

Owner:	Michael Thomas McGill	Hearing Date: October 10, 2023
Agent/Applicant:	Zanderplan Inc.	
File No.:	B23/076	
Municipality:	Municipality of Mississippi Mills	
Subject Lands:	Part Lot 1 & 2 Concession 11 geographic Township of Pakenham	



NOTICE OF DECISION
Subsection 53 of the *Planning Act*

Date of Notice: October 10, 2023

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 30, 2023**. 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

Owner:	Michael Thomas McGill	Hearing Date: October 10, 2023
Agent/Applicant:	Zanderplan Inc.	
File No.:	B23/076	
Municipality:	Municipality of Mississippi Mills	
Subject Lands:	Part Lot 1 & 2 Concession 11 geographic Township of Pakenham	

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 provide a receipted copy of Transfer/deed or instrument conveying the severed lands and any associated agreements 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. That the Owner/Applicant pays any outstanding property taxes and fees on the subject property.
4. That the Owner/Applicant obtain civic address for the retained lot, to the satisfaction of the Municipality.
5. That the Owner/Applicant obtain a Zoning By-law Amendment to prohibit the construction of a residential dwelling on the retained lands and, if required, to address any site-specific performance standards for the severed and retained lands, to the satisfaction of the Municipality.
6. That the Owner/Applicant obtain the applicable building permit(s) for the demolition of the existing barn on the severed lands, to the satisfaction of the Municipality.
7. That the Owner/Applicant provide a written agreement with regard to the distribution of the potential assessment and costs for future maintenance of the McGill Municipal Drain, to the satisfaction of the Municipal Drainage Superintendent.
8. That the Applicant provides two (2) copies of the registered reference plan to the Municipality.
9. That the Applicant provides digital copies of the registered reference plan in .DWG and .PDF file formats to the Municipality.
10. The applicant/owner shall provide to the Mississippi Rideau Septic System Office a copy of the draft legal survey identifying the location of the system and the distance to the proposed and adjacent property boundaries for their review and approval. A letter shall be received from the MRSSO stating the condition has been met.

Owner:	Michael Thomas McGill	Hearing Date: October 10, 2023
Agent/Applicant:	Zanderplan Inc.	
File No.:	B23/076	
Municipality:	Municipality of Mississippi Mills	
Subject Lands:	Part Lot 1 & 2 Concession 11 geographic Township of Pakenham	

11. The applicant shall submit a full entrance application to the County of Lanark Public Works Department for both the severed and retained lands, and install the entrances as required in the permits (Application #2945 and #2946). The entrances are to be installed prior to deed endorsement.
12. The applicant shall provide the Lanark County Public Works Department with a copy of all reference plans associated with this application if a survey is required by the Land Titles Office.
13. Road Widening: Sufficient lands shall be deeded to “The Corporation of the County of Lanark” along the frontage of the lot to be severed to meet the municipality’s road widening requirements, at no cost to the County. Sufficient lands may be required across the frontage of the retained lands to meet the municipality’s road widening requirements, and in these cases, the applicant shall enter into a land purchase agreement with the County.
14. The County of Lanark Director of Public Works shall be consulted prior to commencing a survey to determine the amount of road widening required.
15. If land is required, “In Preparation” Transfer documents are to be submitted to the Business Manager, Lanark County Public Works Department for review and approval prior to registration, accompanied by a solicitor's certificate indicating that the municipality’s title is free and clear of all encumbrances and the municipality has a good and marketable title.
16. Road Closing: If a former road is determined to be meandering through the severed lot, the applicant shall be required to identify the former road on the reference plan and enter into an agreement with the “The Corporation of the County of Lanark” for the purposes of completing a road closing and transfer of the identified former road property.
17. Approvals & Documentation: The reference plan must be approved by the Lanark County Public Works Department prior to registration if either road widening or road closing is applicable. In all cases, even if there is no road widening or closing, following registration of the reference plan, one paper copy shall be provided to the County of Lanark Public Works Department, together with a copy of the parcel register for the “PIN” that is the county road, parallel to the frontage of the lands to be severed.
18. The applicant shall in consultation with the Lanark County Public Works Department take all necessary steps to “Stop-up, Close and Convey” the former road lying between the applicants severed and retained lands and the existing travelled road. The applicant shall consult directly with the Lanark County Public Works Department in regards to the cost sharing as it relates to the road closing.
19. A letter shall be received from the Township stating that conditions #3 through 9 have been fulfilled to their satisfaction.
20. A letter shall be received from the Mississippi Rideau Septic System Office stating that condition #10 has been fulfilled to their satisfaction.

Owner:	Michael Thomas McGill	Hearing Date: October 10, 2023
Agent/Applicant:	Zanderplan Inc.	
File No.:	B23/076	
Municipality:	Municipality of Mississippi Mills	
Subject Lands:	Part Lot 1 & 2 Concession 11 geographic Township of Pakenham	

21. A letter shall be received from the County of Lanark Public Works Department stating that conditions #11 through 18 has been fulfilled to their satisfaction.

Advisory Notes

- i. *It is the responsibility of the applicant to verify the existing gas servicing does not encroach on more than one property when subdividing or severing an existing land parcel. For more details contact ONTLands@enbridge.com*
- ii. *The Local Municipality and the County of Lanark do not guarantee the quality or quantity of the groundwater. If, at some future date, the quality or the quantity of the groundwater becomes deficient, neither the Municipality nor the County bear any responsibility, financial or otherwise, to provide solutions to the deficiency, such solutions being the sole responsibility of the homeowner.*
- iii. *Pursuant to Ontario Regulation 153/06 - “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”, written permission is required from MVCA prior to the initiation of any alterations to the shoreline of watercourses. Written permission is also required from MVCA prior to the initiation of any interference within 30 m of all MVCA regulated wetlands.*
- iv. *MVCA advises consultation with Fisheries and Oceans Canada (DFO) <http://www.dfompo.gc.ca/pnw-ppe/index-eng.html> prior to conducting any work within watercourses, in order to assess potential impacts to fish habitat. Authorization from DFO may be required for such work.*
- v. *MVCA also suggests contacting the Ministry of the Environment, Conservation and Parks with respect to Species at Risk.*

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