



COMMITTEE OF ADJUSTMENT REPORT

DATE: February 20, 2025

REPORT NO: RPT-0066-25

TO: To the Chair and Members of the Committee of Adjustment

FROM: Roxana Flores, Junior Planner

APPLICATION TYPE: Consent Application

APPLICATION NO: B26-24-LK

LOCATION: 19 King Street South, Oakland

AGENT/APPLICANT: JH Cohoon Engineering and The Angrish Group

OWNER(S): Taylor Whiting and Lisa Whiting

SUBJECT: Request for a decision on an application proposing a minor lot line adjustment

RECOMMENDATION

THAT Consent Application **B26-24-LK** from J.H Cohoon Engineering, Agent on behalf of Taylor Whiting and Lisa Whiting, Owners of lands legally described as Part Lot 6 Concession 1, Part 1 on 2R-4504, former Geographic Township of Oakland and municipally known as 19 King Street South, County of Brant, proposing a lot line adjustment of approximately 0.18 hectares (0.44 acres) to be added to landlocked Blocks 18 and 19, 2M-1845, known as benefiting lands **BE APPROVED**, subject to the attached conditions.

THAT the reason(s) for approval are as follows:

- The application will provide frontage for the landlocked blocks 18 & 19 to facilitate construction of one single detached dwelling.
- The application is consistent with the policies of the *Provincial Planning Statement (2024)*.
- The application conforms with the policies of the County of Brant Official Plan (2023) and Zoning By-Law.

EXECUTIVE SUMMARY

Consent Application B26-24-LK proposes a lot line adjustment to transfer 0.18 hectares (0.44 acres) to adjacent lands at Blocks 18 & 19, resulting in a 1 ha (2.47 acres) lot at 19 King Street South with 79 m (259.19 ft) frontage, and 0.77 ha (1.9 acres) and 15 m (49.21 ft)

frontage for Blocks 18 & 19. This lot line adjustment will provide frontage for the construction of a single detached dwelling on the landlocked blocks.

This consent application was submitted together with a Zoning By-law Amendment (ZBA) application in April 2024 and deemed complete under the Official Plan 2012. The ZBA was approved first on July 9, 2024 under application ZBA7-24-HH, By-law 64-24. Since the consent application was deemed complete under the old Official Plan, it is being reviewed under the Official Plan 2012.

Blocks 18 and 19 were part of plan of subdivision in the 1990s but remained landlocked as they weren't transferred to the abutting landowners at the time. As a result, these blocks have remained landlocked since the subdivision's registration in 1998.

No new lots will be created, but the adjustment will allow development of the existing parcels.

Staff have reviewed the proposed Consent Application with applicable planning policy (i.e., Planning Act, Provincial Planning Statement (2024), County of Brant Official Plan (2023) and Zoning By-Law 61-16) in review of any comments received from relevant departments, the Applicant, and members of the public.

It is my professional opinion that the Consent Application proposing a minor lot line adjustment is appropriate, meets relative planning policy and therefore recommend that application **B26-24-LK BE APPROVED**, subject to the attached conditions.

LOCATION / EXISTING CONDITIONS

The subject lands municipally known as 19 King Street South are within the Former Township of Oakland and are surrounded by low density residential uses to the north, south and west with some Natural Heritage to the north and east. There are also Agricultural uses are located generally to the east of the lands.

The subject lands have a total frontage of 94 meters (308.40 feet) and lot area of approximately 1.17 hectares (2.9 acres). There is an existing entrance to the property on King Street South and the property contains a single detached dwelling, a barn used for personal storage, a business office and storage equipment located at the rear yard.

The retained parcel is currently undersized and will remain undersized after the lot line adjustment and contains a legally existing agricultural related commercial use that was established legally in 1998 and serves the existing agricultural communities of Brant, Haldimand, Norfolk, Oxford, and surrounding areas in South-Western Ontario since 1998. The land is serviced by private well and septic. There are no Natural Heritage features on the retained lands.

The benefiting parcel, identified as Blocks 18 & 19, 2M-1845, are rectangular in shape having a combined lot area of 0.6 ha (1.46 acres). The benefiting lands are vacant with no frontage onto a public road and have Natural Heritage features north of block 18. A new well and septic system will be required.

AERIAL IMAGE
Application: B26-24-LK
19 King Street South



REPORT

Planning Act

Section 51 (24) of the *Planning Act* sets out criteria to be considered when reviewing Consent Applications.

- The Application is in keeping with Section 51(24) of the Planning Act.

Consistency and/or Conformity with Provincial and/or Municipal Policies/Plans

Provincial Planning Statement – 2024

The *Provincial Planning Statement* (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the *Planning Act*.

Chapter 2, Section 2.6.1 c) specifies that permitted uses are residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;

- ***The subject lands have suitable sewage and water services. A hydrological report has been updated and submitted in support of this application for lot line adjustment.***

Chapter 3, Section 3.6.7 Specifies that Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.

- ***The applicant submitted a hydrological report indicating sufficient sewage and water system capacity.***

It is my professional opinion that the request conforms to the policies of the Provincial Planning Statement.

Source Water Protection

Source protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

Staff have reviewed Source Water Protection Area mapping, and the subject lands are not within a Source Water Protection zone.

Brant County Official Plan (2012)

The County of Brant Official Plan sets out the goals, objectives, and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

Schedule 'A' of the County of Brant Official Plan (2012) identifies the land use designation of the subject lands as 'Suburban Residential.'

