

**MINUTES**

**OXFORD COUNTY LAND DIVISION COMMITTEE**

Thursday, July 5, 2012

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, July 5, 2012 at 10:00 a.m. with the following individuals:

Chairperson	-	J. de Bruyn
	-	G. Brumby
	-	W. Buchanan
	-	H. Elliott
	-	M. Hacon
	-	J. Palmer
Corporate Manager	-	G. Hough
Secretary-Treasurer	-	L. Taschner

**CONFLICT OF INTEREST:**

None.

**APPROVAL OF MINUTES:**

Moved by: J. Palmer  
Seconded by: M. Hacon

*"The Minutes of the Meeting of June 7, 2012, be approved as printed and circulated."*

CARRIED

**BUSINESS ARISING FROM MINUTES:**

None.

**CORRESPONDENCE:**

Correspondence dated June 28, 2012, was received from the County Public Works Department regarding Application B12-24-8 (Jordan James Csendes).

Correspondence dated June 26, 2012, was received from the County Public Works Department regarding Application B12-22-4 (Mary L. Cole).

Correspondence dated June 28, 2012 was received from the Council of the Township of Norwich regarding Application B12-16-3 (Antoinette Sackrider & Michael Sackrider).

Correspondence dated June 28, 2012 was received from the Council of the Township of Norwich regarding Application B12-21-3 (2113185 Ontario Inc.).

Correspondence dated June 29, 2012 was received from the Oxford County Public Works Department regarding Application B12-21-3 (2113185 Ontario Inc.).

Correspondence dated July 4, 2012 was received from the Erie Thames Powerlines Corporation regarding Application B12-21-3 (2113185 Ontario Inc.).

Correspondence dated July 4, 2012, was received from the owner's agent, GSP Group regarding Application B12-21-3 (2113185 Ontario Inc.).

Correspondence dated July 3, 2012 was received from Garry Nix and Kim White regarding Application B12-23-8 (The Incorporated Synod of the Diocese of Huron).

GENERAL CORRESPONDENCE:

A Decision and Board Order was received from the Ontario Municipal Board regarding Application B12-38-3 (Dorothy Eppel). The Board's decision denied provisional consent. G. Hough briefly reviewed the hearing details with the Committee.

GENERAL BUSINESS:

G. Hough stated that he would arrange with staff from the Upper Thames River Conservation Authority to speak to the Committee at the September meeting.

G. Hough stated that the terms of office of the Committee were discussed at Oxford County Council. He will be preparing a report reviewing the terms.

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APPLICATIONS FOR CONSENT:

B-12-24-8 – Jordan James Csendes (Lots 3 & 4, Plan 49, City of Woodstock)

John Szasz briefly explained the application to the Committee. He explained that he is purchasing land from Jordan Csendes. The lands will be used by him in order to access his backyard. He reviewed the late correspondence received from the County Public Works Department.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of 139.2 sq. m. (1,498.4 sq. ft.) and contains no buildings or structures. The lot to be retained will cover an area of 638.9 sq. m. (6,877.3 sq. ft.) and contains an existing single detached dwelling and detached garage. It is proposed that the lot to be severed will be added to the lot to the immediate east. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He indicated that the severance is for a boundary adjustment. The proposal is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and conforms to the Woodstock Zoning By-law.

John Szasz stated that he concurred with the findings and suggested conditions as recommended in the staff Planning Report.

Moved by: H. Elliott  
Seconded by: G. Brumby

*"Granted"*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owners existing property. Any additional transactions with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
3. The owner confirms that no underground or overhead services serving the retained lands traverse the severed parcel or visa versa. Where such services exist, the owner shall relocate the services or obtain private easements, to the satisfaction of the City of Woodstock.
4. The owner shall submit a recent survey to the Engineering Department confirming the lot size and building setbacks of the retained lot.

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5. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
  6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.

CARRIED.

