

## MINUTES

### OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, April 5, 2012

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, April 5, 2012 at 9:00 a.m. with the following individuals:

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

#### CONFLICT OF INTEREST:

None.

#### APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of March 1, 2012, be approved as printed and circulated."*

CARRIED

#### BUSINESS ARISING FROM MINUTES:

None.

#### CORRESPONDENCE:

Correspondence was received from the Upper Thames River Conservation Authority dated April 3, 2012 regarding Application B12-10-4 (Simon Wagler).

Correspondence was received from the Council of the Township of East Zorra-Tavistock regarding Applications B12-07-2 and B12-08-2 (H. Loewith Inc.)

#### GENERAL BUSINESS:

L. Taschner spoke on the OACA Annual Conference to be held in Burlington June 3 -6, 2012. She indicated to the Committee that she will need the completed registrations forms no later than Tuesday, April 10th in order to meet the early registration date of April 13, 2012.

G. Brumby stated that no written reasons were given by Woodstock Council in their recommendation to deny for Application B12-04-8 (Robert & Josephine Miller) and B11-49-8; A11-13-8 (Slager et als). He suggested the Land Division Committee should in this instance ignore such comments and decided on he merits of the applications.

The Committee discussed comments received from the County Public Works Department and the County Engineer regarding entrance permits and whether the Land Division Committee should be receiving reasons for recommendations made. G. Hough pointed out that the County of Oxford Access By-law governs joint access requirements and that the owners will be responsible to meet the requirements of the Public Works Department. G. Hough further noted that the Land Division Committee has no authority to grant relief from the provisions of the Access By-law.

APPLICATIONS FOR CONSENT:

B-12-04-8 – Robert & Josephine Miller (Part Lot 152C, Reg. Plan 427, City of Woodstock)

Bob Miller, together with his agent, Greg Horwood, were in attendance to present the application. B. Miller explained that he and his wife are seeking a severance of a vacant residential lot. The address of the new lot will be 277 Huron Street.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 370.1 sq. m (3,983.7 sq. ft.) and contains an existing garage which is to be removed. It is proposed that a single detached dwelling will be constructed on the lot to be severed. The lot to be retained will cover an area of 652.7 sq. m (7,025.6 sq. ft.) and contains an existing single detached dwelling.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and is appropriately zoned. He stated that the proposed lot is consistent with the existing lot sizes within the vicinity.

G. Hough pointed out that Woodstock Council recommended a denial of the application. No reasons were given. The Oxford County Public Works Department has stated they require a joint/shared access and as such a condition has been set in the recommendation of the staff Planning Report.

J. de Bruyn asked Mr. Miller and his agent if they were in agreement with the recommendation and suggested conditions of the staff Planning Report. In response, B. Miller stated that he concurred with the findings and suggested conditions.

G. Brumby questioned why the County Public Works Department has made this recommendation? In response, G. Hough pointed out that Huron Street is a County Road and falls under the jurisdiction of the Access By-law. It was noted that the Joint Access provisions of the County Access By-law generally do not apply in the City of Woodstock, but can be applied in some circumstances at the discretion of the Director of Public Works.

It was asked whether there would be any changes in the requirements made to the By-law. In response, G. Hough stated that Council has recently adopted a Notice of Motion that the Access By-law be reviewed.

J. Palmer questioned the building located to the west of the garage. In response, B. Miller stated that this building, a garden shed, is owned by the neighbour.

G. Hough pointed out that the aerial mapping is not a survey and that building in question is clearly situated on the neighbour's property.

W. Buchanan suggested that the shared access could provide difficulties. In response, G. Horwood stated that the joint access will actually be beneficial to the Millers. This was discussed with their Engineers, Chambers Engineering.

T. Rock stated that he is not in agreement with the City trying to encourage shared driveways.

J. de Bruyn commented that the large tree situated on the property will have to be removed. In response, G. Horwood stated that the owners will be happy to see it cut down.

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

*'Granted'*

CONDITIONS:

1. The owners shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by, and at the owners' expense, to the satisfaction of the City.

2. 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.
3. The owners confirm that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the applicant shall relocate the services or obtain private easements over the severed and/or retained lands, to the satisfaction of the City of Woodstock.
4. The owners shall remove the detached garage on the lot to be severed, to the satisfaction of the City of Woodstock.
5. The owner shall supply a recent survey to the City of Woodstock Engineering Department to confirm lot sizes and building setbacks.
6. Access from Huron Street to both the severed and retained lots shall be by way of a shared access to be constructed at the mutual property line of the said lots. Easements for the purpose of access and maintenance must be created over the whole of the area to be used for access purposes, establishing the right of use of the access by both the severed and retained lots. The noted access and easements shall be established, to the satisfaction of the County Engineer.
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.

