

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, December 6, 2018

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, December 6, 2018 at 10:30 a.m. with the following individuals:

Chair	-	B. George
	-	G. Brumby
	-	H. Elliott
	-	M. Hacon
	-	R. Jull
	-	T. Rock - absent
	-	A. Tenhove
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	L. Taschner

The meeting was called to order at 10:30 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of November 1, 2018, be approved as amended."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

The resolution from the East Zorra-Tavistock Council dated was received regarding Application B18-62-2; A18-06-2 (Stephen & Alec Ramseyer).

APPLICATIONS FOR CONSENT:

B18-62-2; A18-06-2 – Stephen & Alec Ramseyer (Part Lot 36, Conc. 13, Township of East Zorra-Tavistock, formerly Township of East Zorra – Village of Tavistock)

Stephen Ramseyer was in attendance to present the application. He explained that he received prior on his property; however, the application lapsed. He requested a refund of the application fee for the current application.

The purpose of the Application for Consent is to sever a lot with an area of approximately 646.8 m² (6,962 ft²) containing an existing single detached dwelling and accessory structure (detached garage). The retained lot is proposed to comprise an area of 581.7 m² (6,261 ft²) and contains a two-story building containing commercial office and residential uses.

A minor variance from Township of East Zorra-Tavistock Zoning By-law No. 2003-18 has been requested to reduce the minimum required rear yard depth for a residential use from 7.5 m (24.6 ft) to 3.0 m (9.8 ft) for the severed lot and to reduce the minimum required rear yard depth for a non-residential use from 5.0 m (16.4 ft) to 3.0 m (9.8 ft) for the retained lot. The variances are requested in order to recognize the location of existing structures in relation to the proposed new lot boundary.

R. Versteegen reviewed the staff Report. He pointed out that the owners had a previous consent application in 2017 that lapsed as the survey was not received in time for the Secretary-Treasurer to issue the certificate. He noted that the application is consistent with the Provincial Policy Statement (PPS), complies with the Official Plan policies and generally concurs with the Township Zoning By-law. A minor variance has been requested to reduce the rear yard depth on the retained lot. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours.

G. Brumby pointed out that two additional conditions have been requested by the Township. In response R. Versteegen explained that they are standard conditions required by the Township.

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

"Granted"

CONDITIONS:

1. The owners enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township Chief Administrative Officer.
2. The owners provide cash-in-lieu of parkland, to the satisfaction of the Township of East Zorra-Tavistock.
3. The separation distances between existing buildings be confirmed by an Ontario Land Surveyor and the spatial separation requirements under the Ontario Building Code be calculated to the satisfaction of the Chief Building Official of the Township of East Zorra-Tavistock.
4. A road widening to 3 m (9.8 feet) from the centreline of Hope Street East along the frontage of the lot to be retained be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
5. The County of Oxford Public Works Department advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed and lot to be retained have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the Township which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
6. The owners provide a private easement over the lot to be severed in favour of the lot to be retained for the purposes of providing water and/or sanitary sewer services to the lot to be retained and that any such easement and/or agreement be established to the satisfaction of the County Public Works Department and further, that the Land Division Committee hereby approves the noted private easement.
7. Drainage re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of East Zorra-Tavistock.
8. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.

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9. 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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A18-08-02

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

"Granted"

REASONS:

1. The variances requested are minor variances from the provisions of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested are in keeping with the general intent and purpose of Township of East Zorra-Tavistock Zoning By-law No. 2003-18.

CARRIED.

B18-55-3 – Antoinette Parsons (Part Lot 19, Concession 5, Township of Norwich, formerly Township of North Norwich)

Robert & Antoinette Parsons were in attendance to speak to the application. R. Parsons briefly explained the application.

The purpose of the Application for Consent is for an agricultural lot addition to an existing non-farm rural residential parcel. The lot to be severed will cover an area of approximately 31.38 ha (77.54 ac) of agricultural land will be added to the abutting rural residential lot to the immediate northwest. The lot to be severed is vacant of any buildings or structures, while the lot to be enlarged contains an existing single detached dwelling and accessory building, as well as a private well and septic system. Currently, the lot to be enlarged is approximately 0.78 ha (1.9 ac) in area. The lot to be retained will cover an area of approximately 0.53 ha (1.3 ac) and contains an existing single detached dwelling and garden shed, as well as a private well and septic system.