The following demonstrates conformity with the applicable policies of the County of Brant Official Plan (2012):

<i>Official Plan (2012)</i>	<i>Planning Analysis</i>
Section 3.5 The County's Suburban Residential designation focuses on low-density residential growth within Secondary Urban Settlement Areas. It permits various residential and institutional uses, with development limited to infilling or minor expansion. New projects must connect to municipal services, meet intensification goals, ensure proper design and infrastructure, and provide on-site parking, parks, and buffering to minimize visual impact.	<i>The lot line adjustment represents infill development within an established residentially designated area, with the proposed use intended for low-density residential purposes. The parcels are pre-existing, landlocked, and the applicant proposes the installation of a new private well and septic system. A</i>

	<i>technical analysis has been provided, confirming that the proposal will not have any adverse effects on infrastructure or the surrounding environment.</i>
<p>Section 6.8.2.2. of the Official Plan is applied for the consents in the Suburban Designation:</p> <p>a. The division of land shall only be granted when the retained and severed parcels abut a public road of a standard of construction and maintenance acceptable to the County of Brant (and the Ontario Ministry of Transportation, where applicable) and safe and suitable access is available.</p>	<p><i>The Subject Lands currently have frontage along a public road. The Adjacent Lands are landlocked parcels with no legal access to a public road. The lot line adjustment would grant legal frontage to the Adjacent Lands.</i></p> <p><i>The applicant has stated through the planning justification report that both the Subject and Adjacent Lands have access that meets safety and suitability requirements.</i></p>
<p>b. The division of land shall not be granted where access to the retained or severed parcels could result in a traffic hazard because of limited sight lines on curves or grades or proximity to intersections. Access may also be restricted and/or prohibited to an Arterial Road and Provincial Highways if required to ensure safe traffic movement. It may be a condition of consent that a service road be constructed at the sole expense of the applicant to the satisfaction of the County.</p>	<p><i>Applicant has stated in their planning justification report that access for both Subject Lands and the Adjacent Lands meet the sight lines distance required in the County's Development and Engineering Standards, and do not create any traffic hazards due to construction of one new single detached dwelling.</i></p>
<p>c. The division of land shall only be granted when it has been established that soil and drainage conditions for the retained and severed parcels are suitable:</p> <p>i. to permit the proper sitting of a building;</p> <p>ii. to obtain a sufficient and potable water supply if a County water supply is not available; and/or</p> <p>iii. to permit the installation of an adequate means of sewage disposal. In areas where no piped County services are available and the installation of a septic tank system or other private sewage disposal system is therefore required, the standards established by the Ministry of the Environment and/or its designated agent shall be met.</p>	<p><i>A site grading and drainage plan has been included with the complete application that outlines the building envelope for the Adjacent Lands. The grading plan is prepared to ensure the proposed development meets all required standards of the County.</i></p> <p><i>A Hydrogeological Study has been included as part of the submission and indicates no negative impact due to the development of the lands. The Subject Lands are serviced by an existing well and septic system.</i></p>

	<i>A new private septic system will be installed as part of the Building Permit Application Process.</i>
d. Further to policy c) above, the following studies may also be required: i. lot grading and drainage plan; ii. hydrogeology study; iii. geotechnical study; iv. archaeological study; v. Environmental Impact Statement; and/or vi. other studies as deemed appropriate by the County.	<i>A preliminary Site Grading and Drainage Plan has been provided with the application. The application also includes a Hydrogeological/Water Supply Assessment, Stormwater Management Report, and Archaeological Assessment.</i> <i>No natural heritage features are present on the lands. Two trees on the Adjacent Lands will be removed and replaced, while two trees on the Subject Lands will be relocated. The proposal is within the settlement boundary, exempt from MDS Guidelines.</i>
e. The division of land shall only be granted if the retained and severed parcels comply with the provisions of the County Zoning By-law.	<i>A Zoning by-law application to change the zoning on adjacent lands to residential zoning was submitted and approved by council on July 2024. The adjacent lands are zoned Suburban Residential and have a special provision to allow the reduced lot frontage of 15m.</i>
f. The division of land shall not be granted if development will occur on land subject to severe flooding, wetlands, severe erosion or unstable conditions or any other physical limitations as determined by the County of Brant in consultation with the appropriate Conservation Authority, unless adequate mitigation measures are approved by the County and the Conservation Authority having jurisdiction.	<i>There are no natural heritage features located on subject lands or adjacent lands.</i>
g. Notwithstanding any other section of this Plan, consents for the creation of easements or rights-of-way are permitted and minor lot adjustments or minor boundary changes are permitted provided they are granted conditional to Section 50(3) or 50(5) of the Planning Act, and the consent would not result in the creation of a new building lot.	<i>No easements are proposed through this application.</i>
h. The consent-granting authority may exercise its powers under Section 53(2) of the Planning Act	<i>The applicant has shown through a site plan that the size and shape of the severed lands are sufficient for</i>

when reviewing the shape, or size of any proposed lot.	<i>development and servicing, and that the retained lands are also sufficient.</i>
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Brant County Official Plan (2023)

The County of Brant Official Plan sets out the goals, objectives, and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

Schedule 'A' of the County of Brant Official Plan (2023) was adopted on October 18, 2024 and identifies the land use designation of the subject lands as 'Village Developed Area.'

The following demonstrates conformity with the applicable policies of the County of Brant Official Plan (2023):

<i>Official Plan (2023)</i>	<i>Planning Analysis</i>
<p>Part 3, Section 2.6 The Village Developed Area designation is made up lands within the rural settlement areas of the rural system where clusters of existing settlement-related uses exist. This includes rural main streets and historic core areas of the County of Brant's Villages and Hamlets, a mix of uses, lot sizes, amenities, and public gathering spaces, all supporting a vibrant and healthy rural community.</p> <p>This designation is intended to facilitate active transportation connections, low-impact mixed-use development, minor intensification on underutilized parcels, and public spaces that prioritize active transportation modes and opportunities to support public transportation</p>	<p><i>The proposal is to facilitate develop on landlocked parcels for a low-density, single-detached dwelling, consistent with the surrounding area's housing style.</i></p> <p><i>This supports modest growth and aligns with the community's character. The site is near recreational amenities, contributing to a complete community. Over 70% of the adjacent lands will remain green space, with the north-eastern treed area rezoned as Natural Heritage. No other natural heritage features are present on the lands.</i></p>
<p>Part 5, Section 1.4 which outlines the general intent for the lands designated as Village Developed Area. Villages and hamlets vary in size and services, with development focused on villages to avoid conflicts with agriculture and mineral extraction. The County supports sustainable growth and small-to-medium enterprises.</p> <p>Permitted uses include:</p> <ul style="list-style-type: none"> Residential uses in low-rise and mid-rise development, including additional 	<p><i>The existing developments on the subject lands comply with the permitted use, while the adjacent lands comply with appropriate zoning.</i></p> <p><i>The lot line adjustment represents infill of the existing residential designated area.</i></p> <p><i>Any future development shall be consistent with the general policies and permitted uses provided in this</i></p>

