

## MINUTES

### OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, November 3, 2011

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, November 3, 2011, at 9:00 a.m. with the following individuals:

Chairperson	-	J. deBruyn
	-	G. Brumby
	-	W. Buchanan
	-	H. Elliott
	-	J. Palmer
	-	T. Rock
Corporate Manager	-	G. Hough
Secretary-Treasurer	-	L. Taschner

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

#### DECLARATION OF CONFLICT OF INTEREST:

None.

#### APPROVAL OF MINUTES:

Moved by: J. Palmer  
Seconded by: H. Elliott

*"The Minutes of the Meeting of October 6, 2011, be approved as printed and circulated."*

CARRIED.

#### BUSINESS ARISING FROM MINUTES:

None.

#### GENERAL BUSINESS:

None.

#### CORRESPONDENCE:

Correspondence was received from Ms. Lisa Gilvesy, solicitor for Dorothy Eppel for Application B11-38-3 (Dorothy Eppel) requesting a deferral of the application for one month to the December, 2011 meeting as Ms. Eppel will be out of the country at the time of the meeting.

Correspondence was received from Lawrence Beckett regarding his Applications B11-50-6 & B11-51-6 (County Contracting of Wheatley Inc.)

Correspondence was received from Bob Watson regarding Application B11-46-8 (Glen Kelly) objecting to the application.

Correspondence was received from the area residents regarding Application B11-35-8 (Fred Ditchfield & Lillian Blumenstock).

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APPLICATIONS FOR CONSENT:

B11-46-8 – Glen Kelly (Lot 3, Plan 41M-47, City of Woodstock)

Derek Dudek of IBI Group, the owner's agent, was in attendance to present the application. Also in attendance were the following individuals:

Bob Watson  
615238 Summit Crescent  
R. R. #7  
Woodstock ON N4S 7W2

Pat Bruvelaitis  
615237 Summit Crescent  
R. R. #7  
Woodstock ON N4S 7W2

Stephen Barker  
615249 Summit Crescent  
R. R. #7  
Woodstock ON N4S 7W2

D. Dudek provided a power point presentation to all those in attendance. He explained that his client's property is in compliance with the R1-13 Zone and complies with the County Official Plan for a Rural Cluster. He stated that the historic development of Summit Crescent on larger lots was dictated by lot size requirements for septic systems. A sanitary sewer connection is already installed on Summit Crescent. The lot frontage proposed is 75 feet. The average market value of the homes in this vicinity is \$399,000. The value of the Kelly property is \$750,000, and his client could sell the severed lot with an existing home for approximately \$600,000. He stated that the severance would have no impact on the surrounding properties and is consistent with the neighbourhood fabric. The lot depth will be similar to those in the area and there will be approximately 32 feet between the dwelling on the new lot and the dwelling on the lot to the east. Cedars buffer the Kelly property to both the east and west and the dwelling across the road is approximately 280 feet away. As per the comments received from the Upper Thames River Conservation Authority, the owner proposes to amend the configuration of his lot to measure 96 m in length by 23 m in width. Mr. Dudek stated that he concurs with the recommendation to defer the application to permit his client to amend the application.

The purpose of the Application for Consent is to create a vacant residential building lot. The lot to be severed will cover an area of 0.69 ha (1.7 ac), and is currently vacant. The lot to be retained will cover an area of 1.58 ha (3.9 ac), and contains an existing single detached dwelling with an attached garage. It is proposed that a single detached dwelling and attached garage will be constructed on the lot to be severed. The owner has applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the lot to be severed will cover an area of 1.7 ac, while the lot to be retained will measure 3.9 ac. A single detached dwelling is situated on the lot to be retained. He indicated that the staff Planning Report recommends a deferral of the application. The Hart-Smith Drain is identified in the Official Plan, as well as by the Upper Thames River Conservation Authority, as being subject to flood with erosion hazards and recommends against dividing such parcels of land. It is recommended that the application be amended to exclude these lands. He stated that an amended survey has been submitted, however, the application has not formally been amended, and will require re-circulation of the both the application and the Public Notice. Official Plan policies approved by the County of Oxford and the City of Woodstock state that new severances on Summit Crescent are discouraged, however, the Kelly application was submitted prior to these policies coming into effect.