R. Versteegen reviewed the staff Report. He pointed out that the application proposes a lot addition to an existing rural residential lot to the immediate north. The newly enlarged lot will be used for agricultural purposes. No new lot is being created. He noted that the application is consistent with the Provincial Policy Statement (PPS) and complies with the Official Plan policies. A zone change application was submitted with the severance to rezone the retained lot to RR and the newly enlarged lot to A2. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. The Township Chief Building Official had concerns with the location of the septic services, and therefore, a condition has been added that the owner confirm the location of the septic system.

R. Parsons stated Condition No. 6 in the Planning staff recommendation requires that owners properly disconnect the private well from the existing dwelling, located on the neighbouring parcel to the lot to be severed, and that a new private drinking water system be established for the lot to be retained, located wholly on the lot to be retained. In response, R. Versteegen noted that the Committee could suggest a Well Agreement between the parties; however, it would be best if each lot had separate wells. R. Parson stated that he was prepared to drill a new well.

M. Hacon suggested to leave the wording of Condition No. 6 as it is.

Moved by: M. Hacon
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. The lots to be retained and enlarged be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, a drainage reapportionment 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 Norwich.
4. If required, a road widening of 5 m (16.4 ft) along the frontage of the lot to be severed and the lot to be retained be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
5. The owner provide confirmation of the location of the existing septic system for the lands to be retained, to the satisfaction of the Southwestern Public Health Department.
6. The owners properly disconnect the private well from the existing dwelling, located on the neighbouring parcel to the lot to be severed, in accordance with the Ontario Water Resources Act, R.S.O. 1990 (Ontario Regulation No. 903), and that a new private drinking water system be established for the lot to be retained, located wholly on the lot to be retained, in accordance with the aforementioned regulation.
7. If required, the owner enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
8. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
9. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-52-4 – Nathan & Melanie Huinink (Part Lot 1, Concession 3, Township of South-West Oxford, formerly Township of West Oxford)

Nathan & Melanie Huinink and Wayne Jonker of Firm Enterprises were in attendance. Also in attendance was Dave McNeillie, 504770 Old Stage Road, R. R. #1, Woodstock ON N4S 7V6. N. Huinink explained that the severance is for an agri-business lot addition to the property to the immediate east owned by Firm Enterprises.

The purpose of the Application for Consent is for an agri-business lot addition. The lot to be severed will cover an area of approximately 0.9 ha (2.25 ac), and contains an existing garage. The lot to be severed will be added to the adjacent agri-business lot to the immediate east currently covering an area of approximately 1.27 ha (3.15 ac) and consisting of two commercial buildings, one used for office space and the other for storage/garage. No new buildings are proposed. The lot to be retained will be approximately 1.1 ha (2.72 ac) in area, and contains an existing single detached dwelling.

R. Versteegen reviewed the staff Report. He indicated that the application is consistent with the Provincial Policy Statement (PPS) and complies with the Official Plan policies. A rezoning will be required for the lot to be severed to an AB Zone to facilitate the severance. No new lots are proposed. The lots are on private services and wells. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

N. Huinink stated that he concurred with the findings and suggested conditions of the Planning Report.

D. McNeillie had a number of concerns. He was wondering if there would be any drainage issues in the future. He questioned whether a proper buffer strip between the new owner's property and residential lots the area would be constructed. He noted the buffer strip between the severed and enlarged lot and whether that buffer strip would be removed? He noted the migration of wildlife and wondered if that had been addressed? In response, W. Jonker indicated that trees along the east side will be removed and spruce trees will be planted, as well as the erection of a chain-linked fence. Traffic to the property will enter on Sweaburg Road as no change to access is proposed.

R. Versteegen pointed out that the property will be subject to site plan control. He suggested that W. Jonker contact the planner if he had any questions.

In response to a question raised by a Committee member, W. Jonker stated that a lawncare landscaping business exists on his current property and he has run out of room for his equipment. No changes are proposed to his business.

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

"Granted"

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) 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. 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 and otherwise, have been complied with.

