

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, November 7, 2019

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, November 7, 2019 at 8:30 a.m. with the following individuals:

Chair	-	G. Brumby
	-	R. Jull
	-	J. Lessif
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove - absent
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	L. Taschner

The meeting was called to order at 8:30 a.m.

DECLARATIONS OF CONFLICT OF INTEREST:

C. van Haastert declared a conflict of interest for Application B19-60-8 (Woodstock General Hospital Trust).

APPROVAL OF MINUTES:

Moved by: J. Lessif  
Seconded by: C. van Haastert

*"The Minutes of the Meeting of October 3, 2019, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

G. Hough was in attendance to speak to the Committee regarding voting.

CORRESPONDENCE:

Correspondence dated November 5, 2019 was received from Jim Clarke regarding Application B19-53-6 (Jamie & Leann Brown).

Correspondence dated November 6, 2019 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B19-70-2 (Larry & Julie Schwartzentruber).

APPLICATIONS FOR CONSENT:

B19-69-8 – Woodstock General Hospital Trust (Lots 6-8 & 15-17, Block 5, Plan 49, City of Woodstock)

P. Lang, President/CEO of Woodstock Hospital, was in attendance on behalf of the owner to speak to the application. Also in attendance was M. Coakley representing Infrastructure Ontario. P. Lang stated that he was in support of the application.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed comprises approximately 1.47 ha (3.63 ac) and is currently vacant. The lot to be retained comprises approximately 1.17 ha (2.89 ac) and is also currently vacant. The severed lands are intended for future residential development and the retained lands are intended for future residential development and parkland.

R. Versteegen reviewed the staff Report. He explained the proposal is to create a lot for future residential purposes on the former Woodstock General Hospital site. An Environmental Study Assessment determined that there is contamination on the retained lot whereas the severed lot has no contamination, thus the severance would enable the severed lot to be sold to a separate party for future development purposes. A previous application was approved by the Committee in 2016; however, the application lapsed as the extent of the contamination could not be confirmed within the one-year time period allotted by the Planning Act. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and meets the zoning provisions of the Woodstock Zoning By-law. Planning staff recommends approval of the application. Woodstock Council passed a resolution in support of the application.

G. Brumby questioned what the blue posts were on the retained lot. In response, M. Coakley indicated they were monitoring holes. He further explained that his Ministry provided services in the demolition of the hospital and also assisted in the construction of the new hospital.

Moved by: J. Lessif  
Seconded by: R. Jull

*"Granted"*

CONDITIONS:

1. The owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
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, to the satisfaction of the City of Woodstock.
3. The owner shall submit a recent survey to confirm lot sizes, to the satisfaction of the City of Woodstock.
4. The owner shall prepare an overall grading plan and stormwater management design/plan for both the proposed severed and retained lots, to the satisfaction of the City of Woodstock.
5. The owner shall enter into a Severance Agreement with the City of Woodstock for the severed and retained lands as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by the owner.
6. 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.

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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.

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B19-53-6 – Jamie & Leann Brown (Part of Park Lot 6, Block 30, Plan 279, Town of Ingersoll)

Jamie & Leann Brown were in attendance to present their application.

The purpose of the Application for Consent is to create a residential infill lot that is to front onto the south end of Oxford Street. The proposed lot to be severed is to cover an area of approximately 0.36 ha (0.89 ac.) and is currently vacant. A single detached dwelling is to be constructed on the parcel to be created. The proposed lot to be retained is to cover an area of approximately 0.64 ha (1.58 ac.), contains a single detached dwelling and an accessory detached garage and will continue to be used for residential purposes.

R. Versteegen reviewed the staff Report. He explained the proposal is for the creation of an infill lot. A single detached dwelling is proposed to be created on the severed lot. A house and garage exist on the retained lot. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and meets the zoning provisions of the Town's Zoning By-law. No concerns were received as a result of the agency circulation. A J. Clarke, a neighbour of the owners, submitted late correspondence and voiced his concerns on the application and is not in support of the severance. R. Versteegen pointed out that all the hazard and floodplain lands are situate on the retained lot as required by the Upper Thames River Conservation Authority. Accordingly, the UTRCA indicated that they had no objections to the proposal based on the latest information provided by the applicant (Plate 4 of the planning report). Planning staff recommends approval of the application.

In answer to J. Brown, R. Versteegen explained that the \$5,000 grading deposit will very likely be part of the Building Permit process.

