

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, April 4, 2013

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, April 4, 2013 at 9:00 a.m. with the following individuals:

Chair	-	J. de Bruyn
	-	G. Brumby
	-	W. Buchanan
	-	H. Elliott
	-	M. Hacon
	-	J. Palmer

Corporate Manager	-	G. Hough
Secretary-Treasurer	-	L. Taschner

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of March 7, 2013, be approved as amended."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

The Committee discussed attendance at the OACA Conference to be held in Richmond Hill on May 26 to May 29, 2013. It was decided that M. Hacon and H. Elliott would attend on behalf of the Committee. G. Brumby stated that he will confirm by April 9th if he will be attending.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B-13-05-7 & B13-06-7 – Mike & Debra Ash (Part Lots 372 & 373, Plan 500, Town of Tillsonburg)

Debra Ash, together with her agent, Jason Juhasz, were in attendance to present the application. J. Juhasz briefly explained the application to the Committee.

The purpose of the Application for Consent is to create two residential building lots. The lot to be severed by B13-05-7 will cover an area of 1,284.9 sq. m (13,832 sq. ft.) and the construction of a single detached dwelling is proposed. The lot to be severed by B13-06-7 will cover an area of 2,428.3 sq. m (26,139 sq. ft.) and the construction of a four-plex is proposed. The lot to be retained will cover an area of 1,046.2 sq. m (11,262 sq. ft.) and contains an existing duplex dwelling. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the Council of the Town of Tillsonburg considered the application on March 11, 2013 and passed a resolution in favour of the severances. He stated that the applications were consistent with the 2005 Provincial Policy Statement and generally satisfied the intent of the medium density residential policies for Tillsonburg in the Oxford County Official Plan. He noted that a total of seven units for rental housing are proposed.

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

G. Brumby questioned the irregular shaped of the lot. J. Juhasz pointed out the rear portion of the subject properties was previously a rail line which has been sold to the owners.

W. Buchanan questioned whether the size of the retained lot would be large enough to further severance should the owners wish to separate the duplex dwelling. In response, G. Hough stated that the duplex will be divided horizontally with one unit on top of the other and, therefore, there will be no ability to sever.

In response to J. de Bruyn, G. Hough pointed out that site plan will be required before construction takes place on the lot to be occupied by the four-plex.

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

'Granted'

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately re-zoned.
2. The owners enter into a Severance Agreement with the Town of Tillsonburg.
3. 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.
4. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services, and otherwise, have been complied with.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

B13-06-7

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

'Granted'

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately re-zoned.
2. The owners enter into a Severance Agreement with the Town of Tillsonburg. The Severance Agreement shall also include appropriate clauses to satisfy the requirements of Canadian Pacific Railway respecting fencing of the parcel created by Application B13-06-7 and appropriate warning and disclosure clauses registered on title.
3. 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.
4. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services, and otherwise, have been complied with.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B13-04-5 – Greg Hogg Excavating & Construction Ltd. (Part Lots 7 & 8, Plan 105, Township of Zorra, formerly Thamesford)

G. Hogg was in attendance to present his application.

The purpose of the Application for Consent is to create one new residential building lot and retain one vacant lot for similar use. The lot to be severed will cover an area of 916.53 m² (10,200 ft²), and contains two small sheds which are proposed to be removed. The lot to be retained will also cover an area of 916.53 m² (10,200 ft²) and is vacant. It is proposed that a single detached dwelling will be constructed on both the severed and retained lots.

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

G. Hogg stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

Moved by: H. Elliott
Seconded by: W. Buchanan

'Granted'

CONDITIONS:

1. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Zorra.
2. If required, the owner enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township.
3. 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.
4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

B12-45-5; A12-08-5 – Aldo Stracuzzi (Part Lot 3, Conc. 2, Township of Zorra, formerly Township of North Oxford)

Aldo Stracuzzi, together with his agent, Clive Egan, were in attendance to present the application. Also in attendance were:

Bill Sonder
194629 Oxford Road 119
R. R. #3
Ingersoll ON N5C 3K6

Adrian & Janny Dimmers
663148 Road 66
R. R. #3
Ingersoll ON N5C 3K6

C. Egan briefly explained the application to the Committee.

The applicant proposes to sever approximately 0.67 ha (1.67 ac) for residential purposes in the Rural Cluster of Dickson's Corner's and retain approximately 0.55 ha (1.35 ac) for continued rural residential purposes. The lot to be severed is currently vacant and is bisected by a municipal drain. The lot to be retained is presently occupied by a single detached dwelling and two-storey detached accessory building constructed circa 1949.