B. Watson requested the Committee to deny the application. He passed around photos of homes in the area. Many of the residents have lived in the area for many years. He stated that the new home proposed will be situated 6 m from Mr. Kelly's existing home and 9 m from his neighbour to the east. He stated he feels this will devalue the existing homes in the area. There is no pressure or need to sever this lot when there are a number of residential subdivisions proposed in the area. The Official Plan is a policy document and it is the responsibility of the Municipality to make recommendations. He noted that Mr. Kelly's property may be 4 ac; however, most of that 4-acre

parcel is located behind the existing dwelling in a floodplain area. The style of the home proposed will not match the existing homes on Summit Crescent and will detract from the uniqueness and rural-type setting. Homes across the road sold for \$525,000, while Mr. Walker's further to the east property sold for \$275,000. The Walker house was torn down and a new home built.

Mrs. P. Bruvelaitis stated that she has lived in this neighbourhood since 1981. She owns the property two doors to the south. She indicated that she was speaking on behalf of the homeowners of Summit Crescent. The area is still very much a rural cluster. The lots were originally unserviced lots and stated that the value of the area will only increase when fully serviced. She stated that Woodstock Council recommended the application be denied. The existing streetscape will be altered. There is no need for infilling for 15 to 20 years in Havelock Corners. This is the only area in Woodstock where there are estate residential lots.

D. Dudek, referring to his power point presentation, explained that he chose the Bruvelaitis home footprint to show the how a dwelling similar to those found in the neighbourhood could be placed on the proposed severed lot and how such a dwelling would be situated in relation to the proposed lot line. He noted that these calculations were approximate.

S. Barker suggested that the size of the Bruvelaitis home would not fit on to the severed lot. In response, D. Dudek stated that the information was taken from the actual OBM map [and assumed to be relatively accurate].

T. Rock questioned the City's rationale for recommending to deny the application. G. Hough stated that no reasons were given by the City. T. Rock suggested that in his opinion the severance does not conform to the Rural Cluster policies.

G. Brumby questioned whether there was any discussion on the application at the Woodstock Council meeting. G. Hough re-iterated no reasons were given.

W. Buchanan asked when reviewing applications what should he be looking at as far as the characteristics of the existing property are concerned? In response, G. Hough indicated that when determining whether a property is consistent with the characteristics of the area, the lot sizes are reviewed. When determining the characteristics, the planner determines if the lot sizes are consistent, which, from his perspective means 'compatible' and that the lot sizes need not necessarily be the same.

J. de Bruyn asked when the lots were serviced. In response, B. Watson indicated they were serviced in November, 2010. J. de Bruyn asked when the changes took place in the Zoning By-law. G. Hough stated that the Zoning By-law was amended in July 2010. If the application were made last year, the lot area would have been 10,000 sq. ft. less than that required by the By-law.

B. Watson suggested that the City of Woodstock recommended a denial of the application because they wish to preserve Havelock Corners from the 17th Line to the UTRCA lands. These lands are unique. The lands were annexed into the City in 2006.

Moved by: J. Palmer  
Seconded by: H. Elliott

*"Not Granted"*

REASON:

1. It was the opinion of the County of Oxford Land Division Committee that the application for consent does not conform to the existing characteristics of the neighbourhood.

CARRIED.

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B11-49-8 – Robert Slager, George Geerlinks, Warren Harper & Howard Brown (Lot 11, Plan 237;  
Lot 148C, Plan 293,  
City of Woodstock)

No one was present on behalf of the owners. G. Hough presented the staff Planning Report. He explained that the application was heard by Woodstock Council at its meeting of October 31, 2011. Council recommended that both the severance application be denied and comments were made by members of Council regarding whether the City would support the accompanying zoning by-law amendment application. Further to the Council meeting, the owners have withdrawn the noted zone change application.

Correspondence was received from the owners requesting a deferral of the severance application in order to permit them to amend the lot configuration of the severed and retained lot.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 1,462.7 sq. m. (15,744.9 sq. ft.), and contains various sheds and a garage, all to be removed. The lot to be retained will cover an area of 305.48 sq. m. (3,288.3 sq. ft.), and contains an existing single detached dwelling. It is proposed that the lot to be severed will be developed for a 4-unit townhouse.