<p>residential units, home-based businesses, and home-based industries.</p> <ul style="list-style-type: none"> • Institutional, commercial, retail, accommodation, office, and public service facilities and community uses in low-rise and mid-rise residential development. • Seasonal, interim, and tourism uses. 	<p><i>section. Any future development may be subject to site plan control.</i></p>
<p>subsection 5.2.1 states that the cumulative creation of up to three lots, including retained lands, may be permitted by severance (consent) if deemed appropriate by the County and the proposal does not meet the criteria of this Plan for a Plan of Subdivision or Plan of Condominium. The cumulative creation of four or more lots, including any retained lands having the potential to create a cumulative total of four or more lots, shall be deemed to be a Plan of Subdivision or Plan of Condominium in accordance with this Plan.</p>	<p><i>Proposal of consent would be for a cumulative creation of 2 lots including retained lands.</i></p>
<p>Part 6, subsection 5.2.3 Legal or technical reasons such as easements, rights-of-way, correction of deeds, and quit claims that do not result in the creation of a separate lot(s). However, consents where such easements or rights-of-way are intended to facilitate the construction of new buildings or structures on a vacant lot of record that is otherwise undevelopable due to a lack of frontage on a public road, shall be considered a development application to create a new lot(s) and shall be subject to the policies of this Plan.</p>	<p><i>The proposed lot line adjustment is intended to facilitate the construction of a dwelling and provide frontage to landlocked parcels.</i></p>
<p>Subsection 5.2.4 states that the lands can be adequately serviced on municipal services. Where private servicing is permitted by this Plan, any proposed private potable water and onsite sewage disposal systems must be supported by a Hydrogeological Study. The study shall be prepared by a qualified engineer and must demonstrate and provide detailed explanation as to how the proposed development shall not negatively impact groundwater and surface water quality and quantity, and that each lot is capable of supporting private services;</p>	<p><i>Applicant has stated in the planning report that subject property is adequately serviced, and a new private well and septic system will be installed on the adjacent lands.</i></p>
<p>Subsection 5.2.4 (Page 6-25) speaks to lot line adjustment not resulting in a landlocked parcel</p>	<p><i>The proposed lot line adjustment would enable the development of</i></p>

where there is not sufficient area for development and associated uses such as dwelling, accessory structures, access and servicing.	<i>landlocked parcels by establishing legal access and frontage.</i>
Subsection 5.2.4 (Page 6-25) states that both the retained lot and severed lot shall have frontage along a public road with safe and direct access to and from a public road.	<i>The lot line adjustment will establish legal access and frontage to the landlocked parcel, facilitating direct connection to a public roadway. The retained parcel has frontage as well as safe and direct access.</i>
Subsection 5.2.4 (Page 6-25) outlines that the lot configuration(s) proposed for the retained and severed lot(s) shall not restrict the future development or redevelopment potential of the lands or nearby parcels of land, particularly as it relates to intensification targets, the provision of access, servicing, and stormwater management, and where such lands are designated for development by this plan.	<i>The proposed lot line adjustment would not result in restrictions for potential future development or redevelopment of the lands or nearby parcels of land.</i>

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Zoning By-Law 61-16:

The subject lands are zoned as Site-specific Suburban Residential (SR-63) within the County of Brant Zoning By-Law 61-16. The adjacent lands are zoned Site-Specific Suburban Residential (SR-62) and Natural Heritage (NH) within the County of Brant Zoning By-Law 61-16. The following demonstrates conformity with the applicable policies of the County of Brant Zoning By-Law.

Section 9, Table 9.1.1 of the County of Brant Zoning By-Law identifies the permitted uses for lands zoned as Suburban Residential (SR-62). The only permitted uses within this zone are Single-Detached Dwellings and Group Home.

Permitted uses within Special Exception Suburban Residential (SR-62) Zone are as follows:

- a) To permit a minimum lot frontage of 15 meters.
- b) All other provisions of the By-Law shall apply.

- ***The subject lands contain an existing single-detached dwelling and therefore comply with the permitted uses within Rural Residential Zones.***

Section 9.2, Table 9.2.1 of the County of Brant Zoning By-Law 61-16 advises the required regulations for lands zoned as Suburban Residential (SR-62).

<i>Provisions</i>	<i>Required, Dwelling Single Detached</i>	<i>Retained Land</i>	<i>Benefitting Land (no dwelling)</i>
<i>Lot Area Minimum</i>	<i>3000 m2</i>	<i>10,000.00 m2</i>	<i>7,700.00 m2</i>

		(1.00 ha)	(0.77 ha)
Lot Frontage, Minimum	20.0 m	79.0 m	15.0 m (SR-62 permits 15.0m frontage)
Minimum Street Setback	7.5 m	+15.0 m	+70.0 m

- ***The subject lands containing existing development meet the zone requirements for the A zone.***
- ***All other requirements of the Zoning By-Law 61-16 are being satisfied.***

It is my professional opinion that the Consent Application maintains the intent of the County of Brant Zoning By-Law 61-16.

INTERDEPARTMENTAL CONSIDERATIONS

Agency Comments	
Development Engineering Department	<ul style="list-style-type: none"> • Note any work on County Property require an approved Public Works Permit. • Any damage done to the County Property shall be restored to its original condition, at the expense of the Applicant. • County staff attended the site on January 28th, 2025 and determined that sight lines are sufficient along the proposed driveway. • A Legal Survey is required to demonstrate the new property boundaries. A draft reference plan is to be completed by a certified Ontario Land Surveyor and is to include all lot bearings, distances, and survey monumentation for the purpose of verifying parcel geometry. The draft is to be provided to the County for approval <u>prior</u> to depositing.
Environmental Planning	<ul style="list-style-type: none"> • No comments
GIS	<ul style="list-style-type: none"> • That the applicant provides CAD drawing or GIS files with line work to import into database • That a civic address will be required for the severed parcel
Fire	<ul style="list-style-type: none"> • No comments
Canada Post	<ul style="list-style-type: none"> • No comments
Hydro One	<ul style="list-style-type: none"> • No comments

	<ul style="list-style-type: none"> • No comments
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As part of the circulation, comments were not received from the following:

- Parks Capital Planning and Forestry
- Canada Post
- Mississauga's of the Credit First Nation
- Six Nations

PUBLIC CONSIDERATIONS

Notice of this Application has been circulated to all property owners within 60 metres of the subject lands in accordance with Section 45(5) of the *Planning Act* as required.