CARRIED.

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B11-49-8; A11-13-8 – Robert Slager, George Geerlinks, Howard Brown & Warren Harper  
(Lot 11, Reg. Plan 237, City of Woodstock)

No one was present to speak to the Committee.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 1,310 sq. m (14,101.2 sq. ft.), and contains various sheds and a garage, all to be removed. The lot to be retained will cover an area of 457 sq. m. (4,919.3 sq. ft.), and contains an existing single detached dwelling. It is proposed a single detached dwelling will be constructed on the lot to be severed.

Permission is sought from Section 6.2, Lot Frontage, to permit a lot frontage for the lot to be severed of 6.29 m (20.64 ft) in place of the 12 m (39.4 ft) required by the City of Woodstock Zoning By-law No. 8626-10.

G. Hough briefly reviewed the staff Planning Report.

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

*'Granted'*

B11-49-8

CONDITIONS:

1. The owners 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. The Agreement shall include the requirement that a wooden privacy fence be installed along the south property line of the severed lot, to the satisfaction of the City Engineering Department.
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 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.
4. The owners shall remove the existing detached garage and all accessory buildings on the lot to be severed, to the satisfaction of the City of Woodstock Chief Building Official. In addition, a demolition permit shall be obtained from the City of Woodstock prior to the demolition of the detached garage.
5. The owners shall supply a recent survey to the City of Woodstock Engineering Department to confirm lot sizes, to the satisfaction of the City of Woodstock.
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.
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 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.

A11-13-8

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.

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4. The variance requested is in keeping with the general intent and purpose of the City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B12-03-4 – Dave & Linda McCallum (Part Lot 11, Conc. 3, Township of South-West Oxford, formerly Township of West Oxford)

David & Linda McCallum were in attendance to present their application. Also in attendance was Frank Van Ommeren, 524408 Curry Road, R. R. #1 Beachville ON N0J 1A0. D. McCallum explained that he and his wife seek to sever approximately 42.86 ha (105.9 ac) and to sell it to Mr. Van Ommeren, the abutting farm owner to the immediate east. The lot to be retained will be used as a non-farm rural residential lot.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 42.86 ha (105.9 ac), contains no buildings or structures and is in agricultural production. It is proposed that the lot to be severed will be added to the farm parcel to the immediate east covering an area of 27.55 ha (68.09 ac) and containing an existing barn and shop and an accessory single detached dwelling and is in agricultural production. The lot to be retained will cover an area of 0.74 ha (1.84 ac) and contains an existing single detached dwelling and three sheds. The lot to be retained will be used for rural residential purposes. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is for a farm consolidation. It is consistent with the 2005 Provincial Policy Statement and complies with the Oxford County Official Plan Policies. The original dwelling situated on the lot to be retained was constructed prior to 1995 and was demolished by the owners in the late 1980's. The existing home was constructed on the lot in 1997, replacing the original dwelling. He noted that a re-zoning will be required on the retained lot.

W. Buchanan referred to Plate 1 of the staff Planning Report and indicated that there was a small parcel of land south of the severed lot which looked to be landlocked. He wondered who owned those lands.

J. de Bruyn questioned the trailer on the property. The owner indicated that it will either be removed or re-located to the retained lot.

Moved by: J. Palmer  
Seconded by: G. Brumby

*'Granted'*

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel 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 owners 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 owners' 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.

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

**REASONS:**

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

CARRIED.

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**B12-06-6: A12-02-6 – Byron Clark (Part Lot 6A, Block 12, Plan 279, Town of Ingersoll)**

Joe Webb, the owner's agent, was in attendance to present the application. Also in attendance was Gerry Maessen, 334 King Street West, Ingersoll ON N5C 2K8. J. Webb stated that the application is to sever a residential lot for a duplex dwelling. He noted that there will be four units in total. In addition to the severance, an application has been made to the County under the Affordable Housing Program.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 431.5 sq.m. (4,641 sq.ft.) and the lot to be retained will cover an area of 386.5 sq.m. (4,161 sq.ft.). The subject lands are currently vacant. It is proposed that a new duplex dwelling be constructed on each lot, for a total of 4 new dwelling units. Each dwelling unit is proposed to have a floor area of 89.7 sq.m. (966 sq.ft.).

