

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, December 4, 2014

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, December 4, 2014 at 10:15 a.m. with the following individuals:

Chair	-	G. Brumby
	-	W. Buchanan
	-	J. De Bruyn
	-	H. Elliott
	-	M. Hacon
	-	J. Palmer
	-	T. Rock
Director	-	G. Hough
Secretary-Treasurer	-	L. Taschner

The meeting was called to order at 10:15 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of November 6, 2014, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

G. Hough indicated that County Council will hold its inaugural meeting on Wednesday, January 14, 2015 at which time the names of the new Committee members will be announced.

J. De Bruyn stated that he has enjoyed his term on the Committee over the past five years. He challenged the Committee to ask tough questions, and thanked the Committee for their patience. He also thanked staff and said that he was proud to live in such a great County.

W. Buchanan indicated that he has enjoyed being on the Committee for the past eight years, and stated that he has gained great experience.

H. Elliott stated that he too has enjoyed being on the Committee. He explained that he moved to Oxford County from Parry Sound, and it has been a pleasure serving on the Committee.

T. Rock also stated that it has been a pleasure serving on the Committee.

G. Hough and L. Taschner thanked the Committee for their professionalism and their dedication to the County.

CORRESPONDENCE:

Correspondence was received from the Council of the Township of South-West Oxford dated December 3, 2014 regarding Application B14-60-4 (Eric & Carol Van Moerkerke)

Correspondence was received from Jason Grace dated December 3, 2014 regarding Application B14-61-3 (Adrian Boeder).

APPLICATIONS FOR CONSENT:

B14-44-8 to B14-47-8 – Ryan Wilson & 1129290 Ontario Inc. (Lot 10 & Part Lot 11, Plan 26; Part Lots 21-23, Block C, Plan 52, City of Woodstock)

Ryan Wilson was in attendance to present his applications. He briefly explained the purpose of the severances and noted that Woodstock Council was in support of the applications.

The purpose of the Application for consent is to create four residential building lots. The lots to be severed will each cover an area of approximately 287.43 sq. m (3,092.6 sq. ft.) and are currently vacant. The lot to be retained will cover an area of approximately 700 sq. m (7,534.7 sq. ft.) and contains an existing 12' x 18' wood frame shed. Semi-detached dwellings are proposed to be constructed on the severed lots, while a single-detached dwelling is proposed for the retained lot. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that semi-detached dwellings are proposed to be constructed on the severed lots, while a single detached dwelling is to be constructed on the retained lot. The subject property is designated "Low Density Residential" on the Land Use Plan for the City of Woodstock, and complies with the policies within that designation. The applications are consistent with the 2014 Provincial Policy Statement. After considerable discussions on the configuration of the lots, the proposal is considered appropriate and there will be no impact on neighbouring properties. The City of Woodstock has requested that the existing shed situated on the lot to be retained be removed. A drainage and grading plan are also required by the City.

J. De Bruyn questioned the retaining wall situated on the lot to be severed by B14-46-8. In response, R. Wilson indicated that the retaining wall will be removed prior to the grading plan.

G. Hough pointed out that R. Wilson is permitted to construct one semi-detached dwelling on the property, however, he will need to be very careful when putting in the foundation to ensure that the Zoning By-law requirements are met.

J. De Bruyn questioned whether there the City requires the properties having proper fencing. In response, G. Hough indicated that is no requirement from the City; however, the owner is welcome to build fences around the lots.

W. Buchanan questioned R. Wilson the reason for the configuration of the lots. In response, R. Wilson pointed out that each severed lot will contain one unit of the semi-detached dwelling. There will be gardens along the retained lot backing onto to each severed lot. The severed lots already meet the lot depth requirements. The additional lands backing onto the severed lots is needed to provide the necessary square footage required for the retained lot.

T. Rock asked R. Wilson who will be maintaining the gardens. In response, R. Wilson indicated that they will be maintained by the owner of the retained lot. T. Rock further questioned the condos that back on to the existing property. In response, R. Wilson pointed out that the property is the former Broadway School which he converted into condominiums.