Posting of the Public Notice sign was completed on February 4, 2025, and site visit was completed on January 23, 2025.

At the time of writing this report, no public comments were received.

CONCLUSIONS AND RECOMMENDATIONS

Consent application **B26-24-LK** is required to transfer 0.18 hectares (0.44 acres) to landlocked Blocks 18 and 19, in order to provide access, establish frontage and facilitate the construction of a single detached dwelling. The resulting reduced frontage will measure 15 m, which complies with the current Special Exception Suburban Residential (SR-62) zoning that permits a minimum lot frontage of 15 meters.

Zoning By-law application **ZBA7-24-HH** rezoned the subject lands from Agricultural (A) to Special Exception Suburban Residential (SR-62) to allow a reduced frontage of 15 m and enable future lot creation for residential development on landlocked blocks.

A comprehensive review of the proposed new lot development will take place during the building permit process, assessing factors such as access, grading, drainage, zoning, and servicing etc. Approval conditions have been included based on comments from internal and external agencies during technical circulation.

For the reasons outlined in this report, it is my professional recommendation that Consent Application **B26-24-LK** facilitating a lot line adjustment be **APPROVED**, subject to the attached conditions.

Prepared by:



Roxana Flores

Junior Planner

Reviewed by: Dan Namisniak, Manager of Development Planning

ATTACHMENTS

- 1. Official Plan Map
- 2. Zoning Map
- 3. Aerial Map
- 4. Proposal Drawings
- 5. Site Photos

COPY TO

- 1. Dan Namisniak, Manager of Development Planning
- 2. Jeremy Vink, Director of Planning
- 3. Nicole Campbell, Secretary Treasurer to the Committee of Adjustment
- 4. Applicant/Agent

FILE # B24-24-LK

In adopting this report, is a bylaw or agreement required?

- | | |
|--|------|
| By-Law required | (No) |
| Agreement(s) or other documents to be signed by Mayor and /or Clerk | (No) |
| Is the necessary By-Law or agreement being sent concurrently to Council? | (No) |

SCHEDULE “A”

LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

APPLICANT: Taylor Whiting and Lisa Whiting
19 King St. S.