Moved by: J. Palmer  
Seconded by: H. Elliott

*"Deferred"*

REASON:

1. The application for consent be deferred for up to one year, to the October, 2012, meeting of the County of Oxford Land Division Committee in order to permit the owners to reconsider the proposed development of the lands and to amend the application accordingly.

CARRIED.

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B11-47-8; A11-12-8 – Leonard Reeves Incorporated (Part Lots 16 & 17, Plan 34, City of  
Woodstock)

L. Reeves was in attendance to present his application. He stated that he concurred with the findings and suggested conditions as noted in the staff Planning Report.

The purpose of the Application for Consent is to create a residential building lot. Both the lot to be severed and the lot to be retained will each cover an area of 273 m<sup>2</sup> (2,938.64 ft<sup>2</sup>) and are currently vacant. It is proposed that a single detached dwelling will be constructed on each lot.

Relief is sought from Section 7.3.16, Lot Area, to permit a lot area for both the lot to be severed and retained of 273 sq. m. (2,938.64 sq. ft.) in place of the 545 sq. m. (5,866.5 sq. ft.) required; relief is sought from Section 7.2, Lot Depth, to permit a lot depth for the lot to be severed of 19.5 m (64 ft.) and for the lot to be retained of 23.72 m (77.8 ft.) in place of the 28 m (92 ft.) required by the City of Woodstock Zoning By-law No. 8626-10.

G. Hough reviewed the staff Planning Report. He briefly outlined the history of the subject property and explained that the owner severed a number of parcels from the rear of abutting lots in 2003 which were consolidated into one large parcel, which the applicant is proposing to sever today. No concerns were raised by Woodstock staff or Council.

J. Palmer commented that there were many variances requested with the severance, adding up to almost 50 per cent of the lot area. In response, L. Reeves pointed out that in his previous application, he proposed as semi-detached dwelling and now is requesting to create lots for a single detached dwellings, which requires a smaller lot area.

Moved by: T. Rock  
Seconded by: G. Brumby

*'Granted'*

B11-47-8

CONDITIONS:

1. The owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock Zoning By-law No. 5266-76, and amendments thereto.
2. 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.
3. The owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock.
4. The owner must provide proposed servicing and grading plans for the lot to be severed and the lot to be retained for review and approval by the City of Woodstock Engineering Department.
5. 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.
6. The owner shall supply a recent survey to the City of Woodstock Engineering Department to confirm lot sizes.
7. 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.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.

A11-12-8

REASONS:

1. The variances requested are minor variances from the provisions of the City of Woodstock Zoning By-law No. 8526-0.
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 the City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B11-44-5 – Jonathan & Shelly Howe (Lots 24 & 25, Conc. 8, Township of Zorra, formerly West Zorra)

Shelly Howe was in attendance to present the application. She explained that she and her husband own a dairy operation and recently incorporated their holdings. They were advised by their accountant that it was in their best interest to separate their holdings. This is the reason for the severance. She stated that she concurred with the suggested conditions and the recommendation of the staff Planning Report.

The purpose of the Application for Consent is to create a vacant agricultural lot. The lot to be severed will cover an area of 40.47 ha (100 ac), contains no buildings or structures and is in agricultural production. The lot to be retained will also cover an area of 40.47 ha (100 ac), contains farm buildings, and an accessory single detached dwelling and will also continue to be used for agricultural production. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He stated that the application is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and conforms to the Township's Zoning By-law.

Moved by: H. Elliott  
Seconded by: J. Palmer

*'Granted'*

CONDITIONS:

1. If required, the owners enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township.
2. Drainage assessment 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 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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.

CARRIED.

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B-11-50-6 & B11-51-6 – County Contracting of Wheatley Inc. (Part Lot 22 and Lots 23 to 34, Block 201, Plan 279, Town of Ingersoll)

Jerry Beckett was in attendance, representing his father Lawrence Beckett, principle of County Contracting of Wheatley Inc. He stated that he and his father concur with the suggested conditions and the recommendation of the staff Planning Report.