Permission is sought from the provisions of Section 9.2 (Rural Residential Zone Provisions), to permit a lot frontage for the lot to be severed of 6.0 m (19.69 feet) in place of the 35 m (114.8 feet) typically required by the Township of Zorra Zoning By-law No. 35-99.

G. Hough briefly reviewed the staff Planning Report. He indicated that the proposal is to create a residential lot within a Rural Cluster. He pointed out that the Township Public Works Department has indicated in their comment that no additional access will be permitted from Road 64, and they have requested a one-foot reserve to ensure this. The proposal is for a backyard infill, with the severed lot having a 6.0 m frontage, thus resulting in a shared driveway access. The Township has requested to review the Access Easement Agreement to ensure there is joint access and maintenance for the driveway.

B. Sonder indicated that he resides east the subject property and has lived there for 50 years. He stated that he had a major concern that the frontage of the lot would only be 6.0 m in place of the 35 m required by the By-law. He stated that he did not consider this minor variance. He also questioned where the driveway would be located and whether it would be adjacent to the existing driveway, resulting in two entrances onto Oxford Road 119. He pointed out that his house is only 7 feet from the property line, and with the required setback of 4 feet from the property line to the driveway, their house will only be 11 feet from the driveway. He further stated that he also had concerns with water run-off and snow removal. The water can only run towards the highway. He questioned where the water would drain from there. He wanted to know where the snow will be piled and hoped not on the property line. He further stated he had concerns with dust and noise pollution from a driveway that is proposed to be 300 feet long. He suggested that this will devalue his property. He opposed to the consent and minor variance application.

A. Dimmers stated that he owns the farm property to the north across the road. He pointed out that there is a main drain in the back of the property on the lot proposed to be severed.

C. Egan suggested that another drain is proposed for the future and there will be restrictions as to where the house can be constructed. In response to Mr. Sonder's concerns over the location of the mutual access, he indicated that his client ideally would like the access to be from Road 64. The speed limit should be lowered to 60 km, as it is 80 presently. The Township had no concerns. He is willing to work with the neighbours on ensuring the development is proper.

B. Sonder asked how many driveways are proposed? In response, G. Hough pointed out that the new lot must have frontage on a road, but that a shared access is recommended. He pointed out that there is a 5 m setback requirement from any drain to any proposed construction, and further noted that the Building Permit will address such concerns as drainage and the shared access.

It was pointed out that there will be one access from the road which splits into to separate driveways to the two lots.

W. Buchanan questioned why there is no access permitted from Road 64? In response, G. Hough stated that there are site line issues coupled with the speed in this area. It was observed that there are already a number of driveways in this vicinity.

W. Buchanan questioned whether any of the residents feel there is a site line issue? In response, A. Dimmers pointed out that there is a steep hill. C. Egan indicated that he is surprised that the Township is not prepared to lower the speed from 80 km to 60 km, in this area.

J. de Bruyn suggested that a condition would be required requiring the appropriate location of the drain in relation to the access. G. Hough stated that the Township did not request such a condition. He also questioned whether Planning staff needs assurance that there is enough land for the

construction. G. Hough stated that no comments recommending confirmation of building envelope were received, and that the size of the severed lot appeared to be sufficient to locate a dwelling and accessory buildings.

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

'Granted'

B12-45-5

CONDITIONS:

1. The owner enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township.
2. Drainage assessment re-apportionment shall be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Zorra.
3. The owner provide Proof of Probability of Potable Water, to the satisfaction of the Oxford County Public Works Department.
4. The owner shall establish a shared access easement (including a private maintenance agreement) over the lot to be retained in favour of the lot to be severed, to the satisfaction of the Township of Zorra and the Secretary-Treasurer of the Land Division Committee.
5. The Clerk of the Township of Zorra 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.

A12-08-5

1. The variance requested is a minor variance from the provisions of the Township of Zorra Zoning By-law No. 35-99.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of the Township of Zorra Zoning By-law No. 35-99.