Minor Variances are requested from the following Provisions of the Residential Type 2 Zone in the Town of Ingersoll Zoning By-law No. 04-4160:

<b>Section / Provision</b>	<b>Required</b>	<b>Proposed</b>
Sec. 7.3.12.2.1 - Lot Depth (Severed Lot)	23.0 m (75.5 ft)	22.65 m (74.3 ft)
Sec. 7.3.12.2.1 - Lot Depth (Retained Lot)	23.0 m (75.5 ft)	20.76 m (68.18 ft)
Sec. 7.2 - Lot Area (Severed Lot)	540 sq.m. (5,812.7 sq.ft.)	431.5 sq.m. (4,641 sq.ft.)
Sec. 7.2 - Lot Area (Retained Lot)	540 sq.m. (5,812.7 sq.ft.)	386.5 sq.m. (4,161 sq.ft.)

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2005 Provincial Policy Statement and complies with the County of Oxford Official Plan. He presented a brief history of the property and explained that the existing lot was approved by Application B-88/00. A further severance application was submitted in 2003 to divide the lands in a similar manner as what is being proposed now. The re-zoning of the lands was completed; however, the remainder of the conditions were not met within the one-year period and the application lapsed. The application before the Committee today is very similar to the 2003 application.

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

G. Maessen introduced himself and pointed out that he was the previous owner of the subject property. He explained that he proposed to sever the property for a single detached dwelling in 2000 and was required to undertake studies and to do a lot of work. He could not understand how two duplexes are now proposed. He questioned whether the parking will be situated for approximately 8 vehicles. He was concerned that there would not be enough green space and noted the property drops to 4 feet below the road level. He asked the type of landscaping proposed.

He wanted to know how close the buildings will be situated in relation to this lot. He stated that there are four Colorado Spruce trees on his property. In response, G. Hough stated that no negative comments were received from Town officials regarding green space or parking. G. Hough further stated the application was circulated to and reviewed by all the Town officials and no issues or concerns were received. The Town is satisfied that the severance can proceed.

J. Webb stated that G. Maessen's concerns were legitimate and will be addressed at the time of Building Permit stage. A grading plan will be required and he stated that parking is available.

G. Maessen stated that he wanted to ensure that the value of his property will not be affected.

G. Brumby questioned the parking proposed. In response, J. Webb indicated that there will be 6 parking spaces and that there will be two distinct driveways.

J. de Bruyn noted that the railway concerns are already in place and were addressed as part of the original 2000 severance. He questioned whether a warning clause was required.

G. Brumby questioned whether the duplexes will be side-by-side or one on top of the other. In response, J. Webb stated they would be one on top of the other. He further stated that the funding for the affordable housing project has been approved.

M. Hacon questioned whether the minor variance requested for the lot area was considered minor. In response, G. Hough indicated that the Official Plan policies speak to alternative development standards for affordable housing. The lot areas are already addressed in the By-law and the proposal meets most of the lot amenity requirements, while still providing space for the use of the property by the owners.

J. de Bruyn questioned why a minor variance is requested for a different lot depth that what was approved in 2003. In response, G. Hough pointed out that a 10-foot road widening was dedicated to the County of Oxford, thus reducing the depths of the lots.

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

*'Granted'*

B12-06-2

CONDITIONS:

1. If required, the owner be required to enter into a Severance Agreement with the Town of Ingersoll.
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.

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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.

A12-02-6

1. The variances requested are minor variances from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
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 Town of Ingersoll Zoning By-law No. 41-4160.

CARRIED.

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B12-07-2 & B12-08-2 – H. Loewith Inc. (Part Lots 34 & 35, Conc. 12, Township of East Zorra-Tavistock, formerly Township of East Zorra, in Village of \ Tavistock)

Adam Layton, the owner's agent, was in attendance to present the application. He briefly explained the proposal and stated the owner wishes to remove two lots to be used a residential building lots from the existing draft plan of subdivision. The retained lands will remain part of the draft plan.

The purpose of the Application for Consent is to create two residential building lots. The lot to be severed by B12-07-2 will cover an area of 1,540.23 sq. m (16,579.4 sq. ft.) and the lot to be severed by B12-08-2 will cover an area of 1,839.04 sq. m (19,796 sq. ft.). Both lots are currently vacant. A single detached dwelling is proposed to be constructed on each of the two lots to be severed. The lot to be retained will cover an area of 7,182.34 sq. m (77,312.6 sq. ft.), is currently vacant and is part of a proposed draft Plan of Subdivision.