The purpose of the Application for Consent is to create two vacant industrial lots. The lot to be severed by #B11-50-6 will cover an area of 2,306 sq. m (24,822.4 sq. ft.), and a public garage (mechanic's shop) is proposed. The lot to be severed by #B11-51-6 will cover an area of 982 sq. m (10,570.5 sq. ft.), and a warehouse is proposed. The lot to be retained will cover an area of 7,085 sq. m. (76,264.8 sq. ft.) and will remain vacant.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2005 Provincial Policy Statement, complies with the County of Oxford Official Plan, and conforms to the Town Zoning By-law. He explained that there have been discussions between the owner, the County and the Town of Ingersoll regarding the payment for municipal services, and he referred to the e-mail before the Committee received from Lawrence Beckett. He stated that the applications can proceed today. Further issues regarding the floodplain lands will be dealt with by the Upper Thames River Conservation Authority. A permit will need to be obtained from the UTRCA by the owner.

The Committee discussed adding an additional condition to Application B11-51-6 requiring that Application B11-50-6 be dealt with first. J. Beckett concurred with the addition of the condition.

#### B11-50-6

Moved by: W. Buchanan  
Seconded by: T. Rock

*'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 subject property 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. 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.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

#### REASONS:

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

#### B11-51-6

Moved by: G. Brumby  
Seconded by: T. Rock

*'Granted'*

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CONDITIONS:

1. Application B11-50-6 be completed, such that the certificate is issued/deed stamped and registered, and a copy of the registered transfer is submitted to the Secretary-Treasurer of the County of Oxford Land Division Committee, prior to the completion of Application B11-51-6,
2. 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 subject property 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.
3. 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.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

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B-11-35-8 – Fred Ditchfield & Lillian Blumenstock (Part Lot 5, Conc. 13, Township of East Zorra-Tavistock, formerly East Zorra)

Laverne Kirkness, the owners' agent, was in attendance to present the application. Also in attendance were the following individuals:

Mr. Bob Watson  
615238 Summit Crescent  
R. R. #7  
Woodstock ON N4S W2

Mr. Frank Sloan  
290 Pittock Park Road  
  
Woodstock ON N4S 7W2

Mr. René Wortel  
Unit 29  
550 Parkinson Road  
Woodstock ON N4S 2N6

Mr. John Klingenberg  
615279 Pittock Park Road  
R. R. #7  
Woodstock ON N4S 7W2

Mr. Gerald Jones  
615265 13th Line  
R. R. #7  
Woodstock ON N4S 7W2

Mr. David Taplay  
615273 13th Line  
R. R. #7  
Woodstock ON N4S 7W2

L. Kirkness explained that he was retained by one of the owners, Fred Ditchfield, to represent him regarding the development of the property. He indicated the application before this Committee is for a lot addition to facilitate the development of a multi-residential housing proposal. He noted that Woodstock Council will be considering the accompanying zone change application this evening (November 3). The new consolidated property will have a 20 m (66 ft) frontage and will cover an area of 1.34 ha (3.3 ac).

The purpose of the application for consent is to sever a parcel consisting of approximately 1.28 ha (3.15 ac) to be added to an existing residential lot to the immediate west. The severed parcel is currently used for agricultural purposes and is occupied by a small accessory building that will be removed from the site. The proposed retained lands comprise approximately 1,280 m<sup>2</sup> (13,778 ft<sup>2</sup>) in area, and are occupied by a single detached dwelling which will remain on the lands. The lot to be enlarged is approximately 677.4 m<sup>2</sup> (7,291.6 ft<sup>2</sup>) in area and contains an existing single detached dwelling and detached garage (both to be removed).

G. Hough reviewed the staff Planning Report. He indicated that the lot to be retained and the property to be enlarged are designated Low Density Residential in the County Official Plan. Low Density Residential districts are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single-detached dwellings, semi-detached dwellings, duplex and converted dwellings, street-fronting townhouses and other similar development. The lot to be severed is designated Medium Density Residential and permits the development of townhouses, cluster houses, converted dwelling and apartment buildings. He noted that the proposed severance is for a lot addition in order to facilitate the proposed zone change and future development of the lands. G. Hough explained that a public meeting regarding the Application for Zone Change was held by the City of Woodstock on October 31, 2011 for a 44-unit townhouse development. The Committee today is to consider the severance of the property as described above.

