



*County of Perth*  
**Land Division Committee**  
LESLIE BELLAND, Secretary-Treasurer

1 Huron Street  
Stratford, Ontario  
N5A 5S4

(519) 271-0531 Ex 415  
Fax: (519) 273-5967  
[lbelland@perthcounty.ca](mailto:lbelland@perthcounty.ca) OR [gvanderbaaren@perthcounty.ca](mailto:gvanderbaaren@perthcounty.ca)

### **GENERAL INFORMATION TO APPLICANTS**

OFFICIAL PLANS are local land use planning documents adopted by a local municipality, or County. They reflect provincial and local planning issues and among other things, establish policies for lot creation. The County of Perth adopted a County wide Official Plan in December, 1997, with Ministry approval in 1998, for all rural areas within Perth County. The urban areas - Listowel, Mitchell and Milverton - are still under the former local Official Plans. Your proposed lot must conform to the requirements of the Official Plan in effect and be consistent with the Comprehensive Set of Policy Statements issued by the Province.

LOCAL ZONING BY-LAWS set out specific requirements for new development (i.e. minimum lot size, frontage, acceptable access, sideyards, etc.). Your proposed new lot must conform to any zoning controls of your local municipality

Your municipal clerk or County Planning staff (519)271-0531 Ex 415 can help you interpret your Official Plan and Zoning By-law.

The creation of new lots by consent may be considered where:

- only one or two new lots are proposed unless in a serviced urban area;
- the new and remaining lots will have direct access to an existing publicly-owned and maintained road.

#### **County Official Plan Section 16.3.2.1**

Except in the case of lot creation proposals involving lands served by full municipal services (e.g. road, sanitary sewage, water, storm drainage), **the maximum number of lots created by consent shall not exceed three, including the remnant land.** Lot creation proposals involving the creation of more than three lots should be dealt with through the Plan of Subdivision process.

As a result, any existing lot as of December 11, 1997 will only be allowed to have two new lots severed from it.

Only limited development is permitted in rural areas. This helps protect the natural environment, the natural resources and the character of rural areas and also discourages the inefficient provision of services. All new lots must be suitable for their intended use. For example, new lots must be large enough to accommodate the proposed building and all servicing requirements. Lots cannot be

created on provincially significant wetlands, prime agricultural lands, land containing mineral aggregate resources, hazardous lands such as steep slopes and areas susceptible to flooding or where

fish or wildlife habitats will be disturbed. New lots cannot be created where they are not compatible with surrounding land uses. For example, a new lot for a house probably would not be permitted next door to a factory or a waste disposal site.

With regards to SERVICES for new lots, where municipal sewer and water services exist, lots should hook into that service; where municipal services cannot be provided, municipally-owned communal services are preferred; and in other areas, a new lot must be acceptable for the installation of a septic tank and tile bed system and well. Your local municipality (Building Official) will be commenting on septic system approvals effective January 2002 and fees for review of the application will apply with some municipalities. Please contact your local municipality for more information.

## **APPLICATION FOR CONSENT**

### **THE APPLICATION**

1. **One (1) copy** of a completed application form and sketch together with:
  - a) fee of \$1,200.00 payable to County of Perth;
  - b) acknowledgment re third party appeal;

and also (where required):

- c) **IF** located within a conservation area of concern
  - A fee of \$110.00 will be invoiced to you directly by ABCA
  - A fee of \$200.00 will be invoiced to you directly by MVCA
  - A fee of \$200.00 will be invoiced to you directly by UTRCA
  - A fee of \$360.00 invoiced to you directly by GRCA for minor consents. If any kind of study is required, the fee increases to \$775.00
  - FEES SUBJECT TO CHANGE
- d) Authorization of Owner(s) **IF** application not signed by owner(s);
- e) Consent of Owner re. Freedom of Information(optional);
- f) farm-related questionnaire **IF** dealing with farm property;
- g) a copy of the Registry PIN print out for the subject property.

is required to be filed with the Secretary-Treasurer of the Committee, 1 Huron St., Stratford, Ontario, N5A 5S4.

