

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, July 3, 2014

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, July 3, 2014 at 9:00 a.m. with the following individuals:

Chair	-	G. Brumby
	-	H. Elliott
	-	J. DeBruyn
	-	M. Hacon
	-	J. Palmer
	-	T. Rock
Director	-	G. Hough
Secretary-Treasurer	-	L. Taschner

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of June 5, 2014, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

The Committee discussed procedures regarding setting motions for approval or denial, and how motions should be presented when discussing conditions, both recommended by Planning staff and new conditions presented at the hearing.

CORRESPONDENCE:

Correspondence dated July 2, 2014 was received from the Township of East Zorra-Tavistock Council regarding Application B14-27-2 (Lisa Stephens).

Correspondence dated June 24, 2014 was received Oxford County Public Works Department regarding Application B14-35-8 (Marie Kaufman).

Correspondence dated June 26, 2014 was received from Union Gas Limited regarding Application B14-33-6 (Blayne & Brenda Wilson).

Correspondence dated June 25, 2014 was received from the Upper Thames River Conservation Authority regarding Application B14-33-6 (Blayne & Brenda Wilson).

APPLICATIONS FOR CONSENT:

B14-34-4 – Linnda Wellink (Part Lot 25, Conc. 9, Township of South-West Oxford, formerly Dereham)

Linnda Wellink, together with her solicitor, James Morgan, were in attendance. J. Morgan presented the application to the Committee. He explained that the owner previously had an application before the Committee in October, 2013. At the time the survey was completed, it was determined by the owner that her actual frontage on the severed lot is 210 ft and not 227 ft and the lot depth is 478 ft and not 517 ft as requested by the application and reflected on the Notice of Decision.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 19.3 ha (47.7 ac), contains agricultural land in crop production and a woodlot. The lot to be severed is to be added to the agricultural lot to the immediate east. The lot to be enlarged covers an area of 113.3 ha (280 ac) and contains agricultural land in crop production, two agricultural structures and two accessory farm dwellings. The lot to be retained will cover an area of 1.01 ha (2.49 ac) and consists of an existing single-detached dwelling and two detached accessory structures.

G. Hough briefly reviewed the staff Planning Report. He explained that the application is for a farm consolidation. The proposal is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. The lot to be retained will measure 2.49 ac. Planning staff supported the original severance, with a condition that the silo is removed. The Committee, in its decision, approved the severance allowing the silo to remain on the lot.

J. Morgan requested the Committee to again permit the owner to keep the silo on the lot.

J. De Bruyn questioned whether the two laneways on the property are to remain? In response, G. Hough pointed out that the two laneways access the retained lot. Access to the severed lot will be via the enlarged lot.

G. Brumby asked the owner why she wanted to keep the silo. In response, J. Morgan stated that the silo adds character to the property.

In response to a question relating to the ownership of the solar panel, J. Morgan explained that it is owned by Linnda Wellink and will remain on the severed lot. In response, G. Hough pointed out that Planning Department has no jurisdiction over the solar panel as it falls under the jurisdiction of The Ministry of Energy. J. De Bruyn ask if Planning staff has concerns that the services cross the boundary lines of the severed and retained lot. In response, G. Hough stated there were no concerns related to Planning or by Township staff.

A discussion ensued regarding the suggested conditions in the staff Planning Report. J. De Bruyn questioned the zoning proposed on the retained lot. In response, G. Hough indicated the retained lot will be re-zoned to a special Rural Residential Zone to recognize the size of the accessory structures that are being retained with the property.

T. Rock questioned why the silo should be removed. In response, G. Hough pointed out that the silo is not accessory to the residential use.

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

'The conditions as noted in Report No. 2014162 be approved, as recommended'

NOT CARRIED.

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

"That Condition No. 3 as noted in Report No. 2014-162 be amended to read as follows:

The owner shall make any modifications to the accessory buildings to be retained to ensure that they will not be used for the housing of livestock, to the satisfaction of the Township Chief Building Official."

CARRIED.

T. Rock questioned the consistency of decisions for leaving agricultural buildings on proposed rural residential lots. He wondered whether the application should first be considered by Township Council. In response, G. Hough pointed out that there is somewhat of urgency as the original application is still in the process and the one year time limit will soon be over. G. Hough noted there were no issues and that there is no need to recommend a deferral of the application as the condition regarding the property being appropriately re-zoned provides sufficient flexibility for Township Council to decide the appropriateness of the accessory buildings on the retained lands.

