

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, January 21, 2016

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, January 21, 2016 at 10:20 a.m. with the following individuals:

- G. Brumby
- H. Elliott
- B. George
- M. Hacon
- R. Jull
- T. Rock
- A. Tenhove

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| Director | - | G. Hough |
| Secretary-Treasurer | - | L. Taschner |

The meeting was called to order at 10:20 a.m.

ELECTION OF CHAIR:

The Secretary-Treasurer opened the floor for nominations for the position of Chair and Vice Chair of the Committee for the year 2016.

Moved by: B. George
Seconded by: H. Elliott

"That G. Brumby be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2016."

CARRIED.

G. Brumby accepted the nomination.

Moved by: M. Hacon
Seconded by: B. George

"That the nominations for the position of Chair of the County of Oxford Land Division Committee for the year 2016 be closed."

CARRIED.

G. Brumby was declared Chair of the County of Oxford Land Division Committee for the year 2016.

ELECTION OF VICE-CHAIR:

Nominations for the position of Vice-Chair were invited.

Moved by: T. Rock
Seconded by: A. Tenhove

"That B. George be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2016."

CARRIED.

B. George accepted the nomination.

Moved by: A. Tenhove
Seconded by: R. Jull

“That the nominations for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2016 be closed.”

CARRIED.

B. George was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2016.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: B. George
Seconded by: M. Hacon

“The Minutes of the Meeting of December 3, 2015, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

Correspondence dated January 4, 2016, was received from Rogers Cable regarding Application B15-47-6 (Joe Webb Home Improvements Ltd.).

Correspondence dated January 8, 2016, was received from the Upper Thames River Conservation Authority regarding Application B15-47-6 (Joe Webb Home Improvements Ltd.).

Correspondence dated January 20, 2016, was received from the Council of the Township of East Zorra-Tavistock regarding Application B15-01-2 (Hartholm Farm Ltd.).

APPLICATIONS FOR CONSENT:

B15-45-1 – Taryn Hofstetter (Part Lot 24, Conc. 13, Township of Blandford-Blenheim, formerly Township of Blenheim)

Gary Hofstetter, the applicant, was in attendance. He explained the severance to the Committee.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed comprises approximately 19.4 ha (48 ac), contains a portion of an existing barn (which is to be removed) and steel shed, is in agricultural production (cash crops), and is to be added to the agricultural parcel to the immediate east. The lot to be enlarged comprises approximately 59.5 ha (147 ac), contains an existing accessory farm dwelling, two sheds and grain bin and is in agricultural production. The lot to be retained comprises approximately 0.78 ha (1.92 ac) and

contains an existing single-detached dwelling, a portion of an existing barn (which is to be removed) and shed. The lot to be retained is proposed to be used for rural residential purposes. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He pointed out that the purpose of the severance is for a farm consolidation. He indicated that application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. As noted in the suggested conditions of the staff Report, the retained lot will require a re-zoning.

In response, G. Hofstetter stated he concurred with the findings and suggested conditions as stated in the staff Planning Report. He wondered if he will continue to have use of the road widening. G. Hough suggested he follow up with the County Public Works Department as to the use of the parcel of land proposed for the road widening and the sight triangle. As for the driveshed situated immediately west of the retained lot, G. Hofstetter stated he would like to keep the driveshed if possible, and would discuss this with the Township Chief Building Official.

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately 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. The existing 'steel shed' located on the lot to be severed and identified on Plate 4 of Report No: 2016-3, be demolished or upgraded to an appropriate building standard, to the satisfaction of the Township Chief Building Official.
4. The existing 'barn' located on the lots to be enlarged and retained and identified on Plate 4 of Report No: 2016-3, be demolished, to the satisfaction of the Township Chief Building Official.
5. 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.
6. If required, a road widening of 5 m (16.4 feet) along the frontage of the lot to be severed on Oxford Road 22, be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
7. If required, a 15 m x 15 m (49.2 ft x 49.2 ft) daylight triangle at the intersection of Oxford Road 22 and Township Road 13, on the lot to be severed, be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
8. 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.

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9. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-01-2 – Hartholm Farm Ltd. (Part Lots 9 & 10, Conc. 12, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Bob Hart, of Hartholm Farm Ltd., was in attendance to present the application to the Committee. He briefly explained the application and pointed out that he proposes to sever a 16 acre parcel of land to be used for a commercial grain elevator operation.

The proposed severance seeks to sever the existing commercial grain elevator operation from the agricultural lands that the operation is situated on. The lot to be severed will cover an area of 6.56 ha (16.2 ac) and currently comprises a shed with 217.4 m² (2,340 ft²) of office area, a food-grade soybean plant, a seed plant, a warehouse, a shed for equipment storage and 14 grain storage bins. The lot to be retained will cover an area of 43.3 ha (107 ac) and contains 3 single detached dwellings. The lands are currently used for cash cropping and will continue to be used for these purposes.

G. Hough briefly reviewed the staff Planning Report. He explained that the Official Plan amendment was approved by County Council in November, 2015 to facilitate the severance. He pointed out that the Report is detailed as to the impact the use may have on the surrounding properties. An agricultural/commercial related use is proposed for the severed lot.

B. Hart stated that he concurred with the findings and suggested conditions in the staff Planning Report.

In response to R. Jull, G. Hough pointed out that the 6.47 ha (16 acre) parcel will allow for future expansion of the operation.

In response to G. Brumby, B. Hart explained that his operation is for the export of food grain beans. He noted that they primarily export to Japan. A new processing facility is proposed, resulting in an increase in employment and continued benefit to local farmers.