**NOTE:** A deposit of \$50.00 is required. This deposit is for the sign which will be required to be placed on the subject land for at least 14 days prior to the decision. The sign will be prepared and supplied by the County. It will be available for pick up at the Stratford office or the local municipal office which ever is more convenient for you. The applicant or agent is responsible to pick up the sign and place the sign on the property. The deposit cheque should be sent with the application and will be refunded when the sign is returned.

Under Section 53(4) of the Planning Act, RSO 1990 as amended by Bill 20, the Land Division Committee may refuse to accept or further consider the application until the prescribed information, material and required fee have been received. Any application not including the minimum requirements under the Act will be returned to the applicant/agent for further information or completion. The 90 day appeal period under Section 53(14) does not begin until the completed application has been received by the Land Division Committee.

The required sketch must be an accurate diagram to scale of the entire property (severed and retained) and indicate abutting lands uses. Consents in urban areas and small parcels in rural areas will require a surveyor's sketch. The applicant should be aware that the Committee can request that a survey, signed by an Ontario Land Surveyor, be filed if they are not satisfied with the diagram submitted.

It is important for the applicant to be aware that the Committee will be making their decision based on the information provided in the application and diagram and that all measurements, etc. should be accurate, as these dimensions cannot be changed once a decision has been made.

One application is required for each new parcel created. The severance of the middle portion of land with retained parcels on either side is not allowed.

Please retain a copy of the completed application and a copy of the sketch for your (or agent's) use.

2. If an amended application is submitted before the Committee's decision is made because of minor changes to the proposal, the fee is \$250.00. Major changes will require the submission of a new application and full fee.
3. Every application will be circulated to the County Planning Office, the Council of the Municipality in which the subject lands are located, and any Planning Advisory Committee of which the Municipality is a member.
4. It is not always the practice of the Councils or Planning Advisory Committees to notify the applicants of when their application is to be dealt with. If an applicant wishes to approach the Council and/or Planning Advisory Committee in order to explain the circumstances of the application, it is the responsibility of the applicant to contact them and to arrange a time to meet with them. See attached list for contacts.
5. Where applicable, applications will also be circulated to the local Conservation Authority, Ministry of Transportation/County Public Works Department regarding road widening and access, local PUC , Building Inspector(septic) and other agencies deemed necessary for comments and recommendations. The Perth County Planning Department or OMAFRA may be asked to comment on minimum distance separation issues if not addressed in local planning documents.

You may want to confer with an agency before submitting your application to discuss their requirements. You will find a list of contacts attached hereto. Please contact the local building official with regards to septic requirements.

6. "Notice of Application" will be mailed to all owners within 60 metres of the subject property (severed and retained). It will also be necessary to post a "Notice of Application" sign on the property for at least 14 days prior to decision. A \$50.00 deposit is required for the sign and will be refunded after the sign is returned to the office where it was picked up from.
7. The applicant can make an appeal to the Ontario Municipal Board if a decision has not been made by the Land Division Committee on the consent request with 90 days of receipt of the completed application. Before filing a notice of appeal, the applicant should determine the status of the file since it might be possible that the committee will make a decision on the application within a reasonable time. If all the needed information is submitted at the time of application, delays in processing the application can be avoided.
8. The application will be scheduled for a Land Division meeting, usually within 6-8 weeks. The applicant or agent will be notified of the date, time and place.

The applicant or agent will be provided with a summary of comments or can call the office prior to the hearing to obtain information.

9. Decisions are usually made the day of the hearing and Notice of Decision will be mailed following the meeting. If the application is approved and conditions stipulated, these conditions must be fulfilled prior to granting the consent. The applicant has one year to fulfill conditions, otherwise the application is deemed to be refused. The applicant, or any person or public body can appeal the decision and any or all of the conditions to the Ontario Municipal Board within 20 days of the "Notice of Decision" being completed. Appeals must be filed with the Secretary-Treasurer of the Land Division Committee.

If the application is not approved, a notice giving the reasons for the proposed refusal will be issued. The applicant, or any person or public body has up to 20 days from the "Notice of Decision" being completed to appeal to the Ontario Municipal Board.