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

'Granted, with amendment to wording of Condition No. 3'

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 must comply with Sections 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The owner shall make any modifications to the accessory buildings to be retained to ensure that they will not be used for the housing of livestock, to the satisfaction of the Township Chief Building Official.
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 South-West Oxford.
5. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

B14-29-4 – The Roman Catholic Episcopal Corporation of the Diocese of London (Part Lot 3, BFC, Township of South-West Oxford, West Oxford)

Gordon Yates, together with this agent, Robert Yates, were in attendance. R. Yates presented the application. He indicated that due to the topography of the severed lot, it will not be used by the Diocese as part of the cemetery lands. The parcel will be added to his brother's existing property.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 3.25 ha (8.0 ac) and consists of vacant agricultural land. The lot to be severed is to be added to the agricultural lot to the immediate east. The lot to be enlarged covers an area of 4.31 ha (10.65 ac), contains an agricultural structure (barn) and an accessory single detached dwelling, and is used for agricultural purposes. The lot to be retained will cover an area of 3.61 ha (8.9 ac) and consists of vacant land currently used in conjunction with the existing adjacent cemetery.

G. Hough briefly reviewed the staff Planning Report. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. An application for zone change has been submitted as part of the application process. Planning staff is in support of the application.

R. Yates stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to J. De Bruyn's comment, G. Yates stated that the lands are arable.

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

'Granted'

CONDITIONS:

1. The lot to be severed and the lot to be enlarged 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 must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. A road widening of 15 m (50 feet) from the centreline of Oxford Road 9 (Beachville Road) along the frontage of 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.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, 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.

B14-27-2 – Lisa Stephens (Lots 15 & 16, Plan 111, Township of East Zorra-Tavistock, formerly Innerkip)

Lisa Stephens was in attendance to present the application. She reviewed the late correspondence received from the Council of the Township of East Zorra-Tavistock. She briefly explained the application 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 735.6 sq. m (7,918.2 sq. ft.) and is currently vacant. A single-detached dwelling is proposed to be constructed on the lot to be severed. The lot to be retained will cover an area of 1,287.7 sq. m (13,861.1 sq. ft.) and contains an existing single-detached dwelling and garage. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the property is located within the Village Core designation for the Township of East Zorra-Tavistock in the Official Plan. The lot sizes proposed are well in excess of the lot sizes required, and are consistent with the development in the area. The application is consistent with the 2014 Provincial Policy Statement. A Zone Change application has also been submitted with the severance.

L. Stephens questioned whether there would need also to be a requirement for a road widening along Balsam Street? In response, G. Hough explained that the road widening condition is considered as one of the standard conditions. Blandford Street is a county road and that there is a potential for future widenings. The Public Works Department has also requested a daylight triangle at the corner. There is no road widening request on Balsam Street.

J. De Bruyn referred to Plate 2 of the staff Planning Report. In response, G. Hough explained the difference between the Village (V) Zone and the Residential Type 1 (R1) Zone. J. De Bruyn questioned whether the retained lot could remain in the Village Zone. In response, G. Hough stated that this was an option of the owner.

L. Stephens suggested that it would be an advantage keeping the retained lot in the Village Zone and only re-zoning the severed lot to R1.

G. Brumby asked whether the municipal address on the retained lot would be on Blandford Street. In response, G. Hough pointed out that it would remain on Balsam Street.

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

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately re-zoned.
2. The owner enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
3. The owner submit a cash-in-lieu of parkland fee in effect at the time the consent is finalized, to the satisfaction of the Township of East Zorra-Tavistock.
4. If required, drainage 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 East Zorra-Tavistock.
5. A road widening of 3 m (9.8 ft) along the frontage of the lot to be retained and a 3 m (9.8 ft) by 3 m (9.8 ft) sight triangle at the intersection of Blandford Road and Balsam Street be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.

6. 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 lot to be severed have been complied with. This condition can be cleared by payment for the required services prior to the completion of the severance to the satisfaction of the County of Oxford Public Works.
7. 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.
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.

CARRIED.

B14-35-8 – Marie A. Kaufman (Part Lots 6-9, Plan 58, City of Woodstock)

Bob Pozza, the owner's agent, was in attendance to present the application. He briefly explained the application to the Committee.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of approximately 174.4 sq. m (1,877 sq. ft.), contains no buildings or structures and will be added to the residential lot to the immediate north. The lot to be enlarged covers an area of approximately 1,902 sq. m (20,473 sq. ft.) and contains an existing single-detached dwelling. The lot to be retained will cover an area of approximately 3,848 sq. m (41,422 sq. ft.) and contains an existing single-detached dwelling and 3-car garage.

G. Hough briefly reviewed the staff Planning Report. He explained that upon completion of the severance, the entire driveway will be situated on the lot to be enlarged, and an easement will no longer be required. A private well situated on the lot to be retained serves both the severed and retained lots. The well will require decommissioning and municipal water and wastewater services will service both lots.

B. Pozza stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report. He pointed out that the servicing costs are high and indicated his client may ask the County to reduce the impost fees.