File No: B26-24-LK

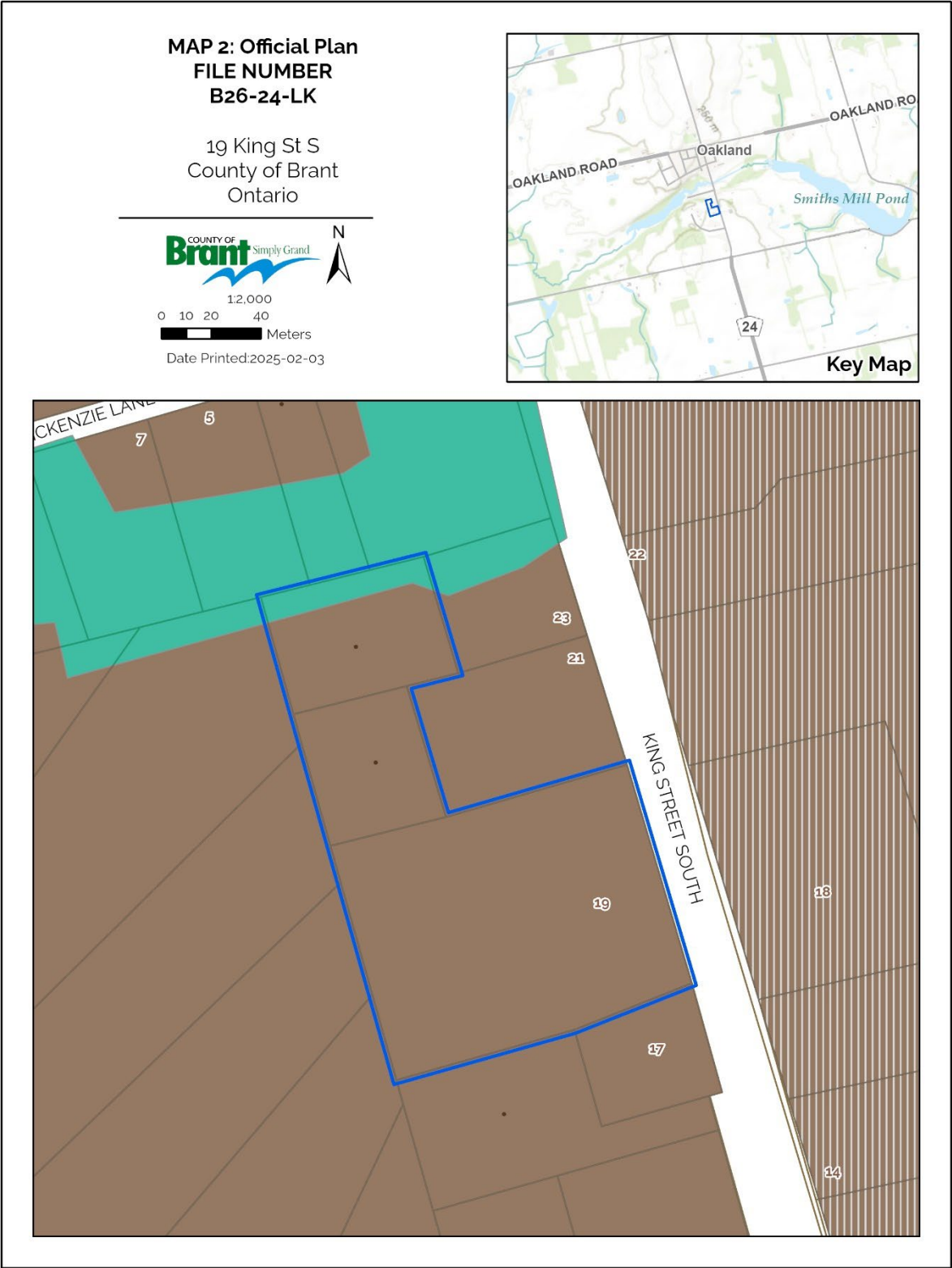
LIST OF CONDITIONS - COMMITTEE OF ADJUSTMENT

1. Proof that taxes have been paid up to date on the subject property to the County of Brant.
2. That the Applicant provides a copy of the Draft Reference Plan for the severed parcel, be prepared by a licensed surveyor, to be reviewed by the County of Brant, prior to the plan being deposited at the Land Registry Office.
3. That the Applicant provide proof/copy of draft approved civic addressing for benefiting lands issued by the Planning Division to the satisfaction of the County of Brant.
4. That the identified severed parcel currently part of 19 King St. S., becomes part and parcel of the adjacent lands identified as Block 18 and 19. The Applicant's Solicitor is to provide a Solicitor undertaking to register an Application of Consolidation Parcels immediately following the registration of the certificate of official to ensure the consolidation and proof of same to the Secretary-Treasurer, Committee of Adjustment.
5. That the Applicant provide a Legal Survey completed by a certified Ontario Land Surveyor, to show the new lot boundary, road widening, and shall include all lot bearings, distances, and survey monumentation for the purpose of verifying parcel geometry.
6. That Subsection 50 (3) of the Planning Act apply to any subsequent conveyance of or transaction involving the parcel of land that is the subject of this consent.
7. That the Applicants provide proof that \$600.00, per new building lot, in monies for firefighting purposes has been submitted to the County of Brant, or some other method acceptable to the Fire Department if required, prior to the stamping of the deeds.
8. That the \$345.00 Deed Stamping Fee be paid to the County of Brant, prior to the release of the executed Certificate of Official.
9. That the Applicant's lawyer shall prepare and register all the necessary documents following review and approval by the County Solicitor, and immediately following the registration, the Applicant's lawyer shall provide a certificate satisfactory to the County Solicitor that the registrations have been completed properly and in accordance with the approvals provided.

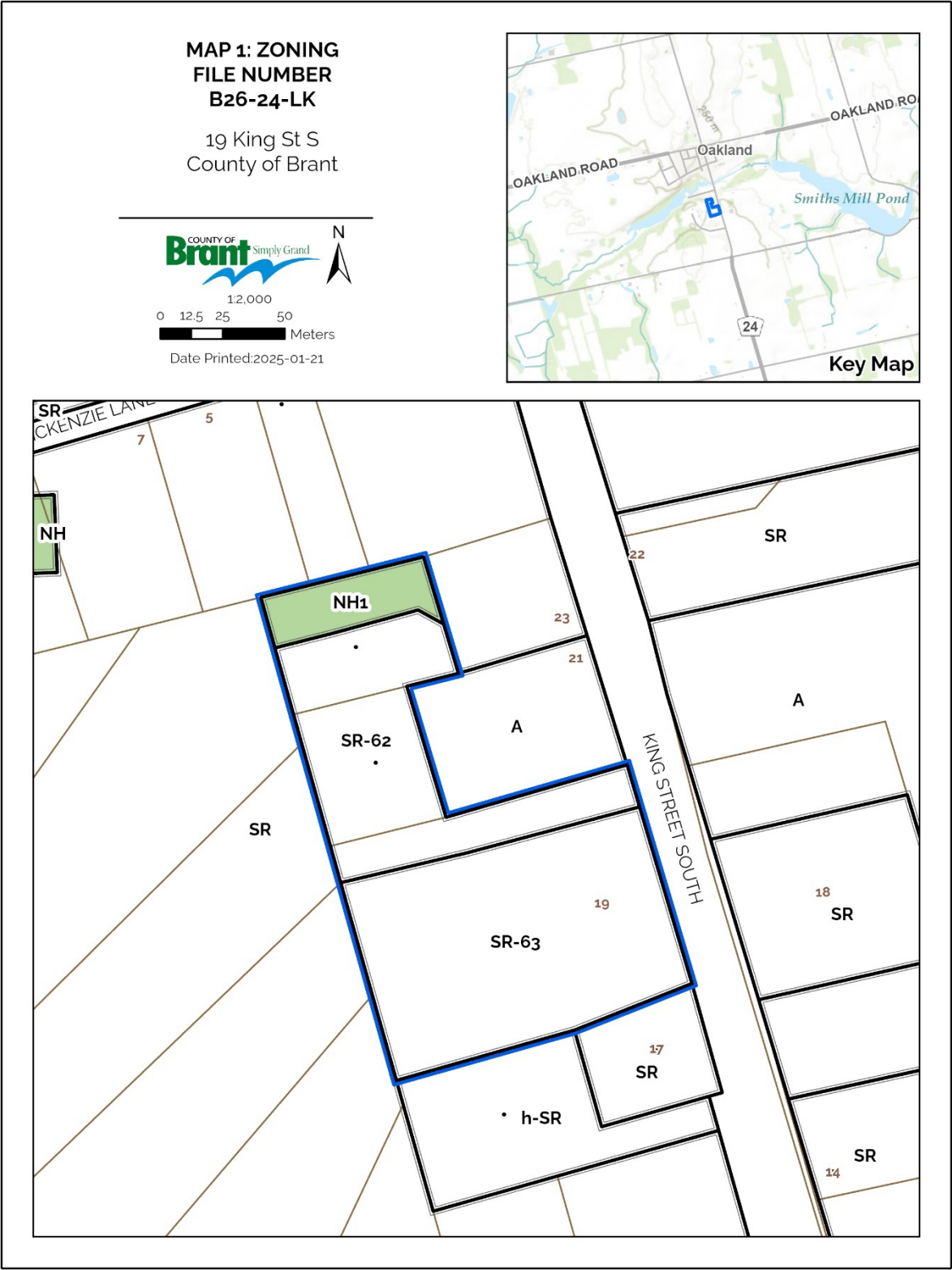
10. That the above conditions must be fulfilled and the Document for Conveyance be presented to the Consent Authority for stamping within two years of the date of the written decision, sent by the Secretary-Treasurer pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, otherwise the approval shall lapse.