10. If no notice of appeal is received, the decision becomes final.
11. Completed applications should be sent to:

Leslie Belland, Secretary-Treasurer  
County of Perth Land Division Committee  
Court House - 1 Huron St.,  
Stratford, Ont.  
N5A 5S4

## CONTACTS FOR MUNICIPALITIES AND PLANNING ADVISORY COMMITTEES

### Municipalities

### Phone Number

Municipality of North Perth (Elma, Listowel & Wallace Wards)  
330 Wallace Ave N.,  
Listowel, Ont N4W 1L3 (519) 291-2950

Danette Beare, Ex 2063  
Chief Building Official - Ed Podniewicz Ex 2058

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Municipality of West Perth ( Hibbert, Logan, Mitchell, Fullarton Wards)  
Box 609,  
169 St. David St.,  
Mitchell, Ont. N0K 1N0 (519) 348-8429

Clerk – Susan Cronin Ex 224  
Chief Building Inspector - Bob McLean Ex 226

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Township of Perth East (Mornington, Milverton, Ellice, N.E.H. & S.E.H Wards.)  
P.O. Box 455,  
25 Mill St.,  
Milverton, Ont. N0K 1M0 (519) 595-2800

Jean Welsh – Ex 224  
Chief Building Official – Grant Schwartzentruber Ex 222

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Township of Perth South (Downie, Blanshard Wards)  
3191 Road 122,  
St. Pauls, Ont. N0K 1V0 (519) 271-0619

Clerk – Tim Ivanyshyn Ex 231  
Chief Building Official - Don Templeman Ex 225

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### Planning Advisory Committees

West Perth 348-8429 Susan Cronin, Secretary  
(Logan, Hibbert, Fullarton, Mitchell Wards) Ex 223

North Perth 292-2063 Danette Beare, Secretary  
(Elma, Listowel, Wallace Wards)

Perth East and Perth South do not have Planning Advisory Committees.

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**Perth County Planning Office, Court House, Stratford -- 271-0531**

West Perth	≡	Mark Swallow	Ex 412
North Perth	≡	Allan Rothwell	Ex 411
Perth East	≡	Geoff VanderBaaren	Ex 413
Perth South	≡	Allan Rothwell	Ex 411

**CONTACTS FOR AGENCIES**

(partial listing)

Effective January 2002, septic system inquiries should be directed to your local Building Official as noted above.

West Perth Power Inc.  
169 St. David St.  
Mitchell, Ont. N0K 1N0  
Phone (519) 348-8458

Hydro One Networks Inc.  
Real Estate Services  
483 Bay St, 12<sup>th</sup> Floor North Tower  
Toronto, Ont. M5G 2P5  
[www.HydroOne.com](http://www.HydroOne.com)  
1-888-231-6657

(For Milverton and Listowel Wards)  
Hydro One does not comment on consents unless  
it is apparent that transmission facilities are  
directly affected by the application

Upper Thames River Conservation Authority  
1424 Clarke Road  
London, Ont. N5V 5B9  
Phone (519) 451-2800 FAX (519) 451-1188

Maitland Valley Conservation Authority  
Box 127  
Wroxeter, Ont. N0G 2X0  
Phone (519) 335-3557 FAX (519) 335-3516

Ausable Bayfield Conservation Authority  
RR #3  
Exeter, Ont. N0M 1S5  
Phone (519) 235-2610 FAX (519) 235-1963

Grand River Conservation Authority

400 Clyde Rd.,

Box 729,

Cambridge, Ont. N1R 5W6

Phone (519) 621-2761

FAX (519) 621-4844

For provincial highways:

Ministry of Transportation (Corridor Control)

659 Exeter Road

London, Ont. N5A 5T8

Phone (519) 873-4209

For County Roads:

County of Perth

Public Works Department

1 Huron Street

Stratford, Ont. N5A 5S4

Phone (519) 271-0531 Ex 310

[mash@perthcounty.ca](mailto:mash@perthcounty.ca)