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5. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B18-56-3 – Tom & Marjorie Wilson (Part Lot 19, Concession 7, Township of Norwich, formerly Township of East Oxford)

Marjorie Wilson, one of the owners and Valerie Laekeman, the prospective purchaser of the severed lot, were in attendance. M. Wilson presented the application to the Committee and stated that the severance is for a boundary adjustment.

The purpose of the Application for Consent is to facilitate a lot addition to an existing non-farm rural residential lot. The parcel to be severed will cover an area of approximately 480.65 m² (5,173.6 ft²), is currently vacant of any buildings or structures, but does contain an existing driveway entrance for the lot to be enlarged. The parcel to be severed will be added to the abutting rural residential lot to the immediate east. The lot to be enlarged is approximately 2,403.2 m² (25,868.1 ft²) in size and contains an existing single detached dwelling and garden shed, as well as a private well and septic system. The lot to be retained is approximately 20.7 ha (51.5 ac) in size and contains three existing agricultural buildings, an accessory single detached dwelling and a private well and septic system.

R. Versteegen reviewed the staff Report. He stated that the application is for a rural residential lot addition to the immediate east. The severance will correct the boundary of the Laekeman property such that her driveway will be wholly on her lot. He indicated that the application is consistent with the Provincial Policy Statement (PPS) and complies with the Official Plan policies. A rezoning will be required for the lot to be severed to an RE Zone to facilitate the severance. No new lots are proposed. The lots are on private services and wells. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

M. Wilson indicated that she concurred with the findings and suggested conditions of the staff Planning Report.

R. Versteegen indicated that there was a mapping error on Plate 3 in the staff Planning Report and noted that the road should not be included in boundary of the property.

Moved by: A. Tenhove
Seconded by: H. Elliott

"Granted"

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

3. If required, a drainage reapportionment 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 Norwich.
4. If required, the owner enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
5. The Clerk of the Township of Norwich 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-41-6 – 2417582 Ontario Inc. (Part Lots 4 & 6, Block 26, Plan 279, Town of Ingersoll)

Peter Poort, together with his solicitor, Ian Blain, were in attendance. I. Blain presented the application to the Committee. He indicated that the severance proposal is for a residential lot addition.

The purpose of the Application for Consent is for a residential lot addition. The parcel to be severed is to be approximately 140.4 m² (1,511.3 ft²) in area, with a frontage of approximately 3.84 m (12.6 ft.), and is to be added to the lot to the immediate south. The lot to be enlarged is currently 522.7 m² (5,626.3 ft²) in area, has a frontage of approximately 13.3 m (43.6 ft.) and is currently vacant. The newly configured lot will then be approximately 663.1 m² (7,137.5 ft²) in area, have a frontage of approximately 17.1 m (56.1 ft.) and a new single detached dwelling is proposed to be constructed on the lot. The lot to be retained is to cover an area of approximately 902.5 m² (9,714.4 ft²) and will have a frontage of approximately 24.8 m (81.4 ft.), and contains an existing single detached dwelling and garage. No new lot is to be created though the consent application.

R. Versteegen reviewed the staff Report. He indicated that the application is consistent with the Provincial Policy Statement (PPS) and complies with the Official Plan policies. A rezoning will be required for the lot to be severed to an AB Zone to facilitate the severance. No new lots are proposed. The lots are on private services and wells. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

I. Blain stated that he concurred with the findings and suggested conditions of the staff Planning Report. He indicated that a new house is proposed to be constructed on the newly enlarged lot.

Moved by: M. Hacon
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) 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 Town of Ingersoll, regarding the installation of services and drainage facilities.
3. The owner enter into a standard Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. Provisions in the agreement shall include that the owner provides a grading plan for the development on the combined parcel to the severed and lot to be enlarged, a grading deposit of \$5,000, and also obtain Road Allowance Excavation Permit from the Town.
4. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
5. 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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-47-4; A18-03-4 – Scott Stewart Construction Inc. (Lot 11 and Part Lot 12, Concession 5, Township of South-West Oxford, formerly Township of Dereham)

Scott Stewart, together with his agent, David Roe, were in attendance. Also in attendance was Logan Fitzmorris, 324094 Mount Elgin Road, Mount Elgin ON N0J 1N0. D. Roe presented the application to the Committee. The owner wishes to sever the lot and construct a house.