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B12-23-8 – The Incorporated Synod of the Diocese of Huron (Lots 23 & 24, Plan 350, City of Woodstock)

Adam Layton of Sierra Construction, the owner's agent, was in attendance to present the application. A. Layton explained the application to the Committee. He stated that there is currently an easement for services from Oxford Gardens through the cemetery lands. The new easement will tie into the trunk line with the County. He stated that once the services are installed, the owner will then instruct the surveyor to prepare the necessary survey. He reviewed the late correspondence received from Garry Nix and Kim White.

The purpose of the Application for Consent is to enlarge an existing easement over the subject property (Anglican Cemetery) in favour of Oxford Gardens Retirement Village for storm water and sanitary sewer to service the proposed addition to the retirement home. The easement will cover an area of approximately 1,291 m<sup>2</sup> (13,896.7 ft<sup>2</sup>) with an average width of 8.0 m (26.25 ft.). The said easement will run from the northwest corner of the Oxford Gardens property through a small valley on the cemetery lands to the main trunk sewer (owned by the County of Oxford) located immediately north of the cemetery lands.

G. Hough reviewed the staff Planning Report. He explained that the easement will facilitate new development on the Oxford Gardens property. He stated that an easement presently exists, and it is this easement that is proposed to be widened and extended. The proposal is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and conforms to the Woodstock Zoning By-law. G. Hough discussed the letter of concern received from Mr. Nix and Ms. White and noted that the easement is to be located only on the cemetery property. He stated that private work is being conducted on the cemetery property and not municipal work. Staff is in support of the application.

A. Layton stated that he will meet Mr. Nix and Ms. White to address their concerns.

In response to G. Brumby, A. Layton stated that the work is proposed to be completed in the fall.

In response to M. Hacon, A. Layton pointed out that the existing sanitary from the Oxford Gardens building runs out to Devonshire Avenue, while the proposed sanitary from the new addition will run through the cemetery and out to Oxford Road 59. A. Layton stated that any trees that need to be removed will be replaced. He pointed out that the construction road was moved in order to accommodate the existing large trees.

Moved by: W. Buchanan  
Seconded by: J. Palmer

"Granted"

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CONDITIONS:

1. The owner shall submit a draft Reference Plan and Easement Agreement to the City of Woodstock Engineering Department, to the satisfaction of the City of Woodstock.
2. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.

CARRIED.

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B12-22-4 – Mary L. Cole (Part Lot 19, Concession 4, Township of South-West Oxford, formerly Township of Dereham)

Alister MacLean, the owner's agent, was in attendance. He presented the application and explained that the owner proposes to sever 100 acres and add it to the 77-acre farm lot to the immediate east. She will retain a 2.11 acre lot for rural residential purposes. He reviewed the late correspondence received from the County of Oxford Public Works Department.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 40.63 ha (100.4 ac), contains no buildings or structures and is in agricultural production. The lot to be severed will be added to the farm lot to the immediate east which covers an area of 31.2 ha (77 ac) and contains a grain storage building, a driveshed and an accessory single detached dwelling. It is proposed that the lot to be retained will cover an area of 0.85 ha (2.11 ac), contains an existing single detached dwelling, detached garage, and a well shed and will be used for rural residential purposes.

G. Hough reviewed the staff Planning Report. He noted that there were no Minimum Distance Separation (MDS) issues. The proposal is consistent with the 2005 Provincial Policy Statement, and complies with the Oxford County Official Plan. A re-zoning will be required for the retained lot.

A. MacLean stated that he concurred with the findings and suggested conditions of the staff Planning Report.

J. de Bruyn asked whether the large trees would remain with the house lot or be on the severed lot. In response, A. MacLean stated that the trees will be on the retained lot.

Moved by: M. Hacon  
Seconded by: H. Elliott

*"Granted"*

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.

