

**MINUTES**

The North Middlesex Committee of Adjustment met on Tuesday, August 7, 2001 in the Council Chambers.

Those present were: Chuck Hall-Chairman, Ian Brebner, Marysia Coutts, Ken Johnston, Lawrence McLachlan, Mike Conlin, Lucy Hendrikx, Secretary Shirley Scott and Planner Barb Rosser; as well as applicant Jim Scott and his legal advisor, Dixon Winder.

**APPLICATION S-7-2001: JIM SCOTT**

Barb Rosser reviewed her report with the Committee. The purpose of the application is to sever the subject property, being closed railway right-of-way, into three parcels, to convey to adjoining owners. The parcel to be severed consists of approximately 1.8 hectares – parts 1,2,3,5,6,9 of the draft reference plan, and would be added to the parcel to the south which now comprises of 49.3 hectares owned by John William James Riddell and Patricia Joan Riddell. Part 7 is already in this ownership. The retained parcel comprises of Part 4 of the draft reference plan and consists of approximately 1.3 hectares and would be merged with the parcel to the north comprising of 26.4 hectares, in the ownership of James Arthur Scott and Audrey Nora Scott. The other retained parcel to the west is not referenced within the application, and comprises of Part 8, consisting of approximately 3.2 hectares, which would be merged with the parcel comprising Lot 28 Concession 2 and the south part of Lot 27 Concession 2, in the ownership of Phillip R. Lynn Farms Inc, and consisting of 57,5 hectares.

Correspondence received from County of Middlesex offered no opposition to the approval of this application, subject to a condition listed below, and from ABCA advising that they have no objections.

Mr. Winder suggested that he would check with the County to see if they would accept Part 1 and 9, rather than the metres specified. The Planner and Mr. Winder then conferred on this matter.

After reviewing thoroughly, the following motion was made.

CONLIN-BREBNER: BE IT RESOLVED THAT Application S-7-2001 for Consent to Sever James A. Scott part of Lots 27 and 28 Concession 1; part of Lot 28, Concession 2 (former McGillivray Township) be granted subject to the following conditions:

- i) That the severed lot become joined to and be placed in the same name and title as the existing lot to the south which is presently owned by John William James Riddell and Patricia Joan Riddell and that Section 50(3) of the Planning Act, R.S.O. 1990, c.P.13 apply to any subsequent conveyance or transaction concerning the severed lot and that at the time of certification the deeds or documents which are to be certified are to be accompanied by a copy of the deed belonging to the portion of lands to which the severed lot is to be added;
- ii) That the easterly retained lot become joined to and be placed in the same name and title as the existing lot to the north which is presently owned by James Arthur Scott and Audrey Nora Scott and that Section 50(3) of the Planning Act, R.S.O. 1990, c.P. 13 apply to any subsequent conveyance or transaction concerning the severed lot and that at the time of certification the deeds or documents which are to be certified and are to be accompanied by a copy of the deed belonging to the portion of lands to which the easterly retained lot is to be added.

- iii) That the westerly retained lot become joined to and be placed in the same name and title as the existing lot to the south and the existing lot to the north both of which are presently owned by Phillip R. Lynn Farms Inc. and that section 50(3) of the Planning Act, R.S.O. 1990, c.P.13 apply to any subsequent conveyance or transaction concerning the westerly retained lot and that at the time of certification the deeds or documents which are to be certified are to be accompanied by a copy of the deed belonging to the portion of lands to which the westerly retained lot is to be added.
- iv) That a dedication of property for the purposes of road widening across the frontage of Middlesex County Road #22 be provided at the dimensions required by the County Engineer and that the County Engineer be provided with the registered deed for this dedication.
- v) That the necessary deeds, transfers or charges be submitted in triplicate (2 originals and one photocopy); ALL of which are to be signed and fully executed (no photocopies) prior to certification. The deeds shall be accompanied by a copy of the plan of survey and not a legal metes and bounds description of the lands to be severed and that such plan of survey be registered in the Middlesex County Registry Office prior to certification of the deeds;
- vi) That the conditions imposed herein are to be completed within two (2) years from the date of notice of this decision. Under section 53 (43) of the Planning Act, R.S.O. 1990 as amended, where such conditions are not fulfilled within the year this application will be deemed to be refused.

CARRIED.

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COUTTS-HENDRIKX: BE IT RESOLVED THAT the minutes dated June 18, 2001 printed and delivered to each member be approved.

CARRIED.

CONLIN-HENDRIKX: BE IT RESOLVED THAT the Committee of Adjustment meeting adjourn and the regular meeting continue at 8:38 p.m.

CARRIED.

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CHAIRMAN

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SECRETARY