T. Rock further questioned whether there would be measures put into place regarding maintenance of the gardens, as in the Severance Agreement. In response, G. Hough indicated that the Severance Agreement would not typically have such clauses for property maintenance as the City has By-laws in place for this purpose.

T. Rock suggested that Condition No. 1 be amended to include clause requiring that the gardens be maintained. In response, G. Hough pointed out that the retained lot does not require a Severance Agreement. T. Rock indicated that he was aware of a situation where the property was never looked after by the owner.

In response to G. Brumby's question, R. Wilson indicated that the house on the lot to be retained will be constructed in line with the semi-detached dwellings.

B14-44-8 to B14-47-8

Moved by: J. De Bruyn
Seconded by: M. Hacon

'Granted'

CONDITIONS:

1. The owner 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 the owner.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
3. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
4. The owner shall remove the existing accessory building situated on the lot to be retained, to the satisfaction of the City of Woodstock Building Department.
5. The owner shall submit a proposed servicing and grading plan prepared by a professional engineer or Ontario Land Surveyor to the satisfaction of the City of Woodstock.
6. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
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.

B14-53-8 – Hugh & Karen McKendrick (Part lot 13, Plan 86, City of Woodstock)

Steve MacNeil was in attendance to present the application to the Committee. He indicated that the intent of the severance is to swap lands with property he owns to the south of the McKendrick property.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of approximately 81.7 sq. m (879.44 sq. ft.) and contains no buildings or structures. It is proposed that the lot to be severed will be added to the residential lot to the immediate south, covering an area of approximately 2,578.5 sq. m (27,756.1 sq. ft.) and consisting of an existing single-detached dwelling which is to be removed. The lot to be retained will cover an area of approximately 1,003.4 sq. m (10,800.9 sq. ft.), and contains an existing single-detached dwelling and attached garage.

G. Hough presented the application to the Committee and explained that the severance is for a residential lot addition. This application is associated with Application B14-54-8 to B14-56-8. The severances will even out irregular lot configurations. The application is consistent with the 2014 Provincial Policy Statement, complies with the policies of the County Official Plan, and is appropriately zoned.

S. MacNeil concurred with the findings and suggested conditions of the staff Planning Report. In response to J. De Bruyn's question, he explained that the length of the severed lot is approximately 12 feet and is perpendicular to the lot he will be severing off his property.

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

"Granted"

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
3. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
4. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
5. 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.
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.

B14-54-8 to B14-56-8 – Thomas McCool & Stephen MacNeil (Part Lots 13 & 14, Plan 86, City of Woodstock)

S. MacNeil presented the applications to the Committee.

The purpose of the Applications for Consent is for one residential lot addition and to create two residential building lots. The lot to be severed by B14-54-8 will cover an area of approximately 81.6 sq. m (878.4 sq. ft.), is currently vacant, and will be added to the residential lot to the immediate north. The lot to be enlarged covers an area of 1,003.4 sq. m (10,800.9 sq. ft.) and contains an existing single-detached dwelling and attached garage. The lots to be severed by B14-55-8 and B14-56-8 will each cover an area of approximately 778.9 sq. m (8,384.7 sq. ft.) and 815.82 sq. m (9,711.7 sq. ft.), respectively. These two lots are currently vacant. The lot to be retained will cover an area of approximately 902.22 sq. m (9,711.7 sq. ft.) and contains an existing single-detached dwelling which is to be removed. Single-detached dwellings are proposed to be constructed on each lot of the severed to be lots by B14-55-8 & B14-56-8 and the retained lot.

G. Hough reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement, complies with the policies of the County Official Plan, and is appropriately zoned. He noted that the severances are in keeping with other properties in the area. The lots proposed are larger than required by the Zoning By-law. He indicated that there will be a good use of municipal services and use of residential lands.

S. MacNeil indicated that he had no further comments to make.

In response to J. De Bruyn's question, G. Hough pointed out that even if only Application B14-54-8 were to proceed, the lots would still meet the Zoning By-law requirements.

J. Brumby asked whether the existing house on the property will be removed? In response, S. MacNeil stated that it will be removed.

