

DECISION

In the matter of an application for a consent pursuant to Section 53 (1) of the Planning Act, R.S.O. 1990, as amended, as it affects the following property:

**PT LOT 3, CONCESSION 3 YARMOUTH PT 1 11R12777
MUNICIPALITY OF CENTRAL ELGIN
5699 SUNSET ROAD**

The applicant proposes to sever a parcel with a frontage of 118.3 m, a depth of 105.06 m, and an area of 1 ha to add to an existing lot. The applicant is retaining a lot with an area of 2.15 ha proposed to remain in Agriculture use.

DECISION: The Elgin County Land Division Committee considered all written and oral submissions received on this application, the effect of which helped the committee to make an informed decision.

Severance applications E 27-26 be **approved** subject to the following conditions:

This decision will expire unless a deed is presented for stamping by: **April 22, 2028.**

That the following requirements of the County of Elgin are met, including the following:

1. The County of Elgin should receive a digital copy of the draft and final deposited reference plan.
2. Solicitor Undertaking to provide a copy of the registered deed for the severed parcel once completed be provided to the County of Elgin.
3. That Subsection (3) or (5) of Section 50 of the *Planning Act* apply to any subsequent conveyance or transaction involving the subject lands..

That the following requirements of the Municipality of Central Elgin are met, including the following:

1. That a grading plan of both the Retained and Severed Parcels be submitted to the satisfaction of the Municipality.
2. That a well and septic report for the Retained Parcel be submitted to the satisfaction of the Municipality.
3. That a servicing plan of both the Retained and Severed Parcels be submitted to the satisfaction of the Municipality.
4. That cash-in-lieu of parkland dedication, pursuant to the Planning Act, for the severed lands be paid in accordance with Schedule 1 of the Municipality of Central Elgin By-law No. 2693.
5. Submission of a copy of the deposited reference plan to the satisfaction of the Municipality.
6. Approval of a zoning by-law amendment to remove the OS2-55 zone from the retained portion and to consolidate into one OS2 Zone (or equivalent) with the benefitting lands.

DECISION

Application #E 27-26

April 22, 2026

Members concurring in the above ruling by recorded vote:

<u>Member:</u>	<u>YES</u>	<u>NO</u>
John "Ian" Fleck	X	
Tom Marks (Chair)	X	
Bill Ungar	X	
John Seldon	X	
Dave Jenkins	X	
John Andrews	X	
Dugald Aldred	X	

Where conditions have been imposed and the applicant has not, within a period of two years from the giving of the notice of decision pursuant to subsection (17) of Section 53 of the Act, fulfilled the conditions, the application for consent shall thereupon be deemed to be refused, but where there is an appeal under subsections (19) or (27), the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of a period of two years from the date of the order of the Local Planning Appeal Tribunal issued in respect of the appeal or from the date of a notice issued by the Tribunal under subsection (29) or (33).

CERTIFICATION

I, Alicia Csoff, Secretary-Treasurer of the Land Division Committee of Elgin, certify that the above is a true copy of the decision of the Land Division Committee with respect to the application recorded herein.

Dated this 22nd day of April 2026.



Alicia Csoff
Secretary-Treasurer
Land Division Committee

CORPORATION OF THE COUNTY OF ELGIN

NOTICE OF DECISION

APPLICATION NO. E 27-26

**PT LOT 3, CONCESSION 3 YARMOUTH PT 1 11R277
MUNICIPALITY OF CENTRAL ELGIN
124 SYDENHAM STREET**

ATTACHED is a certified copy of the decision of the Land Division Committee of the County of Elgin in the matter of an Application **E 27-26** for a consent pursuant to Section 53 (17) of the Planning Act, R.S.O. 1990, as amended.

You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

The Minister, the Applicant, the approval authority and specified persons or public bodies may appeal the decision and/or any condition(s) imposed by the Committee to the Ontario Land Tribunal (OLT) by filing with the OLT no later than the **May 12, 2026 at 4:30PM**. 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 fees required by the Tribunal and the County.

HOW TO FILE AN APPEAL: Appeals are submitted to the Secretary-Treasurer via the Ontario Land Tribunal's (OLT) online e-file service.

1. Navigate to the OLT's e-file service at <https://olt.gov.on.ca/e-file-service/>.
2. On the e-file service, sign into your *My Ontario Account* (first time users will need to register for a *My Ontario Account*).
3. Submit the appeal via the e-file service and ensure that you select the correct approval authority, which in this case is listed as "*Elgin (County) – Director of Planning*".
4. Pay the fee required by the OLT. The fee schedule and methods of payment can be found on the OLT website at <https://olt.gov.on.ca/fee-chart/>.
5. Pay the fee of required by the County, as outlined in the County's User Fees and Charges By-Law, as amended.
 - OLT payment options and instructions are available online. NB: Cheques must be made out to the 'Minister of Finance'.
 - County payments can be made via electronic (in person only) or standard (cheque, money order) means. NB: Cheques and Money Order must be made out to: "Treasurer, County of Elgin":
6. Anyone filing an appeal that does not use the OLT's e-file portal may submit the required material directly to the Secretary-Treasurer at the address listed above. Please note that an additional administrative fee will apply. Forms can be downloaded from the OLT website above or are available for pick-up at the County Municipal Offices, 450 Sunset Drive, St. Thomas, and can be submitted to landdivision@elgin.ca

WHO CAN FILE AN APPEAL: Only individuals, corporations and public bodies 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.

ADDITIONAL INFORMATION regarding this application for consent is available for inspection daily, Monday to Friday, between 8:30 A.M. and 4:30 P.M., at the County Municipal Offices, 450 Sunset Drive, St. Thomas.

Dated at the Municipality of Central Elgin this 22nd day of April, 2026.



Alicia Csoff
Secretary-Treasurer
Land Division Committee

c.c. Municipality of Central Elgin, CAO, Clerk, Planning Department

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