The purpose of the Application for Consent is for the creation of a residential lot in the village of Mount Elgin. It is proposed that the lot to be severed will cover an area of approximately 628.2 m² (6,761.8 ft²). The lot to be retained will cover an area of approximately 948.8 m² (10,212.7 ft²). The lot to be severed is vacant, while the lot to be retained contains a single detached dwelling, and accessory structure (detached garage). Both the severed and retained lots will continue to be used residential purposes.

A variance has been requested from Section 12.2, to reduce the minimum required front yard depth on the lot to be retained from 10 m (32.8 ft.) to 4.57 m (14.99 ft.). The relief is required to recognize the existing location of the single detached dwelling on the lot to be retained.

R. Versteegen reviewed the staff Report. He indicated that a minor variance is requested to reduce the front yard depth of the retained lot. He indicated that the application is consistent with the Provincial Policy Statement (PPS) and complies with the Official Plan policies. The lots to be severed and retained will be on full municipal services. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

D. Roe stated that he concurred with the findings and suggested conditions of the staff Planning Report.

L. Fitzmorris stated that he was concerns with the existing water problem and his privacy. He indicated that he was concerned with the wholesale value of his property after the severance. In response, S. Stewart explained that there is an existing catch basin and that the existing cedars are to remain. He suggested that the housing values will only increase.

In response to G. Brumby, S. Stewart indicating that nothing will be changing on the retained lot.

B18-47-4

Moved by: H. Elliott
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed and retained have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
2. If required, the owner enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
3. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township 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 2014 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.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

Moved by: H. Elliott
Seconded by: A. Tenhove

"Granted"

A18-03-4

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of South-West Oxford Zoning By-law No. 25-98.

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2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
 3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
 4. The variance requested is in keeping with the general intent and purpose of Township of South-West Oxford Zoning By-law No. 25-98.

CARRIED.

B18-45-5 – Southside Property Management (London) Inc. (Part Lots 22 & 23, Conc. 2, Township of Zorra, formerly Township of North Dorchester)

Bob Morrison was in attendance to present the application. He indicated that approximately 8 acres are to be added to the property to the immediate west, currently 60 acres in area.

The purpose of the application for consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 3.2 ha (8 ac), with frontage of approximately 305 m (1,000 ft) along Road 64, contains a driveshed, a vacant dairy barn, and an accessory single detached dwelling (with private well and septic system) and consists of cropland/pasture. The severed lot will be added to the lot to the immediate west covering an area of approximately 24 ha (60 ac), including a single detached dwelling (with private well and septic system), a driveshed, an aggregate extraction operation, and cropland. The lot to be retained will cover an area of approximately 40.5 ha (100 ac) and contains an existing aggregate extraction operation.

R. Versteegen reviewed the staff Report and indicated that the property is currently licensed with the Ministry of Natural Resources under the Aggregate Resources Act. The application was before the Committee at its November 1st meeting at which time it was deferred at the request of the owner. He indicated that the application is consistent with the Provincial Policy Statement (PPS), complies with the Official Plan policies and is appropriately zoned. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

B. Morrison stated that concurred with the planning report and the recommended conditions.

Moved by: M. Hacon
Seconded by: R. Jull

"Granted"

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. 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 Zorra.
3. If required, the owner shall enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township of Zorra.
4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.
5. 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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-59-1; A18-05-1 – Llolyn Farms Ltd. (Part Lot 14, Conc. 3, Township of Blandford-Blenheim, formerly Township of Blenheim)

Charles & Gayle Gurney of Llolyn Farms Limited were in attendance to present the application. C. Gurney indicated that the severance is to create a farm parcel for estate planning purposes.

The purpose of the Application for Consent is to create an agricultural lot. The lot to be severed comprises approximately 30.6 ha (75.7 ac) and is currently vacant of any buildings/structures, while the lot to be retained comprises approximately 32.1 ha (79.2 ac) and contains an existing storage barn, three sheds, water storage pit, several silos and two accessory farm dwellings. Both parcels are currently in agricultural production (cash crop).