After some discussion Condition No. 7 for B14-55-8, the Committee decided to leave the condition as recommended in the staff Planning Report.

B14-54-8

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

2. The owners shall dedicate a 3.0 m (9.8 ft) road widening along the frontage of the lots to be severed and the lot to be retained to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County of Oxford Public Works Department.
3. The owner confirms that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the enlarged and/or retained lands, to the satisfaction of the City of Woodstock.
4. 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.
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.

B14-55-8

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

'Granted'

CONDITIONS:

1. The certificate for B14-54-8 be issued and a copy of the receipted Transfer and Application Consolidation Parcels be submitted to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for B14-55-8.
2. 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 the owner.
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 confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
5. The owners shall submit a proposed grading plan confirming grading, drainage and entrance locations prepared by a professional engineer or Ontario Land Surveyor to the satisfaction of the City of Woodstock and the County of Oxford Public Works Department.

6. The owners shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
7. The owners shall remove the existing dwelling on the lot to be retained, to the satisfaction of the City of Woodstock Building Department.
8. The owners shall dedicate a 3.0 m (9.8 ft) road widening along the frontage of the lots to be severed and the lot to be retained to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County of Oxford Public Works Department.
9. The owners agree to properly decommission any abandoned private services (water well and septic system) located on the lot to be retained, in accordance with the Ontario Water Resources Act, R.S.O. 1990 (Ontario Regulation No. 903), to the satisfaction of the County of Oxford Public Works Department and the Oxford County Public Health and Emergency Services.
10. 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.
11. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

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.

B14-56-8

Moved by: H. Elliott
Seconded by: T. Rock

'Granted'

CONDITIONS:

1. The certificate for B14-54-8 be issued and a copy of the receipted Transfer and Application Consolidation Parcels be submitted to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for B14-56-8.
2. The certificate for B14-55-8 be issued and a copy of the receipted Transfer be submitted to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for B14-56-8.
3. 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 the owner.
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 confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
6. The owners shall submit a proposed grading plan confirming grading, drainage and entrance locations prepared by a professional engineer or Ontario Land Surveyor to the satisfaction of the City of Woodstock and the County of Oxford Public Works Department.
7. The owners shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
8. The owners shall remove the existing dwelling on the lot to be retained, to the satisfaction of the City of Woodstock Building Department.
9. The owners shall dedicate a 3.0 m (9.8 ft) road widening along the frontage of the lots to be severed and the lot to be retained to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County of Oxford Public Works Department.
10. The owners agree to properly decommission any abandoned private services (water well and septic system) located on the lot to be retained, in accordance with the Ontario Water Resources Act, R.S.O. 1990 (Ontario Regulation No. 903), to the satisfaction of the County of Oxford Public Works Department and the Oxford County Public Health and Emergency Services.
11. 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.
12. 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

B14-57-3 – William W. & Phillis L. Hird (Lots 1-6, east of Dover Street, Lots 20 & 21, west of John Street, Reg. Plan 197, Township of Norwich, formerly Village of Otterville)

William & Phillis Hird, together with their solicitor, Ryan Verhoog and Luann Wagner, of White Coad LLP were in attendance. R. Verhoog presented the application to the Committee. He briefly explained the intent of the severance is to correct an encroachment issue.

The purpose of the application for Consent is for a lot addition. The lot to be severed will cover an area of 13.29 sq. m (43.59 sq. ft.) and consists of the corner of an existing workshop. The lot to be severed will be added to the lot to the immediate west which covers an area of 2,428 sq. m (26,136 sq. ft.) and consists of a workshop, a garage and an accessory single-detached dwelling. The lot to be retained will cover an area of 771.78 sq. m (8,307.67 sq. ft) and contains an existing single-detached dwelling.

G. Hough briefly reviewed the staff Planning Report. He pointed out that an unopened road allowance will be deeded from the Township of Norwich to the owners to facilitate the lot consolidation and to solve the encroachment issue.