In response to C. van Haastert, R. Versteegen indicated that floodplain management is mandated by the UTRCA solely and that there is no jurisdiction under the Federal Government.

Moved by: J. Lessif  
Seconded by: R. Jull

*"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 have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance to the satisfaction of the County of Oxford Public Works Department.

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2. The owners shall submit an up-to-date survey of the lots to severed and retained to the satisfaction of the Town of Ingersoll.
  3. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll, regarding the installation of services and drainage facilities. This shall include a grading deposit of \$5,000 and that a road entrance permit being obtained 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 of Ingersoll 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. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

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B19-68-3 – Jeffery & Michelle Herreman (Part Lots 3 & 4, Concession 6, Township of Norwich,  
B19-69-3 – Jeffery Herreman formerly Township of North Norwich)

D. Roe was in attendance to present the applications. He explained that the two applications will result in the re-configuration of the lands.

The purpose of Application B19-68-3 is for an agricultural lot addition. The lot to be severed by B19-68-3 will cover an area of approximately 1,781 sq. m (19,171.2 sq. ft.), contains no buildings or structures and will be added to the abutting agricultural lands to the immediate north and west (285940 Airport Road). The lot to be enlarged covers an area of approximately 48.9 ha (121 acres), contains a number of farm buildings and an accessory single detached dwelling, and is in agricultural production. The lot to be retained will cover an area of approximately 1,169.6 sq. m (12,590 sq. ft.) and contains an existing single detached dwelling. The owners have applied for a Partial Discharge of Mortgage.

The purpose of Application B19-69-3 is for a non-farm rural residential lot addition. The lot to be severed will cover an area of approximately 2,379 sq. m (25,614.6 sq. ft.), contains no buildings or structures and will be added to the non-farm rural residential lot to the immediate east (93035 Hanmer Line). The lot to be retained will cover an area of approximately 48.9 ha (121 acres), contains a number of farm buildings and an accessory single detached dwelling, and is in agricultural production. The owner has applied for a Partial Discharge of Mortgage.

The effect of the proposed consents will be to facilitate a land swap that will reconfigure the lands at 793035 Hanmer Line into a rectangular, non-farm, rural residential parcel. No new development is proposed as part of the requested applications.

R. Versteegen reviewed the staff Report. He explained the proposal is to re-configure a rural residential lot. Application B19-68-3 proposes an agricultural lot addition, while B19-69-3 proposes a rural residential lot addition. A severance in 1998 resulted in an irregular shaped property in order to meet the Minimum Distance Separation (MDS) calculations. There are now new MDS rules that allow minor adjustments to existing lots that do not result in the creation of new lots. The applications are consistent with the 2014 Provincial Policy Statement and comply with the Official Plan policies. A zone change will be necessary for both applications. No comments or concerns were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application.

D. Roe stated that he concurs with the findings and suggested conditions in the staff Planning Report.

J. Lessif questioned the garage located at the rear of the severed lot by B19-69-3. D. Paron questioned whether confirmation would be needed that the garage would not be used for residential purposes.

B19-68-3

Moved by: R. Jull  
Seconded by: J. Lessif

*"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 northwest 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. The owner provide confirmation of the location of the existing septic system for the lands to be retained, to the satisfaction of the Township of Norwich Building Department.
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.

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B19-69-3

Moved by: R. Jull  
Seconded by: D. Paron

*"Granted"*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The certificate be issued for Application B19-68-3, the Transfer be registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B19-69-3.
3. 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) & 50(5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. If required, the owner obtain a Change of Use permit for the accessory building on the lot to be severed, ensuring that the said accessory building can be used for residential purposes, to the satisfaction of the Township of Norwich Building Department.
5. If required, the owner obtain an Entrance Permit off of Hanmer Line, to provide for separate access for the agricultural building on the eastern portion of the lot to be retained.
6. If required, the owner enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township of Chief Administrative Officer.
7. 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.
8. 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.

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B19-70-2 – Larry & Julie Schwartzentruber (Part Lots 22 & 23, Concession 10, Township of East Zorra-Tavistock, formerly Township of East Zorra)

L. Schwartzentruber was in attendance to present his application to the Committee.

The purpose of the Application for Consent is to create a vacant agricultural lot. The application proposes to sever approximately 40.3 ha (99.5 ac) of vacant land, comprising cropland and woodlands, for agricultural purposes. The lot to be retained comprises approximately 40.5 ha (100 ac) and contains cropland, woodlands, a poultry barn (layers), a cattle barn, a vacant barn, a storage shed and an accessory single detached dwelling with detached garage, private well and septic system. The owners have also applied for a Partial Discharge of Mortgage.