T. Rock asked about the shared well. In response, G. Hough reiterated that the shared well will be decommissioned and the two lots will be required to connect to municipal services.

J. De Bruyn questioned whether the interior side yard from the lot line to the existing house on the retained lot will be maintained. In response, G. Hough explained that the R1 Zone requires a minimum of 4 feet and the owner will have 6 feet. He further indicated that when the original application to create the two lots was made, it was not contemplated that each lot should have its own driveway. The existing easement will be expunged as it will no longer be necessary. As part of the recommended conditions, the County of Oxford will take a one square foot parcel from the lot to be enlarged in order to permit the consolidation to occur in accordance with the requirements of the Planning Act.

G. Brumby questioned the City's comments regarding the removal of the driveway on the retained lot. In response, G. Hough pointed out that the owner will need to discuss this with City staff. G. Brumby further questioned the need for Condition No. 5. In response, G. Hough stated that this is an opportunity for the County to require decommissioning of the well, and to ensure services are connected to the lots.

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

'Granted'

CONDITIONS:

1. 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.
2. A 0.3 m (1 ft.) x 0.3 m (1 ft.) parcel of land from the lot to be enlarged be deeded to the County of Oxford free of any encumbrances and costs, and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee prior to the stamping of the deed for application B14-35-8.
3. The owner shall agree that any portion of the existing driveway on the retained lot that services the enlarged lot shall be removed completely from the retained lot to the satisfaction of the City of Woodstock.
4. 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 lot to be retained and the lot to be enlarged have been complied with and both lots are fully connected to municipal services. The condition can be cleared by payment for the required services prior to the completion of the severance to the satisfaction of the County of Oxford Public Works.
5. The owner agrees, in writing, that the existing well on the lot to be retained will be properly abandoned in accordance with Ontario Regulation 903 and that all septic fields will be abandoned, to the satisfaction of the County Public Health & Emergency Services Department and the necessary paperwork will be forwarded to the City of Woodstock for review.
6. The owner of the lot to be retained provides an easement in favour of the County of Oxford in order to provide sanitary services to lot to be enlarged.
7. The owner confirms that no underground or overhead servicing 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.
8. The owner shall provide an undertaking to the satisfaction of the Secretary-Treasurer of the Land Division Committee that assures the existing easement over the lot to be severed will be deregistered.
9. The owner shall provide a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
10. 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.
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.

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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.

B14-30-6 – Joe Webb Home Improvements Ltd. (Lots 9-11, Block 11, Plan 279, Town of Ingersoll)

Joe Webb was in attendance to present his application. He briefly explained his proposal 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 853.1 sq. m (9,183 sq. ft.), and is currently vacant. The lot to be retained will cover an area of 1,400.4 sq. m (15,095.88 sq. ft.), and contains an existing single detached dwelling and shed. It is proposed that a semi-detached dwelling with attached garages will be constructed on the lot to be severed. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He explained that the owner proposes to create a residential building lot for a semi-detached dwelling. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and conforms to the Town's Zoning By-law. The owner will be required to meet the requirements of CP Rail.

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

J. De Bruyn questioned whether, if the semi-detached dwelling is further severed into separate units will meet the Zoning By-law requirements. In response, G. Hough indicated that it will.

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

'Granted'

CONDITIONS:

1. The owner enter into a Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The agreement shall include appropriate clauses to address the following concerns related to the nearby railway operation and to the Town in regard to installation of municipal services,
 - i) the new dwelling shall include a design that features a brick façade along the north side with any windows on this side of the home designed with an STC rating of 32, and shall accommodate facilities for air conditioning in order to mitigate and reduce noise in conjunction with provincial guidelines and regulations; and,

- ii) registration of the following warning clause in all offers to purchase, agreements of purchase and sale or lease and in the title deed:

“WARNING: Canadian Pacific Railway or its assigns or successors in interest has or have a railway right-of-way and yard located within 300 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way.”

- iii) the developer shall be responsible for the replacement of any portion of the sidewalk within the Charles Street West road allowance after the sidewalk is installed, in order to accommodate new municipal services for the lot to be severed, at no cost to the Town of Ingersoll.
2. All financial requirements of the County with respect to the provision of water and wastewater services must be complied with. This condition can be cleared by payment for the required services or by entering into a Severance Agreement with the Area Municipality. A copy of the draft Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works Department prior to clearing the condition.
3. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

B14-31-1 – Jairus & Shirley Peat (Part Lot 7, Conc. 12, Township of Blandford-Blenheim, formerly Blandford)

Jairus Peat was present to speak to the application. He briefly explained the application to the Committee.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 1,622.1 sq. m (17,460 sq. ft) and contains no buildings or structures. It is proposed that the lot to be severed will be added to the non-farm rural residential lot to the immediate east. The lot to be enlarged contains an existing single detached dwelling, attached garage and two sheds. The lot to be retained will cover an area of 40.4 ha (99.8 ac), contains farm buildings and an accessory single detached dwelling and is in agricultural production.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A re-zoning will be required for the severed and enlarged lots.

