

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, March 6, 2014

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, March 6, 2014 at 9:05 a.m. with the following individuals:

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of January 23, 2014, be approved as amended.”

CARRIED.

BUSINESS ARISING FROM MINUTES:

None

GENERAL BUSINESS:

Correspondence was received from the applicant's solicitor requesting a Notice of Change of Conditions for Application B12-70-2 (Sjoerd Heeg & Rinske Heeg-Falkena).

G. Hough presented the report briefly explaining the request for the change of condition.

There were no comments or questions from the Committee.

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

“That the request to change Condition No. 2 for application B12-70-2 be approved.”

CARRIED.

The OACA Conference package was received and reviewed by the members. This year's conference is being hosted by Town of The Blue Mountains from May 25 to May 28. The Committee members were asked to review the package and to confirm with the Secretary-Treasurer who will be attending. It was pointed out that two members are budgeted to attend, along with the Secretary-Treasurer.

Members G. Brumby, T. Rock, H. Elliott and M. Hacon all expressed an interest in attending.

CORRESPONDENCE:

Several pieces of correspondence relating to consent application B13-72-5 (Happy Hills) were received by the Planner from John Baker at the zone change public meeting held at the Township office on March 4th, 2014.

- i. R.J. Burnside & Associates Limited re: Sewage System Capacity
- ii. Response to J. Verwer (Councillor) re: Planning Report 2014-48
- iii. Background information re: Assessment Values

Correspondence dated March 5, 2014 and a map were received from C. Baker (GSP Group Inc.) with respect to application B14-03-5 regarding the location of the Union Gas Easement on the subject lands.

Correspondence dated March 5, 2014 received from Rosaline Bruyns and Gary Wettlaufer regarding application B14-03-5 expressing concerns with the application.

Correspondence dated March 5, 2014 received from Stephanie Pepper regarding application B13-65-2 requesting a one-month deferral.

APPLICATIONS FOR CONSENT:

B13-65-2 – John A. Williams (Part Lot 11, Concession 14, Township of East Zorra-Tavistock, formerly Township of East Zorra)

No one was present to speak to the application.

G. Hough indicated that correspondence was received from the applicant's solicitor requesting a deferral. The application was submitted as a lot addition, however in reality, it is for the creation of a lot. G. Hough indicated that the application will need to be recirculated for comments and brought back to the Committee at a later date.

Moved by: J. De Bruyn
Seconded by: J. Palmer

“Deferred for up to 3 months”

REASON:

1. To allow the Planning office to recirculate the application as a lot creation.

CARRIED.

B13-72-5 – 409315 Ont. Limited (Part Lot 25, Concession 1, Township of Zorra, formerly Township of West Zorra)

Present in support of the application: John Baker, 923569 Road 92, RR 3, Embro ON N0J 1J0

Mr. Baker distributed more information regarding his application with respect to comments from the Ministry of Environment and their review of the Engineering Report for the water treatment system. He briefly described the history of the site and his experience with MPAC (Municipal Property Assessment Corporation) over the last few years. He indicated that the Township supports a zone change for the property and that a revised zoning will alleviate some of the financial burden caused by the reassessment by MPAC.

G. Hough presented the planning report and indicated that the occupancy of the lands is not the focus of the application for severance. The Conservation Authority is not concerned with this application as the environmental features are not significant. The application is not in conflict with the policies of the Official Plan (OP), however the Provincial Policy Statement (PPS) does not allow

severances as proposed by this application.

G. Hough also indicated that the applicant's proposal to amend the application to include the septic bed lands with the severed parcel is acceptable and preferred. There is a question as to whether additional lands are available on the severed portion should the existing septic system fail.

Mr. Baker commented that the current system is quadruple the capacity that is required.

T. Rock enquired as to the term of the lease; the monthly rental cost for each inhabitant and why was he requesting a severance?

Mr. Baker responded that the terms are 'yearly renewal' and the rental is from \$450-\$495 a month. With respect to the severance application, he desires to keep the two operations separate from one another, i.e., the campground separate from the retirement community.

J. De Bruyn questioned if the retirement community existed in 2003 before the MPAC re-evaluation. Mr. Baker indicated that the community has existed since 1994.

J. De Bruyn enquired if the REC-1 zoning would have any impact on Minimum Distance Separation (MDS) calculations. G. Hough responded that no, there would be no impacts from MDS.