2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owners existing property. Any additional transactions with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, the owner enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
4. If required, a drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of South-West Oxford.
5. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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B12-16-3 – Antoinette & Michael Sackrider Part Lot 18, Concession 4, Township of Norwich, formerly Township of North Norwich)

Michael Sackrider, together with his mother, Antoinette Sackrider, were in attendance. Michael Sackrider presented the application to the Committee. He indicated that they were considering enlarging the retained lot to 2 acres from the existing proposed 1.34 acres. They reviewed the late correspondence received from the Council of the Township of Norwich.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 24.7 ha (61 ac), contains a dairy barn (to be removed) and is in agricultural production. The lot to be severed will be added to the farm lot to the immediate west which covers an area of 20.24 ha (50 ac) and contains a chicken barn, five outbuildings and an accessory single detached dwelling. It is proposed that the lot to be retained will cover an area of 0.54 ha (1.34 ac), contains an existing single detached dwelling and outbuilding and will be used for rural residential purposes. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He stated that the owners are proposing to sever a 67-acre parcel to be added to the farm lot to the immediate west. The existing dairy barn situated on the retained lot will be removed. The proposal is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan. A re-zoning will be required for the retained lot.

G. Brumby asked the owners whether they were sure they wanted to proceed with the existing application or if they thought about retaining a larger lot. In response, M. Sackrider indicated that they considered retaining a larger lot but they also want to consider whether a smaller lot would prevent a prospective purchaser from constructing large buildings or shops. M. Sackrider indicated that it would be his preference that the development of the retained lands be limited.

After some discussion, the owners requested a deferral for one month in order to permit them to consider amending the configuration of the severed and retained lots.

Moved by: G. Brumby  
Seconded by: M. Hacon

*"Deferred"*

REASON:

1. The application be deferred at the request of the owners for up to one month, to the August 2012 meeting of the Oxford County Land Division Committee, in order allow the owners to reconsider the size and configuration of the lot to be retained.

CARRIED.

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B11-18-06; A11-06-6 - Jennifer Story (Part Lots 63 & 64, Plan 186, Town of Ingersoll, formerly Township of West Oxford)

Jennifer Story, together with her father, Dave Story of 18 Cedar Street, Ingersoll ON N5C 3L7, were in attendance. D. Story presented the application and explained that his daughter wishes to create a residential building lot.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 624.3 sq. m (6,720 sq. ft.). The existing shed situated on the lot to be severed will be removed and a single detached dwelling is proposed to be constructed. The lot to be retained will cover an area of 552 sq. m (5,952 sq. ft.) and contains an existing 1-1/2 storey single detached dwelling.

Relief is sought from Section 6.2, Lot Depth, to permit a lot depth for both the lots to be severed and retained of 29.26 m (96 feet) in place of the 30 m (98.4 feet) required; relief is sought from Section 6.2, Front Yard Depth, to permit a front yard depth for the lot to be retained of 5.18 m (17 feet) in place of the 6.0 m (19.8 feet) required by the Town of Ingersoll Zoning By-law No. 04-4160.

G. Hough reviewed the staff Planning Report. He stated that the proposal is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and generally conforms to the Ingersoll Zoning By-law. He explained the reason for the deferral recommendation in the staff Report is due to the fact that there was a miscommunication as to when the services will be installed. The intent is to install the services at the end of this year and the easement necessary to extend the services is pending. He pointed out that a deferral is most appropriate at this time and will prevent the application from lapsing should the servicing not be installed within the one year of the application being approved.

D. Story stated that he and his daughter concur with the findings and suggested conditions of the staff Planning Report.

In response to J. de Bruyn's question, it was pointed out that only water services are available on Elm and Royland Streets. Sanitary sewers are not yet available.

Moved by: G. Brumby  
Seconded by: H. Elliott

*"Deferred"*

REASON:

1. The application for consent be deferred for up to one year to the July, 2013 meeting of the Oxford County Land Division Committee, in order to allow the municipality to complete necessary arrangements for the installation of municipal sanitary services in this southern area of the Town of Ingersoll.

CARRIED.