NOTE: Any further Planning Applications required to satisfy the conditions of approval must be applied four (4) months prior to the lapsing of the application.

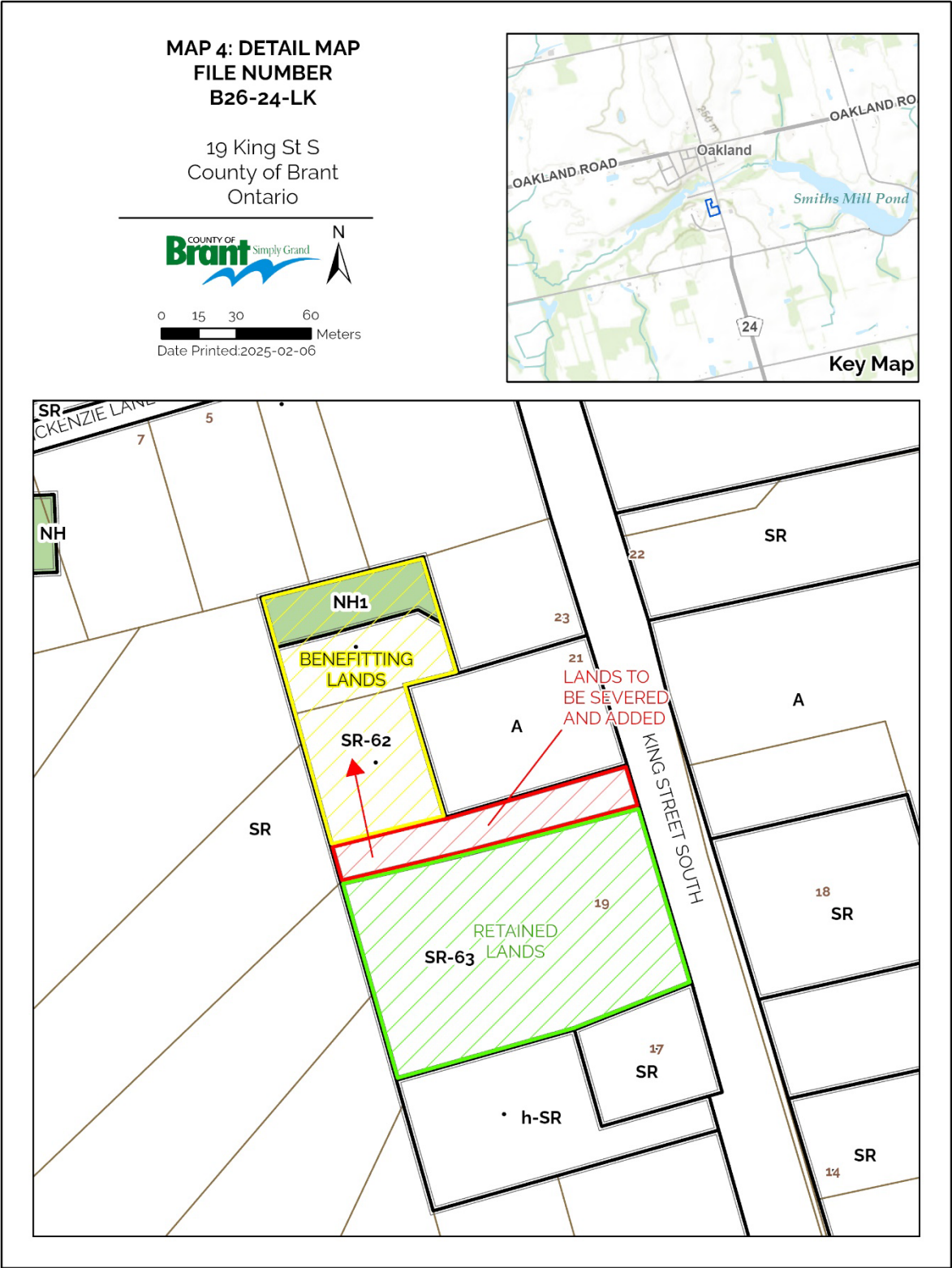
Attachment 1 – Official Plan Map



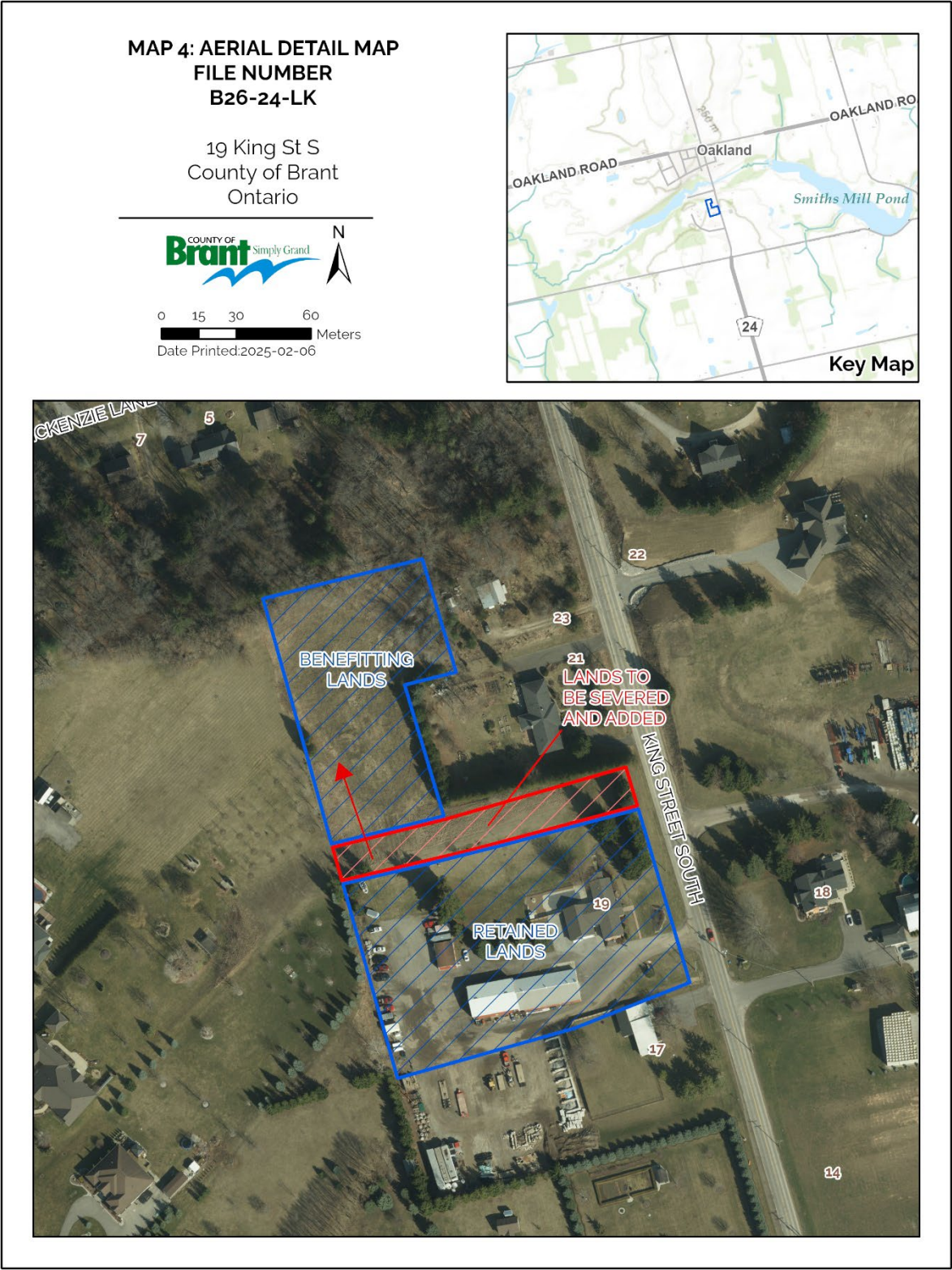
Attachment 2 – Zoning Map



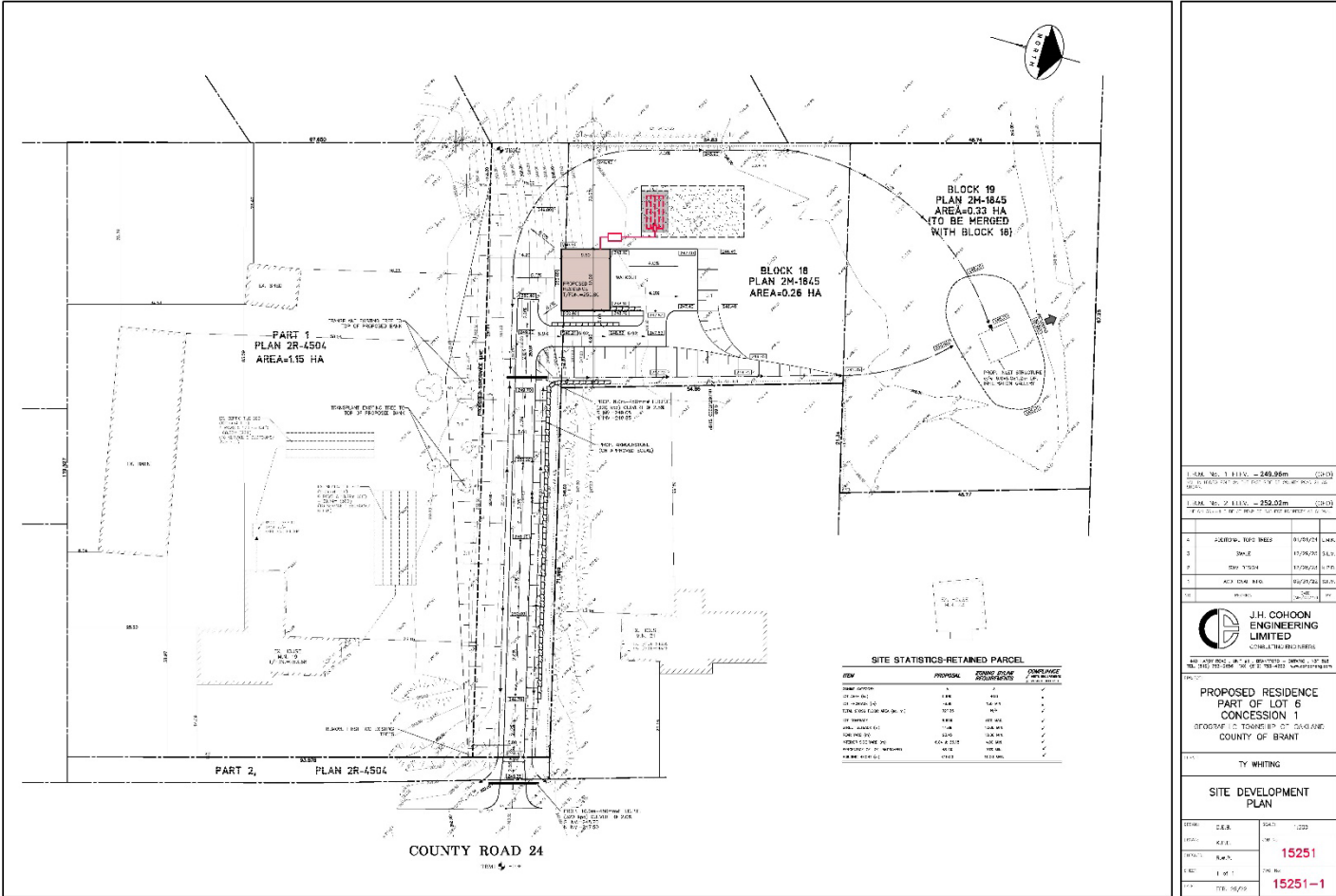
Attachment 3 – Aerial Map



Attachment 4 – Aerial Detailed Map



Attachment 5 – Proposal Drawings



MALCOLMS MILL ESTATES

PLAN OF SUBDIVISION OF
PART OF LOT 6
CONCESSION 1
(GEOGRAPHIC TOWNSHIP OF OAKLAND)
COUNTY OF BRANT
SCALE - 1 : 1000

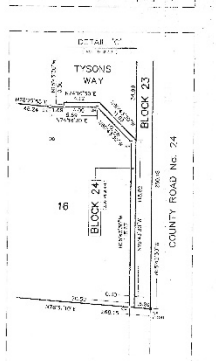
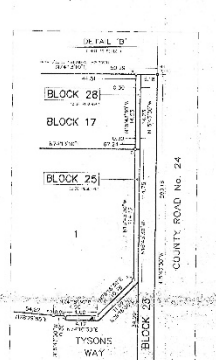
WEST & RUUSKA LTD.
1999.

THIS PLAN COMPLETES ALL OF THE LAND SURVEYED BY PLAN 32254 & 32257