In response to T. Rock, G. Hough pointed out that the grain elevator operation is not part of the farming operation. The 2014 Provincial Policy Statement permits these types of uses and a farm-related use is being established. Staff are of the opinion that the existing use that is proposed to be severed, being the commercial grain elevator and associated buildings is consistent with the PPS definition of an 'agricultural-related use'. The existing agricultural industrial use on the subject lands has grown over time from what was at one point in time a small-scale accessory grain drying operation, to a large-scale operation that requires the shipping / receiving, processing, treatment and warehousing of seed and food grade soybeans sourced generally from Oxford County and the broader Southern Ontario market. G. Hough further explained that the property to be severed is large enough for the operation to continue.

G. Hough stated that two of the existing three dwellings are to remain on the retained lot. The use does not require or would not benefit from municipal water and wastewater facilities. As for the zoning, it will be recommended that the 'AB-Special' zone will permit, as the only permitted use, a commercial grain elevator and grain processing and warehousing use.

Moved by: M. Hacon
Seconded by: R. Jull

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. The owner provides an as-built survey of the severed lot, completed by an Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.
3. The existing dwelling on the lot to be retained, nearest to the commercial grain elevator be removed, to the satisfaction of the Township of East Zorra-Tavistock Chief Building Official.
4. Drainage assessment re-apportionment 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 East Zorra-Tavistock.
5. The owner enters into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
6. 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.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-46-4 – Robert McLean (Part Lots 11 & 12, Conc. 5, Township of South-West Oxford, formerly Township of Dereham)

Robert McLean was in attendance to present his application to the Committee. He stated that the severance is to remove the residential dwelling from the 50 acres.

The purpose of the Application for Consent is to create a residential lot within the Village of Mount Elgin from an agricultural parcel. The lot to be severed will cover an area of 0.4 ha (0.98 ac), with a frontage of 40.5 m (133 ft) along Mount Elgin Road. The lot to be severed contains an existing single detached dwelling. The lot to be retained will cover an area of approximately 20 ha (49.4 ac), with 31.5 m (103.3 ft) of frontage along Mount Elgin Road, and contains two agricultural structures, one of which has been used for the housing of horses. The lot to be retained will continue to be used for agricultural purposes.

G. Hough briefly reviewed the staff Planning Report. He explained that an application was approved by the Committee for a similar severance in 2013; however, the approval lapsed as the conditions were not completed within the one-year period permitted by the Planning Act. The lot consisting of the residential dwelling is situated within the Settlement Area according to the County Official Plan, while the remainder of the property consisting of approximately 20 ha (49.4 ac) is located within the Agricultural Reserve Policy Area. The retained lot is already an undersized agricultural parcel. The Township of South-West Oxford Zoning By-law requires a lot area of 30 ha (75 acres). He explained that a farm viability plan will need to be undertaken, should the owner wish to construct a dwelling on the retained lot.

R. McLean indicated that he concurs with the findings and suggested conditions in the staff Planning Report. In response to G. Brumby, R. McLean stated that the retained parcel is currently rented for crop production and he was aware that livestock facilities will not be permitted.

Moved by: H. Elliott
Seconded by: A. Tenhove

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. The owner enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township of South-West Oxford. The agreement shall include provisions to require connection of the lot to be severed to the available municipal services and to require the owner to notify any purchaser of the lot to be severed of water and wastewater connection fees payable to the County, unless the owner pays the connection fees prior to the sale.
3. The County of Oxford Public Works Department 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 severed property have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the Township of South-West Oxford which states that no building permit shall be issued until payment is made to the County.
4. The owner properly decommission all private water well and/or cistern services located on the lot to be severed, in accordance with the Ontario Water Resources Act, R.S.O. 1990 (Ontario Regulation No. 903), to the satisfaction of the Oxford County Department of Public Works, and decommission the private septic system on the lot to be severed, to the satisfaction of Oxford County Public Health & Emergency Services.
5. If required, a drainage reapportionment 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.
6. 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 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-47-6 – Joe Webb Home Improvements Ltd. (Lot 11, Block 11, Plan 279, Town of Ingersoll)

Joe Webb was in attendance to present his application to the Committee.

The purpose of the Application for Consent is to split an existing semi-detached dwelling into two separate units. The lot to be severed will cover an area of 415.3 sq. m (4,470.4 sq. ft.) and the lot to be retained will cover an area of 437.8 sq. m (4,712.6 sq. m). Both lots consist of one-half of the existing semi-detached dwelling house presently under construction.

G. Hough briefly reviewed the staff Planning Report. He noted that the severed and retained lots were originally the severed lot resulting from Application B14-30-6, approved by the Committee in 2014. The owner is now seeking to separate the existing semi-detached dwellings situated on that lot into two separate lots. County staff recommends approval with a number of conditions.

J. Webb stated that he concurs with the findings and suggested conditions in the staff Planning Report. In response, to R. Jull, J. Webb stated that there is a sound proof barrier between the two units and that this is a requirement.

G. Brumby commented on the design of the dwelling. In response, J. Webb stated that he has a very good designer. He further confirmed that a fire wall is a requirement between the two units.

Moved by: B. George
Seconded by: T. Rock

'Granted'

CONDITIONS:

1. All financial requirements of the County with respect to the provision of water and wastewater services must be complied with to the satisfaction of the County of Oxford Public Works Department.
2. The owner must pay the balance of the road restoration costs associated with the installation of services in the amount of \$2,604.69 as part of the original severance Application (B14-30-6) to the County of Oxford Public Works Department.
3. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 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 A. Tenhove, the Committee meeting adjourned at 11:05 a.m.

"Gordon Brumby"

CHAIRMAN