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R. Versteegen reviewed the staff Report. He explained the proposal is to create a vacant agricultural lot measuring approximately 99.5 acres. The retained lot is to be approximately 100 ac. and will continue to be used for agricultural purposes. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and conforms to the Township's Zoning By-law. No comments or concerns were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application. He addressed Township Council's resolution received as late correspondence.

In response to questions of the Committee, L. Schwartzentruber pointed out that his parents purchased the property in 1963, as one parcel.

Moved by: D. Paron  
Seconded by: J. Lessif

*"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 East Zorra-Tavistock.
2. If required, the owner shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
3. 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.
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.

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B19-71-5 – Brandon Koot  
B19-72-5 – Robert McIntosh

(Lots 12, 13, & 14, Plan 134, Township of Zorra, formerly  
Village of Embro)

Richard McIntosh was in attendance to speak to the application.

The purpose of Application B19-71-5 is for a residential lot addition. The lot to be severed will cover an area of approximately 181.6 m<sup>2</sup> (1,955 ft<sup>2</sup>) and will be added to the abutting residential property to the immediate north. The lot be enlarged has an existing lot area of 2,021.7 m<sup>2</sup> (21,869.5 ft<sup>2</sup>) and contains an existing single detached dwelling and shed. The lot to be retained will cover an area of approximately 1,448.8 m<sup>2</sup> (15,594.5 ft<sup>2</sup>), and will consist of an existing single detached dwelling and a shed.

The purpose of Application B19-72-5 proposes to create a residential building lot. The lot to be severed will cover an area of approximately 845.8 m<sup>2</sup> (9,104 ft<sup>2</sup>), with a frontage of 24.34 m (79.86 ft) on Elgin Street. The lot to be retained will comprise 1,370.9 m<sup>2</sup> (14,755.7 ft<sup>2</sup>), containing an existing single detached dwelling and a shed. It is proposed that single-detached dwelling will be constructed on the lot to be severed. The existing sanitary sewer easement in favour of the County of Oxford will remain on the lot to be retained. The owner has requested an easement over the lot to be retained in favour of the lot to be severed for the purpose of connecting to the existing sanitary sewer.

R. Versteegen reviewed the staff Report. He explained that Application B19-71-5 proposes a residential lot addition, while Application B19-72-5 proposes the creation of a residential building lot. The applications are consistent with the 2014 Provincial Policy Statement, comply with the Official Plan policies and conform to the Township's Zoning By-law. No comments or concerns were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the applications.

R. McIntosh stated that he concurred that he concurs with the findings and recommendations of the staff Planning Report.

B19-71-5

Moved by: C. van Haastert  
Seconded by: J. Lessif

*"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. 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. 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.



B19-72-5

Moved by: C. van Haastert  
Seconded by: J. Lessif

*"Granted"*

CONDITIONS:

1. The certificate for Application B19-71-5 be issued, the Transfer be registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B19-72-5.
2. An easement in favour of the lot to be severed for the purpose of connection to the existing sanitary sewer shall be established over the lot to be retained, to the satisfaction of the Secretary-Treasurer of the Land Division Committee. The owner shall provide the Transfer of Easement Agreement, together with the Transfer to the Secretary-Treasurer for review. The owner undertakes to register the Easement Agreement upon registration of the Transfer of the severed lot, and to provide a copy of the registered Easement Agreement to the Secretary-Treasurer. This condition will be waived if connection to the existing sanitary sewer to the rear of the lots is not feasible and/or the County of Oxford Public Works requires the sewer connection for the lot to be severed to be from Elgin Street.
3. The owner obtain approval for a new entrance on the lot to be severed, to the satisfaction of the Township of Zorra.
4. The existing sanitary sewer and manhole and associated easement in favour of the County of Oxford shall be entirely located on the lot to be retained.
5. A road widening of 3.0 m (9.8 ft) along Oxford Road 6 (Huron Street) for the entire 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 of Oxford Public Works Department.
6. 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 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.
7. 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.
8. The owner provide cash-in-lieu of parkland, to the satisfaction of the Township of Zorra.
9. The owner shall enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township of Zorra.
10. 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.
11. 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.

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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.

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B19-73-3 – Eugene Varga (Part Lot 22, Concession 11, Township of Norwich, formerly Township of South Norwich)

Ryan Van Leeuwen was in attendance to present the application. He pointed out that he is purchasing the severed parcel and adding it to his property.