CARRIED.

B13-07-3 – Sonya Ann Neutel (Part Lot 12, Conc. 6, Township of Norwich, formerly Township of East Oxford)

Walter & Sonya Neutel were in attendance to present the application. Also in attendance were:

Mrs. Margo L. Warren,
Roman B. Wolyniuk,
Barristers & Solicitors,
19 Riddell Street,
P.O. Box 1233,
Woodstock ON N4S 8R2

John & Patricia Reyneveld
R. R. #4
465418 Curries Road
Woodstock ON N4S 7V8

Sonya Neutel spoke on the application and indicated that the proposal is to sever a 102 acre parcel of land to be added to the 15 acres to the immediate north, resulting in a rural residential lot covering an area of 2.47 acres.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 41.3 ha (102 ac) and is used for agricultural production. The lot to be severed will be added to the 'Limited Agricultural Zone (A1)' farm lot to the immediate north, which is 6.07 ha (15 ac) in size and contains a barn, a garage and an accessory residential dwelling. The lot to be retained will cover an area of 1.0 ha (2.47 ac) and contains an existing single detached dwelling (built in 1991 according to assessment records) and an accessory building.

G. Hough briefly reviewed the staff Planning Report. He stated that the proposal is consistent with the 2005 Provincial Policy Statement and complies with the County of Oxford Official Plan policies. A re-zoning will be required to re-zone the retained lot to Rural Residential (RR). The lot to be enlarged will also require a re-zoning from A1 to A2. He noted that a condition has been included requiring the owners to either remove or reduce the size of the accessory structure on the retained lot to 1,076 sq. ft.

S. Neutel stated that she concurred with the suggested conditions and the recommendation of the staff Planning Report.

Neither the Reynevelds nor their solicitor, Mrs. Warren, had any comments.

J. de Bruyn asked about the existing lease agreement on the wind farm and whether it stays with the land or the house. In response, S. Neutel stated that there was no lease in place. There is an option held by the wind farm company.

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

'Granted'

CONDITIONS:

1. The lot to be retained and the lot to be enlarged be appropriately re-zoned.
2. The existing 125 m² (1345.5 ft²) accessory structure on the lot to be retained be removed, or be recognized through the above mentioned re-zoning process, to the satisfaction of the Township of Norwich Chief Building Official.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
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 Norwich.

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

REASONS:

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

CARRIED.

B13-01-3 – Robert & Mary Anne Buckrell (Part Lot 22, Conc. 1, Township of Norwich, formerly Township of North Norwich)

Bruce Barnim, the applicant, was in attendance to present the application. He stated that the application is for a lot addition which will correct an error which occurred a number of years ago.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of 657.6 sq. m (7,079.2 sq. ft.), contains no buildings or structures and will be added to the commercial lot to the immediate south consisting of a retail tire sales business with installation bays. The lot to be retained will cover an area of 0.4 ha (1 ac), and contains an existing single detached dwelling.

G. Hough briefly reviewed the staff Planning Report. He stated that the severance is for a simple boundary adjustment. A re-zoning will be required. The application is consistent with the 2005 Provincial Policy Statement and complies with the County's Official Plan policies.

G. Brumby questioned additional storage will be added on the lot. In response, B. Barnim stated that no new storage area is proposed, and that the application will add the existing storage area to the commercial property, thereby correcting a long-standing error.

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. The lot to be enlarged be appropriately re-zoned.
3. The existing 125 m² (1345.5 ft²) accessory structure on the lot to be retained be removed, or be recognized through the above mentioned re-zoning process, to the satisfaction of the Township of Norwich Chief Building Official.
4. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

5. 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 Norwich.
6. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
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.

CARRIED.

B13-12-3 – Jan, Wilhelmina & Raymond Den Boer (Part Lot 19, Conc. 9, Township of Norwich, formerly Township of South Norwich)

David Roe, the owners' agent, was in attendance to present the application. He explained that the application before the Committee is identical to an application that was approved by the Committee in 2012. The application lapsed as all the conditions were not met within the one-year period.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 17 ha (42 ac) and will be added to the agricultural lot to the immediate east. The lot to be enlarged is in agricultural production, and is approximately 39.3 ha (97.1 ac) in size. The lot to be retained is 0.6 ha (1.48 ac) in area, contains an existing single detached dwelling and garage, and will be used for rural residential purposes. An identical application (B11-65-3) was considered by the County Land Division Committee at its February 2, 2012 meeting, at which time it was approved, subject to a number of conditions. The conditions were not met within the one-year period and the application lapsed on February 2, 2013.