M. Hacon enquired as to the zoning on the property. G. Hough responded that the property is zoned Special Recreational Zone (REC-1) and a small parcel in the northwest corner is zoned Special Recreational Zone (REC-5).

T. Rock enquired if the services have been satisfactorily addressed for the site, then can you not dismiss the policies of the PPS. G. Hough responded that the PPS is a Provincial policy document and must be taken into consideration.

G. Brumby indicated that this application would benefit from more discussion.

M. Hacon questioned why these lands, which are not 'agricultural', are reviewed with respect to the PPS. G. Hough responded by indicating that the PPS policies are stringent and that even though these lands are not used in an agricultural operation, they are classed as being within a 'prime agricultural area' under the PPS.

Mr. Baker concluded by saying that he has addressed the concerns raised in the comments from Mr. & Mrs. Sack.

Moved by: T. Rock
Seconded by: J. De Bruyn

"Not Granted"

REASON:

1. In accordance with Section 2.3.4 of the 2005 Provincial Policy Statement (PPS) in which the creation of a new lot within prime agricultural lands for a purpose other than an agricultural, an agriculturally-related, a farm consolidation, or infrastructure use is not permitted.

CARRIED.

B14-03-5 – Schlegel Poultry Inc. (Part Lots 21 & 22, Concession 2, Township of Zorra, formerly Township of North Oxford)

Present in support of the application: Caroline Baker, GSP Group Inc.,
72 Victoria Street S., Suite 201, Kitchener ON N2G 4Y9

Ms. Baker has reviewed the Planning report and indicated to the Committee that Schlegel Poultry is a turkey operation and they wish to concentrate their efforts on that business. She also indicated that the owner is agreeable to and has no issues with the reconfiguration of the severed and

retained lands as proposed and indicated on Plate 5: Preferred Lot Configuration, contained in the planning report.

G. Hough presented the Planning report indicating that a new farm lot is proposed to be created.

T. Rock enquired as to why the severed and retained parcels were reconfigured and whether MDS would apply. G. Hough responded by indicating that the reconfiguration is more efficient with respect to lot boundaries and that MDS is not affected in this instance as the buildings are already existing.

J. Palmer indicated that he did not see the need to reconfigure the severed and retained parcels. He also inquired as to the purpose of the severance. Ms. Baker indicated the severance is being requested for land based issues.

J. De Bruyn questioned whether the owner can still meet the Nutrient Management Plan requirements. Ms. Baker responded that all manure is already trucked off site and that would still continue to be the practice.

J. De Bruyn also enquired if the frontage of the severed lot meets the minimum for an A2 zoned property? G. Hough responded in the affirmative.

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

“Granted”

CONDITIONS:

1. 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.
2. The lot to be severed and the lot to be retained be reconfigured to approximate the boundaries as shown on Plate 5 of Report CASPO 2014-50.
3. 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.
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.

B14-04-3 – Schlegel Poultry Inc. (Part Lot 4, Concession 5, Township of Norwich, formerly
Township of East Oxford)

Present in support of the application: Caroline Baker, GSP Group Inc.,
72 Victoria Street S., Suite 201, Kitchener ON N2G 4Y9

Ms. Baker presented the application indicating that this application is much the same as the previous one just heard by the Committee. Schlegel Poultry is a turkey operation and they wish to concentrate their efforts on that business.

G. Hough presented the report.

M. Hacon questioned the piece of correspondence received for this application. Ms. Baker responded that there is a Union Gas easement on the subject property, however its location on the retained parcel has no effect on the severed lands.

J. De Bruyn questioned whether the property line running along the creek between the severed and retained lots was appropriate. Ms. Baker indicated that the owner wanted both properties to have access to the creek. G. Hough indicated that the creek lands are regulated by the Conservation Authority and they have no issues with the property line being in this location.

G. Brumby inquired as to what would happen with the property line between the creeks if the creek itself changes course. Ms. Baker responded that the property line would not change. G. Hough also indicated this would be the case.

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

“Granted”

CONDITIONS:

1. 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.
2. The owner enter into a Crossing Agreement with Union Gas Limited, to the satisfaction of Union Gas Limited.
3. 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.
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.

On the motion of T. Rock, the Committee meeting adjourned at 10:35 a.m.

"Gord Brumby"

CHAIRPERSON