

## MINUTES

### **OXFORD COUNTY LAND DIVISION COMMITTEE**

Thursday, September 1, 2016

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, September 1, 2016 at 9:00 a.m. with the following individuals:

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

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

The meeting was called to order at 9:00 a.m.

#### DECLARATION OF CONFLICT OF INTEREST:

H. Elliott declared a conflict of interest on Application B16-36-6; A16-06-6 and B16-37-6; A16-06-6 (Nancy Elliott).

#### APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of August 4, 2016, be approved as printed and circulated."*

CARRIED.

#### BUSINESS ARISING FROM MINUTES:

None.

#### GENERAL BUSINESS:

G. Brumby noted that it is important to educate those persons in attendance to speak on behalf of the owners or those persons speaking against applications before the Committee. He suggested that the Meeting Procedure form be handed out.

In response to a discussion regarding members declaring a conflict of interest and remaining in the room, L. Taschner pointed out that the Land Division Committee Procedural By-law states under Section 10 (d), that any Committee member declaring a conflict of interest must leave the room during the hearing of the application.

#### CORRESPONDENCE:

None.

#### APPLICATIONS FOR CONSENT:

B16-29-6 – Reeves Land Corporation and Leonard Reeves (Part Lot 21, Conc. 2, Town of Ingersoll, formerly Township of West Oxford)

L. Reeves was in attendance to speak to his application. He stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

The purpose of the application for consent is to create a residential building lot. The lot to be severed will cover an area of approximately 1,580 sq. m (17,007.5 sq. ft.) and the lot to be retained will cover an area of approximately 6.88 ha (17 ac). Both the severed and retained lots are currently vacant. A single-detached dwelling is proposed to be constructed on the lot to be severed, and a residential subdivision is proposed on the retained lot.

G. Hough briefly reviewed the staff Planning Report. He stated that the owner is proposing to create a residential building lot. There is a mix of development in the area. The retained lot is proposed for future residential uses. He noted that a golf course is located across the road from the subject property. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan Policies. A re-zoning has been submitted with the severance to re-zone the lot to be severed. He pointed out that the severance will not compromise development of the retained lot.

L. Reeves concurred with the suggested conditions and the recommendation of the staff Planning Report.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the subject property have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County.
3. The owners shall confirm that no underground or overhead services serving the retained lot traverse the severed lots, and vice versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the Town of Ingersoll.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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B16-33-3 – Rick’s Carpet Limited (Part Lot 5, Conc. 5, Township of Norwich, formerly North Norwich)

Mr. David Roe, agent for the owner, was in attendance to present the application. He briefly explained the proposal.

The purpose of the Application for Consent is for a commercial lot addition. The lot to be severed will cover an area of approximately 0.67 ha (1.65 ac) and contains no buildings or structures. The lot to be severed will be added to the commercial lot to the immediate south which covers an area of approximately 0.74 ha (1.83 ac), has approximately 53.34 m (175 ft) of frontage along Oxford Road 59, and is currently occupied by the business known as Liquidation City. The lot to be retained will cover an area of approximately 0.58 ha (1.43 ac) and is currently occupied by the business known as CompuSave Computers Inc. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the severance is for a commercial lot addition. The retained lot will continue to meet the Zoning By-law requirements. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies, and meets the Zoning By-law requirements. No objections or concerns were raised as a result of the agency circulation.

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

In response to G. Brumby’s question as to whether additional structures are to be built, D. Roe stated that the existing building will be expanded.

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

*'Granted'*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south 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. 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 Norwich.
3. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial 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.

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3. The subject property is appropriately zoned.
  4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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H. Elliott declared a conflict of interest and left the proceedings.

B16-36-6 & B16-37-6; A16-06-6 – Nancy Elliott (Lot 12, Block 63, Plan 279, Town of Ingersoll)

Ryan Verhoog, the owner's solicitor, was in attendance to present the application. Also in attendance were Lorne & Marcella Verbrugge, 265 Harris Street, Ingersoll ON N5C 1Y5.

The purpose of the Applications for Consent is to create two residential building lots. The lots to be severed by B16-36-6 and B16-37-6 will each cover an area of approximately 679.1 sq. m (7,310 sq. ft.), while the lot to be retained will cover an area of approximately 2,737 sq. m (29,462 sq. ft.). The severed lots are currently vacant and a single detached dwelling is proposed to be constructed on each lot. The lot to be retained contains an existing in-ground pool and pool shed. A single detached dwelling is currently under construction on the retained lot. An easement is proposed for vehicular access purposes. The easements will each cover an area of approximately 36 sq. m. (387.5 sq. ft.) over the lots to be severed, and will be reciprocal easements to provide shared access from Harris Street.