G. Hough briefly reviewed the staff Planning Report. He stated that the application is a re-submission of an identical application approved by the Committee in 2012. The application lapsed. He confirmed that the green house has been taken down, and that the existing foundation will need to be removed.

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

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. The greenhouse on the lot to be retained be removed, to the satisfaction of the Township of Norwich Chief Building Official.

3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. If required, a road widening to 15 m (50 ft) from the centreline of Oxford County Road 19, along the frontage of the lot to be severed and the lot to be retained be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
5. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the applicants' expense, to the satisfaction of the Township of Norwich.
6. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
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.

CARRIED.

B12-71-3 – Debby Malcolm (Part Lots 12 & 13, Conc. 2, Township of Norwich, formerly Township of North Norwich)

Andrew & Debby Malcolm were in attendance to present the application. Mr. Malcolm explained that they purchased a lot adjacent to their existing property in 2012 and an error occurred in the conveyance resulting in the two properties merging into one ownership on title. He stated that they reviewed the staff Planning Report. He indicated that they require the accessory building that is located between the existing well and the house as that is where they park their vehicles. The building size is 2,800 sq. ft., and understands that it is twice the size that is permitted by the Zoning By-law.

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 0.7 ha (1.7 ac) and contains an existing single-detached dwelling and a 4.8 m (16 ft) high, 12.2 m x 21.3 m (40 ft x 70 ft) accessory building. The lot to be retained will cover an area of 46.7 ha (115.5 ac), contains a shop, a driveshed, a barn and an accessory single detached dwelling, and is used for agricultural and agricultural-business purposes (an excavating business).

G. Hough briefly reviewed the staff Planning Report. He explained that the severance is to sever off the house from the farm. Normally, this type of application would not be before the Committee; however, there was an error in conveyancing. He pointed out that a letter was received from the owner's solicitor confirming this. The application has been reviewed under the Official Plan policies for lot consolidations, and it has been determined that it meets those policies.

D. Malcolm stated that the building already exists and that they are not proposing to build a large building. G. Hough asked whether they could reduce the size of the building? A. Malcolm pointed out that the building is one complete shell, and there is no way to reduce its size.

D. Malcolm stated that they did not receive a copy of the staff Report; however, it was determined that one was e-mailed to the owner. He wondered whether the Township could deal with the zoning of the building after a decision has been made on the severance with a condition. In response, G. Hough stated that, in that scenario, if the Township does not allow the building to remain, then the severance will not proceed.

J. de Bruyn questioned whether a precedent was being set by this application? G. Hough advised the applicant and the solicitor that severing a house from agricultural lands is not permitted. The conveyance took place in October, 2012. This is the second instance of this type of severance in recent months.

J. Palmer commented regarding the building, and asked the owner about reducing it in size. In response, A. Malcolm stated that the building cannot be reduced. J. Palmer noted that a previous severance allowed a larger building to remain. He questioned whether other Township's are allowing larger buildings to remain on rural residential lots? In response, G. Hough explained that the Township of East Zorra-Tavistock has increased their provisions in their By-law. No other municipality has done this.

W. Buchanan indicated that the Committee has requested that buildings be reduced in the past. He suggested that Condition No. 2 in the staff Planning Report could be revised to read that the building be reduced in size to the Township's satisfaction.

G. Brumby suggested that this should be left up to the Municipality, and suggested that the condition read "that the accessory building be removed or reduced in size", or "that the accessory buildings be addressed to the satisfaction of the Township of Norwich".

G. Hough suggested that perhaps the application should be deferred, to allow the Township of Norwich to review the application.

D. & A. Malcolm agreed and requested a deferral of the application.

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

"Deferred"

REASON:

1. To permit Township of Norwich Council to consider the re-zoning of the lot to be severed, including the size of the accessory structure located on the lot.

CARRIED.

On the motion of M. Hacon, the Committee meeting adjourned at 11:00 a.m.

"John de Bruyn"

CHAIRPERSON