A minor variance is requested from Section 7.2.5 – Number of Accessory Dwellings & Garden Suites Per Lot, of the Township of Blandford-Blenheim Zoning By-law No. 1360-2002, to recognize the second accessory farm dwelling on the lot to be retained.

R. Versteegen reviewed the staff Report. He indicated that the application is consistent with the Provincial Policy Statement (PPS), complies with the Official Plan policies and is appropriately zoned. He stated that the surrounding land uses is agricultural. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

C. Gurney stated that he concurred with the findings and suggested conditions of the staff Planning Report.

G. Brumby questioned the number of residences on the property and questioned whether the Committee had the authority to amend the By-law permitting the residences. R. Versteegen explained that the Committee does have the authority to approve the minor variance.

B18-59-1

Moved by: R. Jull
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. If required, 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 Blandford-Blenheim.
2. If required, the owner enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford-Blenheim.
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.

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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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A18-05-1

Moved by: R. Jull
Seconded by: A. Tenhove

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Blandford-Blenheim Zoning By-law No.1360-2002.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of Township of Blandford-Blenheim Zoning By-law No 1360-2002.

CARRIED.

B18-54-5 – Estate of Paulette Hanlon (Part Lot 9, Conc. 1, Township of Zorra, formerly Township of North Oxford)

Timothy Hanlon was present to present the application. He explained that the application proposes to divide the farm for estate planning purposes.

The purpose of the application for consent is to sever approximately 40.5 ha (100 ac) of vacant agricultural land and a woodlot to create a new agricultural lot with frontage of approximately 182.9 m (600 ft) along Road 66. The lot to be retained comprises approximately 40.5 ha (100 ac), with frontage on Road 68, and contains a vacant dairy barn and other farm buildings, an accessory single detached dwelling and cropland. Both the severed and retained lot will continue to be used for agricultural purposes.

R. Versteegen reviewed the staff Report. He indicated that the application is consistent with the Provincial Policy Statement (PPS), complies with the Official Plan policies and is appropriately zoned. He indicated that there is approximately 20 acres of woodlot on the severed lot. There are no services on the severed lot, while the retained lot is on private services. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

G. Brumby questioned whether there were any MDS requirements. In response, R. Versteegen pointed out that even if a house is constructed on the severed lot, it will meet the MDS requirements.

Moved by: A. Tenhove
Seconded by: R. Jull

"Granted"

CONDITIONS:

1. 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 Zorra.
2. If required, the owner shall enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township of Zorra.
3. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial 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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-46-7 – Patrick Mooney (Part Lot 7, Conc. 10, Town of Tillsonburg, formerly Township of Dereham)

Walter Kleer, Royal LePage Wood Realty, the owner's agent, were in attendance. He briefly explained the application to the Committee.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed has an approximate area of 1,036.48 m² (11,160 ft²), frontage of 18.898 m (62 feet), and depth of 54.846 m (180 feet). The severed lot is currently vacant. The lot to be retained has an area of 3,076.612 m² (33,116.9 ft²) and contains a single detached dwelling and three sheds. The metal shed straddling the lot line between the severed and retained lots is to be removed.

R. Versteegen reviewed the staff Report. He stated that the application is for a residential infill proposal. He indicated that the application is consistent with the Provincial Policy Statement (PPS), complies with the Official Plan policies and is appropriately zoned. No concerns or objections were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application subject to the conditions in the recommendation of the Planning Report.

W. Kleer indicated that he concurred with the findings and suggested conditions of the staff Planning Report.

In response to R. Jull, W. Kleer explained that the water area behind the lots is a water retention pond.

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

"Granted"

CONDITIONS:

1. The owner enter into a Severance Agreement with the Town of Tillsonburg, to the satisfaction of the Town.
2. The owner shall provide payment to the County of Oxford for the provision of water and wastewater services to the lot to be severed, to the satisfaction of the Oxford County Public Works Department.
3. The owner shall provide a preliminary lot grading plan for the lot to be severed, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
4. The owner shall provide a building location survey, prepared by an Ontario Land Surveyor, to confirm the setback between the existing buildings on the lot to be retained and the new interior lot line, to the satisfaction of the Town Chief Building Official.
5. The owner shall remove the existing accessory building that straddles the proposed lot line, to the satisfaction of the Town Chief Building Official.
6. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
7. 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 2014 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B18-34-7 – Lindprop Corp. (Part Lots 4 & 5, Conc. 10, Town of Tillsonburg, formerly Township of Dereham)

Peter Penner of CJDL Consulting Engineers was in attendance to present the application. Also in attendance was Rick Goethals, 53 Tanager Drive, Tillsonburg ON N4G 4X2. P. Penner explained that the application proposes to sever a portion of land from an existing draft approved plan of subdivision.