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

J. Palmer asked the owner whether he has ever tried to re-locate the hydro pole? In response, J. Peat noted that the severed parcel was once owned by the Township for a future road allowance. He purchased the land from the Township.

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

'Granted'

CONDITIONS:

1. The lots to be severed and enlarged 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 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.
3. 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.
4. 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.
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.

B14-32-3 – John Visser (Part Lot 73, Plan 396, Township of Norwich, formerly North Norwich)

John Visser, together with Ryan Verhoog, of White Coad LLP were in attendance. R. Verhoog stated that he was representing Gordon Klein, of the same office. He briefly explained the application and stated that both he and his client concurred with the suggested conditions and the recommendation of the staff Planning Report.

The purpose of the application for consent is for an agricultural lot addition. The lot to be severed will comprise approximately 5.12 ha (12.56 ac), is in agricultural production (cash crops) and is to be added to the farm parcel to the immediate south. The lot to be enlarged comprises approximately 20.2 ha (50 ac), is in agricultural production (cash crops) and is currently vacant. The lot to be retained will comprise approximately 3,215 sq. m (34,607 m²) and contains an existing single detached dwelling, detached garage and shed.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A re-zoning of the retained lot will be required. He stated that the severance and lot consolidation will result in a more viable and flexible property.

J. De Bruyn asked whether the re-zoning of the retained lot will recognize the deficient lot depth? In response, G. Hough pointed out that the retained lot will be re-zoned to a special Rural Residential zone, including a provision for the lot depth.

M. Hacon suggested that the driveway straddling the lot to be severed and retained can be moved at any time.

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

'Granted'

CONDITIONS:

1. The lots to be severed & retained be appropriately re-zoned.
2. 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.
3. 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.
4. A road widening of 15 m (50 feet) from the centre line of Norwich Road 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. The owner of the lot to be retained enter into an Agreement with the owner of the lot to be enlarged regarding access to the detached garage located on the lot to be retained. The Agreement shall be registered on title. The owner undertakes to provide a copy of the registered Agreement to the Secretary-Treasurer of the Land Division Committee.
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.

B14-33-6 – Blayne & Brenda Wilson (Lots 56 & 57 & Part Lot 58, Plan 186, Town of Ingersoll)

Blayne & Brenda Wilson were in attendance, together with their agent, Don Johnson. D. Johnson presented the application to the Committee. The owners and their agent reviewed the late correspondence received from Union Gas Limited and 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 1,410 sq. m (15,180 sq. ft.), and contains an existing detached accessory structure (2-car garage). The lot to be retained will cover an area of 1,119 sq. m (12,045 sq. ft.) and contains an existing single detached dwelling. It is proposed that a single detached dwelling will be constructed on the lot to be severed at a future date.

G. Hough briefly reviewed the staff Planning Report. He indicated that the proposal is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. The lots are consistent with the surrounding lots in the area. He pointed out that there is an accessory structure situated on the lot to be severed and noted that the Town's Zoning By-law does not permit accessory structures on vacant lots prior to the construction of the main use. He noted that the owners have made application to zone the lands to permit the accessory structure to remain.

Mr. B. Wilson stated that both the water and sewers are hooked up to the house on the property, with a lateral to the severed lot. He indicated they concur with the findings and suggested conditions of the staff Planning Report. It is their intention to construct a single detached dwelling on the severed lot.

T. Rock referred to the Upper Thames River Conservation Authority comments. In response, G. Hough stated that the lots will be on full municipal services and noted that the Conservation Authority had no objection to the application.

In response to J. Palmer, it was pointed out that each lot will have its own separate driveway.

In response to J. De Bruyn, Mr. B. Wilson indicated that there are only doors at the front and rear of the house.

It was further pointed out that all parking will need to be maintained on the property.

M. Hacon asked about the accessory structure. In response, G. Hough pointed out that if the accessory structure is not permitted to remain on the severed lot, it will need to be removed within one year, in order to meet the condition and to have the certificate issued. In response, Mrs. B. Wilson indicated that if the building needs to be removed, they will not proceed with the severance.

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned. If required, the detached accessory structure shall be removed, to the satisfaction of the Town.
2. The owner enter into a standard Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town.

3. All financial requirements of the County with respect to the provision of water and wastewater services must be complied with. This condition can be cleared by payment for the required services or by entering into a Severance Agreement with the Area Municipality. A copy of the draft Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works Department prior to clearing the condition.
4. 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.
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.

On the motion of M. Hacon, the Committee meeting adjourned at 11:35 a.m.

"Gordon Brumby"

CHAIRPERSON