L. Kirkness stated that he concurred with the findings and suggested conditions of the staff Planning Report.

Bob Watson stated that he objected to the severance. He pointed out that Official Plan 160 was approved to protect the uniqueness and community of the Rural Cluster of Havelock Corners. He indicated that townhouses are not needed, as there is currently a subdivision surrounding the Ditchfield property, proposing approximately 395 townhouse dwellings. He stated that a previous application on the property was denied by the Ontario Municipal Board, as the Board was not convinced the re-zoning represented 'good planning' or that it 'was in the public interest'. There is only one driveway accessing the property for all 44-units proposed.

R. Wortel stated that he was in attendance on behalf of his mother, Theodora Wortel, who owns the property at 270 Pittock Park Road, directly across the road from the proposed lot severance. He stated that the lights of the vehicles coming and going into the property will shine directly into her home. He also stated that he had concerns regarding the elevation of the properties. He suggested that development does not belong in this area.

F. Sloan stated that he objected to the application and his concern was safety for the children and residents who walk along Pittock Park Road. He pointed out that transport trucks use the road already and that vehicles using this road drive excessively fast. The elevation of the road is higher since the installation of the water and sewage lines. The shoulder of the road is approximately a 30-inch strip of land. Pittock Park is now considered an arterial road. He pointed out that there will be only one access point to the planned subdivision and to date, there is no agreement or no negotiations with Senator Homes for an emergency exit. The main concern is over traffic and it would be best to consolidate the larger property with the existing plan of subdivision to the east.

G. Brumby asked G. Hough what the Committee's role was in this application. In response, G. Hough stated that the Committee deals with the severance or the land.

J. Klingenberg indicated that he has lived in the area for the past 25 years. He indicated that the new development will devalue the existing properties. He pointed out that there is already a lot of development in this area, and additional homes were not needed.

G. Jones suggested there will be an increase in crime.

D. Taplay stated that he understood that the lands will be developed as a residential subdivision, and suggested that perhaps it would better to develop it as part of the Senator Homes subdivision. He noted that the 13<sup>th</sup> Line is a County Road and there are no sidewalks. Property roads and sidewalks are necessary. He indicated that this rural road will not be able to handle all the expected traffic.

L. Kirkness stated that it was not his clients' or his intension to upset the neighbours. He pointed out that moderately priced brick homes with a garage and landscaping will be constructed. Sidewalks will be developed. He stated that the purpose of this Committee is simply to deal with the severance, which will facilitate the residential development in the future. The site plan and zoning process will follow. He noted that his clients are in negotiations with Senator Homes for the development of a secondary emergency access. If the negotiations do not proceed, the application will be amended, resulting in 26 units from the 44 proposed. He explained that the severance before the Committee today will result in the lot to be enlarged meeting the lot frontage provision of the Zoning By-law. Proper gates are proposed. He and his clients want to be sensitive to the area residents. The driveway will be located between the two homes across the road and will not be directly across from the Wortel property. He agreed that Pittock Park has become a local collector road and he will do what he can to get sidewalks to this area. Decisions regarding developing the lands on the north, south and east of his clients' property have been made previously. The County's Official Plan has envisioned this area for residential development.

B. Watson understood that the zoning on the 3½ acre lot to be severed is 'Future Development (FD)'. He stated that in conversations with principals of Senator Homes, it was pointed to him that there are many conditions that still need to be met before Senator Homes enters into any agreement with Allan Developments.

J. Palmer questioned why the development is being allowed? In response, G. Hough pointed out that the lot to be severed is designated Medium Density Residential and the lots to be retained and enlarged are designated Low Density Residential. The policies direct that within the designations, it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density. He further noted that the stormwater management block is situated to the east. The Official Plan amendment and the draft Plan of Subdivision have been approved.

J. Palmer suggested that the proposal was premature and the parties were rushing the severance as the secondary accessory for emergency purposes has not been established.