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B12-21-3 – 2113185 Ontario Inc. (Part Lots 12 & 13, Concession 9; Lots 1-10, east of James Street,

Plan 129; Lot 137 and Part Lots 139 & 144, Plan 388, Township of Norwich, formerly Township of South Norwich)

G. Hough referred to the letter of withdrawal received from the owner's agent, Brandon Flewwelling of the GSP Group Inc. No action is necessary. The file is closed.

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B12-17-1 & B12-18-1 – Murray & Marion Etherington (Part Lot 6, Plan 123, Township of Blandford-Blenheim, formerly Township of Blenheim – Village of Drumbo)

Murray Etherington, together with his brother, Larry Etherington, were in attendance. M. Etherington presented the application to the Committee. He stated that the application is consistent with the 2005 Provincial Policy Statement. He noted that he grew up at 55 Powell Street and would like to move back to the area and to build a house on the severed lot proposed by B12-17-1. He proposes to construct a three-bedroom bungalow with an attached garage.

Larry Etherington pointed out that there is presently a 66-lot subdivision proposed, of which 33 lots have been approved. This property is located to the north of their property.

The purpose of Application B12-17-1 is to create a residential building lot. The lot to be severed will cover an area of 0.08 ha (0.20 ac). A single detached dwelling is proposed to be constructed on the lot. The lot to be retained will cover an area of 0.12 ha (0.30 ac), contains an existing single detached dwelling and attached carport. The owners have also applied for a Partial Discharge of Mortgage.

The purpose of Application B12-18-1 is for a residential lot addition. The lot to be severed will cover an area of 0.13 ha (0.32 ac). The severed lot is vacant and will be added to the residential to the immediate west, covering an area of 0.49 ha (1.2 ac) containing an existing single detached dwelling with attached and a detached garage. The lot to be retained will cover an area of 0.12 ha (0.30 ac), contains an existing single detached dwelling and attached carport. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He explained that Application B12-18-1 is for a lot addition to the residential lot to the immediate west, owned by Larry Etherington. The application for the residential lot addition is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and conforms to the Township's Zoning By-law. B12-17-1 proposes to create a residential building lot. This lot too is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and conforms to the Township's Zoning By-law. The present issue is with waste water capacity. Planning staff cannot recommend approval for this lot at the present time. A report regarding Drumbo's waste water capacity will be considered by Oxford County Council in the near future. He pointed out that the existing lots to the north have been registered within a Plan of Subdivision, and there is capacity for those lots. Therefore, they can proceed for development.

L. Etherington stated that he spoke to one of the Township Councillors who suggested to him that the Committee could approve the severance but that he would not be able to build on the lot until such time as water is available to the property. In response, G. Hough pointed out that if the application is approved and the availability of capacity does not materialize, the severance lapses. He suggested that the best advice would be to defer the application until such time as wastewater becomes available. Regarding the time-table, he suggested that the owners contact the County Public Works Department directly.

A question was asked as to how many deferrals exist such as the one requested by this application. In response, the Secretary-Treasurer stated that she was not aware of any.

J. Palmer questioned whether Application B12-18-1 could proceed with a favourable decision at this time? G. Hough responded in the affirmative.

J. de Bruyn questioned whether there were solar panels on the lot to be enlarged. In response, L. Etherington stated there were.

B12-17-1

Moved by: M. Hacon  
Seconded by: J. Palmer

*"Deferred"*

REASON:

1. The application for consent be deferred until such time as capacity exists in the Drumbo Wastewater Treatment Plant to service the lot to be severed.

CARRIED.

B12-18-1

Moved by: W. Buchanan  
Seconded by: M. Hacon

*"Granted"*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owners existing property. Any additional transactions with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. If required, the owners enter into a standard Severance Agreement with the Township of Blandford-Blenheim to the satisfaction of the Township.
3. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.

CARRIED.

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On the motion of M. Hacon, the Committee meeting adjourned at 11:35 a.m.