The purpose of the Application for Consent is to sever a portion of a draft approved plan of subdivision (32T-07006), and retain the balance of the draft plan of subdivision for access and servicing for the lands to be retained. The lands to be severed have an approximate area of 14.24 ha (35.2 ac) and are draft approved (32T-07006) and contain 165 draft approved lots for low density residential development, and a park block, served by 3 new local streets. The lands to be retained have an approximate area of 44.6 ha (110.2 ac), and comprise the eastern limit of draft plan 32T-07006 and contain 9 draft approved lots for low density residential development, a commercial block (0.5 ha), one local street, and vacant land that is currently being cropped.

R. Versteegen reviewed the staff Report. He explained that the application proposes to sever approximately 14.24 ha (35.2 ac) from an existing 2008 draft approved plan of subdivision which received four extensions. The retained lot will be approximately 44.6 ha (110 ac). The property is zoned Future Development. The only access to the property from North Street E. via Street Three situated on the retained lot. He stated that the application is premature at this time.

It was noted that a neighbour stated concerns over the removal of trees on the severed lot. Mr. Versteegen reviewed the Tillsonburg Engineering Services comments and all the comments received from the various agencies. He also pointed out that the Town wants Street Three constructed and registered to ensure access to the severed and retained lots.

P. Penner explained that Phase 1 will proceed followed by Phases 2 & 3 and if the severed lot is sold, the owner will ensure that access is retained. There are storm water outlets to Street Three and North Street, with the sanitary outlet through Street Three. He indicated that a letter of agreement that was suggested by the owner and agreed upon by the Town states that the street should be registered and constructed and that securities be given to the Town.

R. Goethals stated that he was against severance as the woodlot area and wetland will be compromised. He noted that this area was controlled by the Ministry of the Natural Resources. He indicated no development should proceed, and control should be in the hands of the MNR. He noted that he had concerns with the amount of traffic that will result. There are no sidewalks in the area and there is a dangerous intersection. Traffic in this area is already confusing.

G. Brumby indicated that the draft plan of subdivision has been in place since 2008, and stated that these issues would be addressed through the conditions of draft plan approval. In response, R. Versteegen indicated that the timing of the subdivisions may not work as the timing of the residential subdivision on the retained lot may proceed at the different time and speed as the residential subdivision on the severed lot. It could proceed in an inefficient manner, even in lieu of the recommended conditions from the Town of Tillsonburg.

M. Hacon questioned if Street Three is built and the road is registered, and the conditions are met, then could the severance proceed? In response, R. Versteegen pointed out that the Plan of Subdivision is not yet registered, but that was the preferred option to ensure a logical order of development without creating a lengthy number of easements and agreements between landowners, the Town and County.

R. Goethals questioned where he would present his concerns if not here then with what agency? Mr. Versteegen suggested that he should speak to the Town of Tillsonburg engineering department.

B. George questioned P. Penner why Street Three is not constructed? In response, P. Penner indicated that it was part of Phase 1 of the subdivision plan. He stated that Canary Street will become the east/west street for the severed lot. He noted that the proposed parkland will contain wetlands, and the houses will still affect the wildlife. Mr. Penner indicated that the approval by the County to construct the pumping station has been delayed for a period of time and is now proposed to be built in the winter months.

B. George suggested that in his opinion that it will be difficult for the owner to meet all the conditions of the Town within the one-year period.

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

"Not Granted"

REASONS:

1. The proposed consent is premature, not in the public interest, and complicates the future development of the lots to be severed and retained.
2. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to deny the application.

CARRIED.

On the motion of G. Brumby, the Committee meeting adjourned at 1:05 p.m.

"Gordon Brumby"

CHAIRMAN