8. That prior to the Certificate of Official for the lot to be created, the owner(s) apply for and obtain an entrance permit for the retained lands from the Town.
 9. In the event that the Town determines the location of the entrance for the retained lands will need to be shared with the severed lands, the draft Rplan shall designate parts to show the shared entrance, and the legal description included in condition #1 shall describe any mutual easements required to established the shared driveway.
 10. That prior to the signing of the Certificate of Official, a Geotechnical Study will be completed to the satisfaction of the Town;
 11. That the Owner(s) shall enter into a Development Agreement for the lot to be created. This agreement shall be registered on title, binding on all owners, heirs and assigns, to address the development of the lot, including lot grading, drainage, servicing and entrance requirements.
 12. The applicant shall demonstrate zoning compliance on both the severed and retained and if required, the appropriate planning approvals be obtained to the satisfaction of the Municipality.
 13. A letter shall be received from the Town stating that conditions #3 through 12 have been fulfilled to their satisfaction.
 14. That the Applicant pays any outstanding fees to the County of Lanark prior to final approval (including but not limited to EIS peer review).

I hereby certify that this is the decision of the Lanark County Land Division Committee for the subject application for consent.



Cindy Deachman, Secretary-Treasurer
Lanark County Land Division Committee