CERTIFICATE OF REGISTRATION

PLAN 321-1999
I, CLIFFORD J. WEST, being duly sworn, depose and say that the above described plan was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the Province of Ontario.

AND I declare under oath that the above described plan is a true and correct copy of the original plan as the same appears on the records of the Survey Commission of the Province of Ontario.



OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, being duly sworn, depose and say that the above described plan was prepared by us or under our direct supervision and that we are duly qualified and licensed surveyors in the Province of Ontario.

AND I declare under oath that the above described plan is a true and correct copy of the original plan as the same appears on the records of the Survey Commission of the Province of Ontario.

IN WITNESS WHEREOF, we have hereunto set our hands and seals at the City of Toronto, Ontario, this 19th day of September, 1999.

CLIFFORD J. WEST
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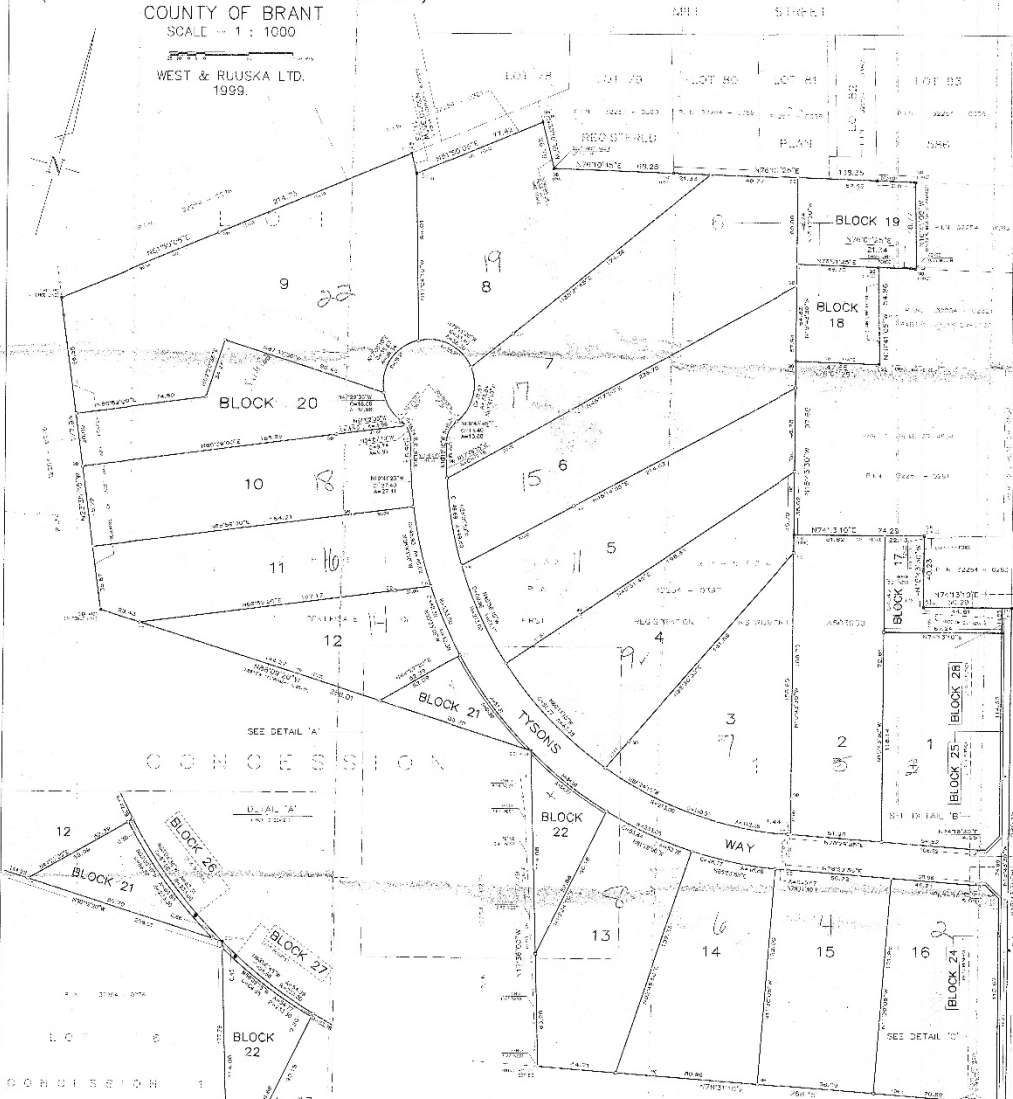
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SEE DETAIL 'A'
CONCESSION 1
SEE DETAIL 'B'
SEE DETAIL 'C'

- LEGEND
- 1. CONVEYANCE
 - 2. EASEMENT
 - 3. EASEMENT
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NOTE

1. THE DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BEARNO NOTE

BEARNO NOTE

WEST & RUUSKA LTD.
Land Surveyors

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Attachment 6 – Site Photos



