

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, September 5, 2019

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, September 5, 2019 at 9:00 a.m. with the following individuals:

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

The meeting was called to order at 9:00 a.m.

DECLARATIONS OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: J. Lessif  
Seconded by: A. Tenhove

*"The Minutes of the Meeting of August 1, 2019, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

R. Jull questioned whether there was a By-law in place requiring an owner to replace any trees that are removed as a result of the creation of a new building lot. In response, R. Versteegen indicated that it depended on the Municipality's Zoning By-law, and under the watch of the Municipal By-law Officer.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B19-46-5 – Wilma Maureen Pow (Part Lot 24, Conc. 1, Township of Zorra, formerly Township of North Oxford)

John Carroll, 86 Cumming Court, Ancaster, ON L9G 1V3 was in attendance representing he applicant, Bill Van Haeren.

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The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 9.0 ha (22.3 ac) of vacant agricultural land and will be added to the adjacent property to the immediate west. The lot to be enlarged covers an area of approximately 24.3 ha (60.1 ac), is in agricultural production and consists of an existing residential dwelling and a private airport. The lot to be retained will cover an area of approximately 11.3 ha (28 ac) and consists of woodlands with an existing residential dwelling, detached garage and a pool.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the severance is for an agricultural lot addition. The application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. A zone change application has been submitted. A private airfield is situated on the enlarged lot. The Official Plan Amendment was approved by Oxford County Council recognizing the size of the retained lot of 11.33 ha (28 ac). No new lot is being proposed. The zone change proposes to re-zone the lot to be enlarged to A2 to conform to the zoning on the severed lot and to re-zone the retained lot to recognize the newly configured lot area.

J. Carroll stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

A. Tenhove asked why the enlarged lot was not going to be kept for airfield/industrial zoning. In response, R. Versteegen indicated that the airfield is now an accessory use to the farm; however, in the past the primary use was for an airfield.

In response to G. Brumby, R. Versteegen indicated that an airfield is not a permitted use in the A2 Zone. It is federally regulated and not subject to zoning.

In response to G. Brumby, J. Carroll indicated that B. Van Haeren owns the enlarged lot which consists of a single detached dwelling.

Moved by: A. Tenhove  
Seconded by: C. van Haastert

*'Granted'*

CONDITIONS:

1. The lot to be retained be appropriately zoned.
2. The lot to be enlarged be appropriately zoned.
3. 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.
4. 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.
5. 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.
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.

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

CARRIED.

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B19-56-4 – Alex & Christine Verschueren (Part Lot 16, Conc. 5, Township of South-West Oxford, formerly Township of Dereham)

Alex & Christine Verschueren were in attendance to present their application. A. Verschueren indicated that they are seeking approval of their severance 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 18.1 ha (44.7 ac.), is currently vacant and is in agricultural production. The lot to be severed will be added to the adjacent agricultural property to the immediate south. The lot to be enlarged covers an area of approximately 54 ha (133 ac.), contains farm buildings and an accessory single detached dwelling and is in agricultural production. The lot to be retained will cover an area of approximately 32.7 ha (80.8 ac.), contains no buildings or structure and also is in agricultural production.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the severance is for an agricultural lot addition. The severed lot is vacant consisting of wetlands and woodlot. The retained lot is also vacant. The application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. The proposed zoning for the enlarged lot will not permit the existence of the mobile home on the property. No concerns were raised during the agency circulation or the public notification to the area residents.

A. Verschueren stated he concurred with the suggested conditions and the recommendation of the staff Planning Report. In response to a question raised, A. Verschueren stated there is approximately 27 acres of workable land. He also pointed out that he has been farming both sides of the farm and now wishes to own both sides and also that the watercourse makes it difficult to access the lands south of the river.

Moved by: A. Tenhove  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The lot to be enlarged 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 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 owners 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. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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B19-57-3 – 2113185 Ontario Inc. (Part Lot 13, Conc. 9, Township of Norwich, formerly Township of South Norwich)

Lyndsey Farkas, the applicant and prospective purchaser of the severed lot, was in attendance to present the application. Also in attendance were:

Thomas Ryan Scott  
Rona Scott  
28 Wellington Street N.  
Otterville ON N0J 1R0

Wanda Scott  
4 Thorncliffe Circle  
Tillsonburg ON N4G 4Y4

L. Farkas indicated that she lives on a ravine lot. She explained that she has maintained the proposed severed lot and is seeking to purchase it and add it to her existing lot.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of approximately 1,702 m<sup>2</sup> (18,320 ft<sup>2</sup>), is vacant, and will be added to the residential lot to the immediate east, located at the west end of Norfolk Street, municipally known as 32 Norfolk Street, in the Village of Otterville,. The lot to be enlarged contains an existing single detached dwelling with an attached garage and a garden shed, as well as a private septic system and covers an area of approximately 1,711 m<sup>2</sup> (18,430 ft<sup>2</sup>). The lot to be retained will cover an area of approximately 10 ha (24.9 ac) and contains a clubhouse, accessory buildings, and office/retail outlet associated with the Otter Creek Golf Course. No new development is proposed for the subject lands.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the severance proposes a residential lot addition from an existing golf course property. The retained lot covers an area of approximately 10 ha (24.9 ac) and contains the existing Otter Creek Golf Course. The lot to be enlarged currently measures approximately 1,711 sq. m (18,430 sq. ft.). A private well and private septic system serve the lots to be retained and enlarged. The application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. A zone change will be required to re-zone the severed lot to match the zoning on the enlarged lot. No comments or concerns were raised during the agency circulation and no comments were received from area residents as a result of the public notification.

L. Farkas stated that she concurred with the suggested conditions and the recommendation of the staff Planning Report.

T. Scott stated that he generally did not have concerns with the severance; however, noted that both he and his parents have maintained the northerly portion of the severed lot for a number of years and suggested that that portion not be included as part of the severed lot.

In response to J. Lessif, L. Farkas indicated that she is capable of looking after the severed parcel. She has lived at her home for the past four years, and indicated that she purchased the property from her uncle.

T. Scott agreed that the pop-up trailer parked on the property is an eye soar and that had no problem moving it. He indicated that his children play on that northerly portion of the proposed severed lot. It is a ravine lot and he had maintained it to make the property look good. In response to R. Jull, T. Scott indicated that the lot width that he occupies is approximately 10 feet.

R. Versteegen re-iterated that the proposed zoning is to recognize the same zone as is on the enlarged lot. No new development is proposed as the enlarged lot is currently undersized. The severance will result in bringing the lot to be enlarged into conformity with the Township's Zoning By-law.

L. Farkas indicated that she approached the Golf Course with interest to purchase the lands.

G. Brumby indicated that he could not see any problems occurring between the property owners.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately rezoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and consolidated with said owners existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, the applicant shall enter into a standard Severance Agreement with the Township of Norwich, to the Satisfaction of the Township of Norwich.
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. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

On the motion of A. Tenhove, Committee meeting adjourned at 9:55 a.m.

*"A. Tenhove"*

CHAIRMAN