G. Hough briefly reviewed the staff Planning Report. He indicated the application is consistent with the 2005 Provincial Policy Statement, complies with the County of Oxford Official Plan and conforms to the Township of East Zorra-Tavistock Zoning By-law. He indicated that the Oxford County Public Works Department has requested that the owner enter into a Joint Access Agreement resulting in only one driveway to both the severed and retained lots. The Council of the Township of East Zorra-Tavistock in their comments were not in agreement with the joint access. G Hough suggested to Mr. Layton that the owner could approach Oxford County Council to consider the appropriateness of this requirement in this instance. G. Hough further pointed out that the Land Division Committee cannot make decisions on the Oxford County Public Works Joint Access By-law.

A. Layton stated his client objects to the requirement for a joint access when all of the other residential lots in the vicinity have separate accesses.

M. Hacon pointed out that request of the joint access was either based on the By-law requirements or at the discretion of the Director of Public Works. In this application, it was at the Director's discretion. He questioned what the Director's reasoning was for a joint access, as no reasons were cited in his comments.

G. Brumby suggested that the issue of joint access could be discussed by Council. He noted that the lot line is already close to the house to the east.

In response to J. de Bruyn's question, G. Hough explained that the two lots to be severed are part of a draft Plan of Subdivision. G. Hough further stated that the owner stopped the draft plan process to proceed with the severance of the two lots.

A. Layton pointed out that the owner will comply with the necessary requirements for grading and servicing plans.

G. Hough explained that the storm water plan for the lots includes a connection to a future extension of Liebler Street. It will be necessary that the severed lots fronting on Woodstock Street South will require a rear yard catch basin that outlets to Liebler Street and crosses the retained lot. Consideration for storm water on the two lots to be severed will need to be considered at the same time as the draft Plan of Subdivision.

A. Layton explained that an engineer is looking at designing services for the two lots to be severed and those lands in the draft Plan of Subdivision.

The Committee discussed leaving Condition No. 4 of the Public Works Department requiring a joint access out of the approved conditions for both severances.

B12-07-2

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

*'Granted'*

CONDITIONS:

1. The owner enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
2. If required, drainage assessment re-apportionment be undertaken, pursuant to Section of the Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.
3. The owner submit a payment of \$750.00 cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock, to the satisfaction of the Township.
4. If required, the owner shall provide an easement over the lot to be retained in favour of the lot to be severed for municipal storm services, to the satisfaction of the Township of East Zorra-Tavistock.
5. 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.
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.

B12-08-2

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

*'Granted'*  
CONDITIONS:

1. The owner enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
2. If required, drainage assessment re-apportionment be undertaken, pursuant to Section of the Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.
3. The owner submit a payment of \$750.00 cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock, to the satisfaction of the Township.
4. If required, the owner shall provide an easement over the lot to be retained in favour of the lot to be severed for municipal storm services, to the satisfaction of the Township of East Zorra-Tavistock.
5. 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.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

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B12-10-4 – Simon Wagler (Part Lot 10, Conc. 5; Part Lots 1 & 2, Plan 25, Township of South-West Oxford, formerly Township of West Oxford)

Simon Wagler was in attendance to present his application. Also in attendance was Russ Corbett, 324092 Mt. Elgin Road, Mount Elgin ON N0M 2M0. Mr. Wagler explained that he wishes to divide the lot in half and to build a medium-sized home on each of the lots. He reviewed the late correspondence received from the Upper Thames River Conservation Authority.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 1,399 sq. m (15,060 sq. ft.) and is currently vacant. The lot to be retained will cover an area of 1,374 sq. m (14,797 sq. ft.) and contains an existing shed which is to be torn down. A single detached dwelling is proposed to be constructed on both the lot to be severed and the lot to be retained.

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 of South-West Oxford Zoning By-law.

S. Wagler stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

R. Corbett stated that he had no concerns with the proposal. He owns a lot on Plank Line abutting the retained lot.

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

*'Granted'*

CONDITIONS:

1. If required, the owner enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
2. 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.
3. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

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On the motion of G. Brumby, the Committee meeting adjourned at 10:35 a.m.

*"John De Bruyn"*

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CHAIRPERSON