L. Kirkness indicated the proposed development application was not premature. He stated that 44 units are proposed; however, if no agreement is struck with Senator Homes, only 26 units will be developed. He suggested that this development is viable and suitable for this area.

T. Rock noted that the proposal complies with the Official Plan policies and is consistent with the 2005 Provincial Policy Statement. The Zoning amendment will be dealt with by the City of Woodstock. In response, G. Hough indicated that the zoning is a condition of the severance.

J. de Bruyn questioned what the zoning would be for the entire development. In response, G. Hough pointed out that an application has been submitted to re-zone the lots to be severed and enlarged from 'Future Development (FD)' and the lot presently zoned 'special Residential Type 1 (R1-13)' to 'Residential Type 3 (R3)'. He further explained that if R1 or R2 zoning were contemplated, an Official Plan amendment would be in order. In further response to the emergency access proposal, G. Hough stated that only 26 units will be developed if no emergency access is developed. He noted that the access could be structured as a full access by the City.

Moved by: T. Rock  
Seconded by: W. Buchanan

*'Granted'*

CONDITIONS:

1. The combined lot to be severed and lot to be enlarged be appropriately re-zoned.

2. 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 Sections 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The owners provide 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 to the satisfaction of the City of Woodstock and the Secretary-Treasurer of the Land Division Committee.
4. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.
5. The owners shall submit a recent survey to confirm size of the severed lot to the satisfaction of the City of Woodstock Engineering Office.
6. The owners shall remove the accessory buildings on the severed parcel and the existing dwelling and detached garage on the lot to be enlarged, including obtaining a demolition permit for the detached garage to the satisfaction of the City of Woodstock Engineering Office.
7. The owners agree, in writing, that all existing wells on the subject lands will be properly abandoned in accordance with Ontario Regulation 903 and that all septic fields will be abandoned to the satisfaction of the County Board of Health and the necessary paperwork will be forwarded to the City for review.
8. 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.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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**B11-48-4 – Jim Stoakley** (Part Lot 11, Conc. 5, Township of South-West Oxford, formerly Dereham)

Jim Stoakley, together with Brian Eringa and Peter Eringa, his agent and the applicant, were in attendance. Brian Eringa explained the application to the Committee.

The purpose of the Application for Consent is for a rural residential lot addition. The lot to be severed will cover an area of 2977.5 sq. m (32,050 sq. ft), is vacant and will be added to the lot to the immediate south consisting of a single-detached dwelling and garage. The lot to be retained will cover an area of 24.7 ha (61 ac), contains two barns, a silo, and an accessory single-detached dwelling and will continue to be used for agricultural purposes.

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G. Hough briefly reviewed the staff Planning Report. He stated that the application is consistent with the 2005 Provincial Policy Statement and complies with the County of Oxford Official Plan. He indicated that a re-zoning will be required for the lot to be severed and retained, and the lot to be enlarged.

Moved by: J. Palmer  
Seconded by: H. Elliott

*'Granted'*

CONDITIONS:

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

REASONS:

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

CARRIED.

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B11-52-7 & B11-53-7 – Gurdev, Balbir & Surit Johal (Lot 1462, Plan 500, Town of Tillsonburg)

David Gans, the owners' agent, was in attendance to present the application. He explained the applications to the Committee and pointed out that the subject property was recently re-zoned to permit a 3-unit street style townhouse. He wishes to sever the lot into three parcels, thereby permitting him to sell the three townhouse units separately.

The purpose of the Application for Consent is to create vacant residential building lots. The lot to be severed by #B11-52-7 will cover an area of 312 sq. m (3,358.4 sq. ft.), the lot to be severed by #B11-53-7 will cover an area of 307.09 sq. m (3,305.6 sq. ft.) and the lot to be retained will cover an area of 255 sq. m (2,744.88 sq. ft.). The lots are currently vacant and it is proposed that a townhouse with garage will be constructed.

G. Hough briefly reviewed the staff Planning Report. He explained that the zoning represented the boundary of the entire property and not the individual lots. The application is consistent with the 2005 Provincial Policy Statement, and complies with the County of Oxford Official Plan.

D. Gans questioned Condition No. 1 requiring him to install concrete sidewalks and curb and gutter across the frontages. In response, G. Hough explained that the Town made the comments on behalf of the County. He suggested that Condition No. 1 be amended by adding the words "if required".

