



Notice of Decision Under Delegated Approval

File Number: #B06/24– Creation of a New Lot
Subject Land: East Half Lot 41, Concession 13, Geographic Township of Clarendon (5815 Buckshot Lake Road)
Applicant(s): John Shugart and Connie Shugart
Date of Notice: May 17, 2024

In the Matter of the Consent Application under Section 53(1) of the Planning Act by John Shugart and Connie Shugart being lands located in East Half Lot 41, Concession 13, Geographic Township of Clarendon (5815 Buckshot Lake Road) for the purpose of creating one New Lot.

The Clerk, as authorized by By-law #2024-10, has determined:

- That the application has regard to the matters under Subsection 51(24) of the Planning Act;
- That the application is consistent with the Provincial Policy Statement (PPS);
- That the application conforms to all policies of the County of Frontenac Official Plan and Township of North Frontenac Official Plan;
- That the application is in keeping with the intent and purpose of Zoning By-law #55-19; and
- That the application has met criteria set out in Section 4.3 of By-law #2024-10 for 'Undisputed Consents'.

The Clerk therefore concludes that neither a plan of subdivision nor a Committee of Adjustment decision are necessary for the proper and orderly development of the property.

Expiry Period

1. Conditions imposed must be met within two years of the date of the Notice of Decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within two years, the application shall be deemed to be refused.

Severed Lands

2. The proposed lot will be approximately 4.45 hectares (12 acres) in area with approximately 95 metres (312 feet) of frontage along Buckshot Lake Road.

Survey/Reference Plan or Registerable Description

3. The surveyor or owner shall submit the draft Reference Plan electronically, or in paper form, for review and approval by planning staff prior to depositing the Reference Plan with the Land Registry Office.
4. A plan of the land prepared by an Ontario land surveyor, to be known as a reference shall be deposited for the record in the land registry office or the land registrar orders it does not apply per Section 150 of the Land Titles Act, RSO 1990, as amended. The applicant must submit two paper copies or a digital copy of the registered reference plan; or an exemption is obtained from the Land Registry Office waiving the need for a survey.

Road Widening

5. The owner shall dedicate to the Township of North Frontenac Part 12 on reference plan 13R3568, in the following manner:
 - a. The Transfer/Deed from the Owner for the land to be dedicated shall be engrossed in the name of "The Corporation of the Township of North Frontenac", and shall include the following attached to the Transfer/Deed as a Schedule:

“The Transferor hereby transfers the lands to the municipality for the purpose of widening the adjacent highway pursuant to Section 31(6) of the Municipal Act, 2001, Chapter 25, as amended.”

6. The duplicate registered Transfer/Deed for the land to be dedicated together with a letter of opinion of a solicitor qualified to practice law in the Province of Ontario addressed to the Secretary-Treasurer confirming that the municipality acquired good and marketable title to the land free and clear of all liens and encumbrances shall be delivered to the Secretary-Treasurer prior to signing of the Certificate of Official.

Municipal Requirements

7. That the applicant shall provide payment to the Township of North Frontenac for a cash-in-lieu of parkland fee, pursuant to Sections 51(1) and 53(13) of the Planning Act, and in accordance with By-Law Number 34-19, in the amount of five percent (5%) of the appraised value of the land which is subject to this Consent application. The applicant shall provide a letter of opinion of value from a qualified appraiser or real estate professional (with comparable properties), or a professional appraisal completed to determine the value of the land as of the day before the provisional consent was given. The maximum payment amount shall be \$1,000.
8. Payment of the balance of any outstanding taxes and local improvement charges shall be made to the Township Treasurer. This includes all taxes levied as of the date of the stamping of the deeds.
9. In the event that there are abandoned wells located on the property being severed, they be sealed in accordance with the requirements of the Ministry of the Environment, Conservation and Parks.
10. Where a violation of the Township of North Frontenac Zoning By-Law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.
11. That confirmation is filed with each application file that conditions have been fulfilled to the municipality's satisfaction.
12. The applicant or his/her solicitor shall prepare and submit to The Corporation of the Township of North Frontenac, a transfer or such other required form of document necessary to implement the consent, including Form 1, Form 2, Form 3, or Form 4, as applicable, prescribed by Ontario Regulation 197-96, for endorsement by the Secretary-Treasurer of the Committee of Adjustments for the municipality. This transfer or other legal document shall be provided to the municipality within a period of two years after Notice of Decision was given under subsection 53(15) or 53(24) of the *Planning Act*.

Notice of Last Date of Appeal

Notice is hereby given that the last date for appealing this decision to the Ontario Land Tribunal is **June 7, 2024**.

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. A completed appeal form accompanied by the prescribed fee payable to the **Minister of Finance** should be received on or before the date noted above.



Tara Mieske
Secretary -Treasurer