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 is approximately 2,053 m<sup>2</sup> (22,100 ft<sup>2</sup>) in size and contains a portion of the residential accessory building associated with the lot to be enlarged. The parcel to be severed will be added to the existing non-farm rural residential lot to the immediate north, which contains an existing single detached dwelling, a private well and septic system and a residential accessory building (which is partially located on the lot to be severed). The lot to be enlarged is currently 0.4 ha (1 ac) in size. The lot to be retained will be approximately 22.3 ha (55.5 ac) in area, and contains two agricultural accessory buildings (which are located on the east side of the subject lands), and an accessory single detached dwelling. The owner has also applied for a Partial Discharge of Mortgage

R. Versteegen reviewed the staff Report. He explained the proposal is for a non-farm rural residential lot addition. The surrounding land uses are agricultural. An accessory building straddles the boundary between the severed and enlarged lots, which in part is the reason for the intended lot addition. The retained lot will cover an area of approximately 55 acres and is used for cash crops. The newly configured lot will cover an area of approximately 1.5 acres in size after the severance. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A zone change will be necessary for the severed parcel. No comments or concerns were received as a result of the agency circulation and the public notification to the neighbours. Planning staff recommends approval of the application.

R. Van Leeuwen stated that he concurred with the findings and suggested conditions in the staff Planning Report.

Moved by: P. Rigley  
Seconded by: R. Jull

*"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 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, the owner obtain a Change of Use Permit for the accessory buildings on the lot to be severed, ensuring that the said accessory structures cannot be used for the housing of livestock, to the satisfaction of the Township of Norwich.

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4. The Clerk of the Township of Norwich 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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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B19-67-5 – Ronald & Heather Forbes & David Forbes (Part Lot 23, Concession 3, Township of Zorra, formerly Township of North Dorchester)

Ronald & Heather Forbes were in attendance to present their application and stated that they were seeking approval of their application.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 25.7 ha (63.5 ac), contains no buildings or structures and will be added to the adjacent agricultural property to the immediate south. The lot to be enlarged has frontage on Road 62 and comprises approximately 40.5 ha (100 ac), including a single detached dwelling, a driveshed, swine barns and cropland. The lot to be retained has frontage on Road 64, comprises approximately 4.05 ha (10 ac) and contains an existing single detached dwelling, a garden suite, a shed/workshop, sheep barns, and pasture/cropland. The owners have also applied for a Partial Discharge of Mortgage.

R. Versteegen noted that the application was deferred at the October meeting at the request of the applicant. He briefly reviewed the staff supplementary report. He noted that there is a viability issue and the application is not consistent with the 2014 Provincial Policy Statement (PPS) as the severed parcel is not large enough to sustain agriculturally in the future. He pointed out that the additional information received from the owners still does not satisfy the PPS, nor the Official Plan policies. When considering such applications, both Provincial and County OP policies are consistent in stating that all lots are to be of a sufficient size for the type of production common in the area and are also sufficiently large enough to maintain flexibility for various types of farming operations.

R. Forbes indicated that two farmers in the area completed farm viability assessments and are in support of the application. He addressed the word 'flexibility' and indicated that in his opinion a large dairy operation would not be able to change to a hog operation, thus resulting in little flexibility. However, a 10-acre parcel becomes more flexible with smaller operations and noted marijuana operations as an example. He indicated he drew a 7000 acre radius around his proposed 10-acre parcel, equalling a 3 km circle around his farm. There were 35 undersized farms consisting of 75 acres or less. He suggested that all agricultural parcels need not be large operations to be flexible.

In response, R. Versteegen reiterated that flexibility means that each of the parcels affected by the application should be large enough to sustain a variety of agriculture operations common in the area, whereas a 10-acre lot would result in lot that could only sustain a specialty crop or it would effectively function as a large rural residential lot.

In response to P. Rigby, R. Versteegen indicated that viability plan was reviewed by planning staff. Further, R. Versteegen indicated that in the past Ministry of Agriculture and Food reviewed viability plans as a 3<sup>rd</sup> party review; however, they no longer do so.

In response to J. Lessif, R. Forbes indicated that his accountant reviewed and prepared the cash flow projections and that two area farmers completed a peer review of the viability plan.

Moved by: R. Jull  
Seconded by: J. Lessif

*"Granted"*

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owners' 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. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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On the motion of J. Lessif, Committee meeting adjourned at 10:40 a.m.

*"Gordon Brumby"*

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CHAIRMAN