R. Verhoog pointed out that the use will remain the same and the existing workshop will remain on the lot.

In response, to J. De Bruyn's question as to whether the MR Zone will remain on the property, G. Hough answered in the affirmative, however, a re-zoning will be necessary to recognize the existing shop. Therefore, the newly enlarged industrial lot will be re-zoned to a special MR Zone. The retained lot will also need to be rezoned to a special residential zone to recognize the reduced lot area, frontage and depth.

Moved by: W. Buchanan
Seconded by: M. Hacon

'Granted'

CONDITIONS:

1. The lots to be severed, retained and enlarged be appropriately zoned.
2. The unopened road allowance described as Part Alma Street and Part of Lane Southeast of Alma Street, Registered Plan 97, described as PARTS 3 and 5, Reference Plan 41R-9108, be consolidated with the lot to be enlarged described as Lots 1-6, east of Dover Street, Registered Plan 97, being PIN 00052 – 0268 LT. The unopened road allowances described as Part of Alma Street and Part of the Lane Southeast of Alma Street, Registered Plan 97, designated as PARTS 4 & 9, Reference Plan 41R-9108 be consolidated with the lot to be retained, described as Lot 20 & 21, Registered Plan 97, being PIN 00052 – 0271 LT. A copy of the receipted Transfers and the Application Consolidation Parcels shall be provided to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Norwich.
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.
3. The subject property is appropriately zoned.

CARRIED.

B14-61-3 – Adrian Boeder (Lot 120 & Part Lot 123, Plan 388, Township of Norwich, formerly Township of South Norwich)

Adrian Boeder was in attendance to present his application to the Committee. He briefly explained that the intent of the severance is to straighten the lot line between his property and the abutting residential lot.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of approximately 364.3 sq. m (3,921.6 sq. ft.), contains no buildings or structures, and is to be added to the residential lot to the immediate south. The lot to be enlarged covers an area of approximately 1,156.9 sq. m (12,452.6 sq. ft.) and contains an existing single detached dwelling with an attached garage and a shed. The lot to be retained will cover an area of approximately 3,085 sq. m (33,209.8 sq. ft.) and contains an existing single detached dwelling with an attached garage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement (2014 Provincial Policy Statement), and complies with the County of Oxford Official Plan policies. The property is served by municipal water and private septic system. He pointed out that even with the severance, the enlarged lot will still be deficient in lot area and lot depth and, therefore, a re-zoning will be necessary. If it is determined that the retaining wall is located on the property, it is the responsibility of the property owner. If the retaining wall on Township property, the Township is responsible.

In response to G. Brumby's inquiry, A. Boeder stated that the Township built the retaining wall.

Moved by: H. Elliott
Seconded by: T. Rock

'Granted'

CONDITIONS:

1. The lots to be severed and enlarged be appropriately re-zoned.
2. The owner shall provide a survey of both the severed and retained lots to confirm lot dimensions, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
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.

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.

B14-62-1 – Paul Hamilton Speiran (Part Lot 22, Conc. 7, Township of Blandford-Blenheim, formerly Township of Blandford)

Paul Speiran was in attendance to present his application.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of approximately 232.3 sq. m (2,500.5 sq. ft.), contains no buildings or structures, and will be added to the rural residential lot to the immediate east. The lot to be enlarged covers an area of approximately 4,046.9 sq. m (43,561.5 sq. ft.) and contains an existing single-detached dwelling, a detached garage and a shed. The lot to be retained will cover an area of approximately 1,998 sq. m (21,504 sq. ft.) and contains an existing single-detached dwelling, a detached garage and a shed.

G. Hough briefly reviewed the staff Planning Report. He indicated the proposal is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and conforms to the Township Zoning By-law. The purpose of the severance is for a residential lot addition to the immediate east and will result in moving the existing driveway onto the enlarged lot. There will be no impact on the neighbouring properties.

P. Speiran stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to M. Hacon's enquiry about an easement, P. Speiran stated that there is no easement in place.

Moved by: M. Hacon
Seconded by: T. Rock

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

2. 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 Blandford-Blenheim.
3. The Clerk of the Township of Blandford-Blenheim 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.