Both D. Gans and the Committee concurred with the amendment to the condition.

B11-52-7

Moved by: J. Palmer  
Seconded by: H. Elliott

'Granted'

CONDITIONS:

1. The owners shall enter into a standard Severance Agreement with the Town of Tillsonburg, which shall include the following:
  - *"No building permit shall be issued until separate water and wastewater services are provided for each lot and payment of these services has been received by the County of Oxford Public Works Department. This condition can be cleared by payment for the required services or entering into a Severance Agreement with the area municipality. A copy of the DRAFT Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works department prior to clearing the condition; and*
  - *The applicant, if required, install 1.5 m wide concrete sidewalks and curb and gutter across the frontage, to the satisfaction of the County of Oxford Public Works Department."*
2. The owners shall provide a road widening to 15 m (50 feet) from centreline of road if not already existing, free and clear of liens, easements and other encumbrance, to the satisfaction of the County of Oxford Public Works Department.
3. The owners shall submit for review and approval, a preliminary lot grading plan (including all proposed services) that suits existing and proposed grades from the Mill Pond development and property to the west, to the satisfaction of the Town of Tillsonburg Engineering Department.
4. The owners shall confirm that no underground or overhead services serving the retained lands traverse the severed parcel or vice versa. Where such services exist, the applicant shall re-locate the services or obtain private easements, to the satisfaction of the Town of Tillsonburg and the relevant utility agencies.
5. The Clerk of the Town of Tillsonburg advises the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

B11-53-7

Moved by: J. Palmer  
Seconded by: H. Elliott

*'Granted'*

CONDITIONS:

1. The owners shall enter into a standard Severance Agreement with the Town of Tillsonburg, which shall include the following:
  - *"No building permit shall be issued until separate water and wastewater services are provided for each lot and payment of these services has been received by the County of Oxford Public Works Department. This condition can be cleared by payment for the required services or entering into a Severance Agreement with the area municipality. A copy of the DRAFT Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works department prior to clearing the condition; and*
  - *The applicant, if required, install 1.5 m wide concrete sidewalks and curb and gutter across the frontage, to the satisfaction of the County of Oxford Public Works Department."*
2. The owners shall provide a road widening to 15 m (50 feet) from centreline of road if not already existing, free and clear of liens, easements and other encumbrance, to the satisfaction of the County of Oxford Public Works Department.
3. The owners shall submit for review and approval, a preliminary lot grading plan (including all proposed services) that suits existing and proposed grades from the Mill Pond development and property to the west, to the satisfaction of the Town of Tillsonburg Engineering Department.
4. The owners shall confirm that no underground or overhead services serving the retained lands traverse the severed parcel or vice versa. Where such services exist, the applicant shall re-locate the services or obtain private easements, to the satisfaction of the Town of Tillsonburg and the relevant utility agencies.
5. The Clerk of the Town of Tillsonburg advises the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.

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2. The application for consent complies with the policies of the County of Oxford Official Plan.
  3. The subject property is appropriately zoned.

CARRIED.

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B11-38-3 – Dorothy Eppel (Part Lot 24, Conc. 11, Township of Norwich, formerly South Norwich)

No one was present to speak to the application. Correspondence was received from the owner's solicitor requesting a deferral of the application for one month, to the December meeting. Andy Jacko, 144872 Potters Road, R. R. #2, Tillsonburg ON N4G 4G7 was in attendance seeking information about the severance.

The purpose of the Application for Consent is to create a non-farm rural residential lot. The lot to be severed will cover an area of 3,526 sq. m. (0.87 ac) and contains an existing single detached dwelling and attached garage. The lot to be retained will cover an area of 1.5 ha (3.7 ac), and also contains an existing single detached dwelling and attached garage.

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

*'Deferred'*

REASON:

1. The application for consent be deferred for one month to the December, 2011 meeting of the County of Oxford Land Division Committee, at the request of the owner's solicitor, as the owner will be out of the country.

CARRIED.

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On the motion of H. Elliott, the Committee meeting adjourned at 12:00 p.m.

*"John de Bruyn"*

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CHAIRPERSON