

**THE CORPORATION OF THE
TOWNSHIP OF NORTH DUMFRIES**

**CONSENT APPLICATION
DECISION OF THE
COMMITTEE OF ADJUSTMENT**

TAKE NOTICE THAT the Committee of Adjustment (the "Committee") for The Corporation of the Township of North Dumfries (the "Township") considered the following Application for land division by consent under Sections 53 and 54 of the *Planning Act*, R.S.O. 1990, c. P.13 (the "*Planning Act*") and issues this decision of the Committee (the "Decision") as its notice of decision under Subsection 53(17) of the *Planning Act*.

SUBJECT:	Consent Application Number: B-08/11
Owner(s):	Sharon Hepburn
Agent(s):	Leah Elliot
Property:	Concession 8, Pt Lot 20 Civic Address: 1758 Spragues Road Assessment Roll No.: 15-3001-030-004-13620

THE PURPOSE of the proposed Consent is:

To allow an easement across two neighbouring properties for the electrical line that currently services the residence on the subject land.

THE EFFECT of the proposed consent will be:

To create an easement for the existing electrical service line.

	<u>Land to be Retained</u>	<u>Lot 1 to be Severed</u>
Area	12.1ha+/- (30.0ac.+/-)	0.12ha+/- (0.3ac.+/-)
Frontage	520m+/-	N/A

DECISION: PROVISIONAL APPROVAL

DATE: May 12, 2011

THE REASONS for the Decision are:

Given that the Region of Waterloo delegated under Subsection 54(1) of the *Planning Act* approval authority under Section 53 of the *Planning Act* to the Township's Council and that Township Council under Subsection 54(2) of the *Planning Act* did further delegate such authority to the Committee, the Committee is satisfied that the proposed Consent under Section 53 of the *Planning Act* conforms or does not conflict with any applicable provincial plan or plans, is consistent with any policy statements made under Subsection 3(1) of the *Planning Act*, is in keeping with the Township's Official Plan(s) and Zoning By-law(s), will provide for the orderly development of the Township, and does not fall under the exclusive consideration of Section 51 of the *Planning Act*.

CONDITION(S):

The Committee's Secretary-Treasurer shall not give Final Approval and shall not issue a Certificate regarding Consent B-08/11 until the Owner satisfies the following condition(s) of Provisional Approval. Further, given Subsection 53(23) of the Act, the Committee may change some or all of these condition(s) at any time prior to Final Approval of this 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" (per Paragraph 6(1)3 of Ontario Regulation (O.Reg.) 197/96 Amended to O.Reg. 547/06 [the "Regulation"]).

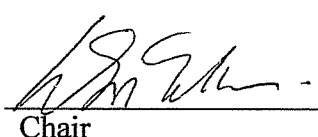
If the Owner fails to satisfy the condition(s) of Provisional Approval as set out herein on or before one (1) year after the notice of this decision or the resolution of any appeals, then this Provisional Approval shall lapse per Subsection 53(41) of the *Planning Act*.

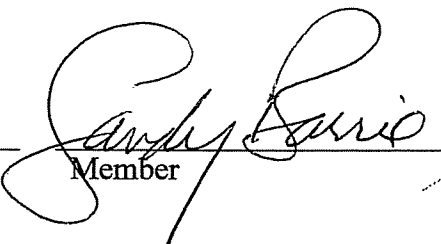
The conditions of Provisional Approval for consent that are associated with this Decision are as follows.

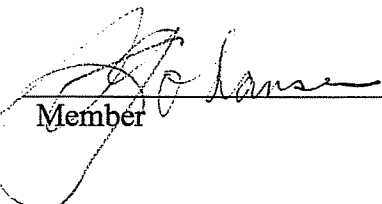
1. The applicant/owner deposit with the Township of North Dumfries \$ 1,000.00 to pay the Township for legal, planning, engineering and administration costs incurred by the Township on the applicant's behalf in processing this application.
2. The applicant/owner pays the Township any outstanding taxes in full.
3. The above condition(s) be completed within one (1) year from the date of given the Notice of Decision or this application shall be deemed to have been refused.
4. Subsequent to the completion of the above noted condition(s), consent shall be issued and the deed(s) be registered within two (2) years of the Notice of Decision.

The last date for filing a notice of appeal to the Ontario Municipal Board of this Decision is the 2nd of June, 2011. "[The] notice of appeal must be filed with the approval authority, must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Municipal Board" (per Paragraph 6(1)2 of the Regulation).

"Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. 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" (per Paragraph 6(1)4 of the Regulation).


 Chair


 Member


 Member

CERTIFICATION

I, Joan Ready, the Secretary-Treasurer of the Committee of Adjustment for The Corporation of the Township of North Dumfries, do hereby certify under Subsection 53(22) of the *Planning Act* that this is a correct and true copy of the Decision contained herein.

Dated this 13th day of May 2011.

The mailing address for the Secretary-Treasurer to the Committee is: **North Dumfries Township Office, 1171 Greenfield Road, R.R. #4, Cambridge, ON, N1R 5S5.**

Dated at the Township of North Dumfries this 13th day of May, 2011.

Joan Ready
Secretary-Treasurer
Township of North Dumfries
Committee of Adjustment