B14-60-4 – Eric & Carol Van Moerkerke (Part Lot 7, Conc. 9, Township of South-West Oxford, formerly Township of Dereham)

Eric and Carol Van Moerkerke were in attendance. E. Van Moerkerke presented the application to the Committee. He explained, with the assistance of a power point photo presentation, the purpose of the severance. He indicated that they wish to create a rural residential lot. He explained that his daughter owns the building on the corner of Ostrander Road and Highway 19. She recently converted the building from a veterinary clinic into a professional centre, which currently has two tenants in the building. Two additional offices are for rent. His daughter is a speech and language pathologist. His other daughter runs a fresh market garden centre in Tillsonburg. The intent is to grow fresh market produce on the retained lot. The farm was tiled this past summer. A single detached dwelling and shed/storage unit/cooler to store vegetables are proposed to be constructed on the retained lot. E. Van Moerkerke explained that the existing house on the retained lot is not large enough for their needs, and is not a suitable home to renovate larger. He stated he does not want to tear down the house, rather sell it to someone who can use it.

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 approximately 0.34 ha (0.85 ac), and contains an existing single detached dwelling, a detached garage and part of a barn. The lot to be retained will cover an area of approximately 12.48 ha (30.85 ac), contains part of a barn and is in agricultural production. It is proposed that the existing barn will be removed. The severed lot will be used for rural residential purposes. The lot to be retained will continue to be used for agricultural purposes and a single detached dwelling is proposed to be constructed.

G. Hough briefly reviewed the staff Planning Report. He pointed out that the subject property is situated east of Ostrander. The applicants' property is not situated within the Rural Cluster designation, and the severance of a residential lot is only permitted through the farm consolidation process. The owners are proposing to create a non-farm rural residential lot without a farm consolidation. Therefore, the application is not consistent with the 2014 Provincial Policy Statement, and does not comply with the Agricultural Reserve policies of the County of Oxford Official Plan. Staff is not in support of the severance.

E. Van Moerkerke stated that he appreciates the policies of the 2014 Provincial Policy Statement. He simply wishes for his daughter to be able to run her business and to live on the property. The severance will not be disruptive to traffic flow, and he indicated that it was his opinion that the small agricultural parcel will become more productive. He is restricted by the railroad. He suggested that the house on the severed lot could be considered part of the Village.

In response to M. Hacon's question, G. Hough confirmed that the property is not considered to be part of Ostrander.

W. Buchanan questioned what would be involved in a Village boundary adjustment. G. Hough indicated that an Official Plan amendment would be required. He further stated that Rural Clusters are not intended to be expanded.

W. Buchanan asked E. Van Moerkerke what the intended use of the severed lot will be? In response, E. Van Moerkerke stated that the house on the severed lot is currently rented out. He indicated that he will continue to rent the property.

J. Palmer questioned ownership of the parcel between the proposed severed lot and the clinic. In response, E. Van Moerkerke noted that that property is owned by a Mr. Miller. J. Palmer stated that there is nothing stopping the owners from building another home on the property. It was noted that the owners would be required to make an Application for Minor Variance to the Township, for consideration by the Township, for a second dwelling on the farm. J. Palmer questioned whether the 2014 Provincial Policy Statement and the County policies for this application were identical. In response, G. Hough explained that the PPS policies provide a broad direction, and neither policy documents support the severance.

J. De Bruyn questioned whether the owner was restricted from removing the current home on the property and replacing it with a new one. In response, G. Hough indicated that there are no restrictions.

E. Van Moerkerke stated that he received verbal support from both the Mayor and a Township Councillor, and written support from the Township Council. He further stated that the severance is for business reasons.

Moved by: J. Palmer
Seconded by: T. Rock

'Not Granted'

REASON:

1. As the consent proposes to sever the only dwelling on the farm and the severance of said dwelling does not involve a farm consolidation, the said consent application is not consistent with Section 2.3.4 of the 2014 Provincial Policy Statement (2014 PPS) or Section 3.1.5.4 of the Official Plan.

CARRIED.

On the motion of H. Elliott, the Committee meeting adjourned at 12:15 p.m.

Original Signed By

G. BRUMBY, CHAIRPERSON