A minor variance is sought from Section 6.2, Lot Frontage, to permit a lot frontage for the lot to be retained of 6.0 m (19.7 ft) in place of the 15 m (49.2 ft) required by the Town of Ingersoll Zoning By-law No. 04-4160.

G. Hough briefly reviewed the staff Planning Report and pointed out that the owner wishes to create two residential building lots. A minor variance has been requested from the lot frontage provision for the lot to be retained. The County Public Works Department has requested a reciprocal easement for access between the two lots to be severed. The applicant is requesting a 20 foot lot frontage for the retained lot, whereas 50 feet is required by the Town's Zoning By-law. The minor variance is, therefore, required. He explained that the Fire Department has indicated that there is sufficient frontage proposed for the retained lot. G. Hough further indicated that there is a mix of residential development in the area, consisting of larger lots. He noted that a review was conducted for compatibility and that more than 7,000 sq. ft. is proposed for each of the two lots. Town of Ingersoll staff has indicated support of the severances, and has requested that the driveway accesses be paved.

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

L. Verbrugge stated that this area of Harris Street is unique with the larger lot sizes, and felt that the two severances will remove this unique feature. There are larger homes to the north and south of the subject property, and all other lots in the area have 50 foot frontages. He questioned how a 20 foot frontage would be sufficient. In response, G. Hough stated that 20 feet is sufficient and is wide enough to accommodate emergency vehicles. G. Hough stated that the development exists on the larger portion of the retained lot.

L. Verbrugge suggested that the severances will not fit with the area as small lots are proposed. He pointed out that he and his wife live immediately north of the severed lots.

G. Brumby questioned whether an access easement already exists between the subject property and the owner to the immediate south? In response, G. Hough pointed out that the access does exist but is proposed to be separated into individual access points.

M. Hacon questioned whether these were legal easements in place between the property subject of the severances and the lot to the south. In response, G. Hough explained that the driveway to the south situations have no bearing on the severances.

L. Verbrugge indicated that Nancy Elliott will not be living in either of the properties, and suggested that if she were, she would not be severing the lots.

B16-36-6; A16-06-6

Moved by: M. Hacon  
Seconded by: A. Tenhove

*'Granted'*

B16-36-6

CONDITIONS:

1. The owner shall provide a servicing plan for the lots to be severed and retained to the satisfaction of the County of Oxford Public Works Department.
2. 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 severed and retained parcels have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County.
3. The owner shall establish a shared access easement (including a private maintenance agreement) over the lot to be severed by B16-36-6 in favour of the lot to be severed by B16-37-6 and vice versa, to the satisfaction of the County of Oxford Public Works Department, and the Secretary-Treasurer of the Land Division Committee.
4. The owner shall make arrangements for the hard surfacing of the driveways for the severed and retained lots, to the satisfaction of the Town of Ingersoll.
5. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lots, and vice versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the Town of Ingersoll.
6. 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.
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.
3. The subject property is appropriately zoned.
4. Comments made by the abutting neighbour were noted and considered by the Land Division Committee in their decision to approve the application.

A16-06-6

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160.
5. Comments made by the abutting neighbour were noted and considered by the Land Division Committee in their decision to approve the application.

B16-37-6; A16-06-06

Moved by: A. Tenhove  
Seconded by: M. Hacon

*'Granted'*

CONDITIONS:

1. The owner shall provide a servicing plan for the lots to be severed and retained to the satisfaction of the County of Oxford Public Works Department.
2. 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 severed and retained parcels have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County.
3. The owner shall establish a shared access easement (including a private maintenance agreement) over the lot to be severed by B16-37-6 in favour of the lot to be severed by B16-36-6 and vice versa, to the satisfaction of the County of Oxford Public Works Department, and the Secretary-Treasurer of the Land Division Committee.
4. The owner shall make arrangements for the hard surfacing of the driveways for the severed and retained lots, to the satisfaction of the Town of Ingersoll.
5. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lots, and vice versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the Town of Ingersoll.
6. 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.
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.
3. The subject property is appropriately zoned.
4. Comments made by the abutting neighbour were noted and considered by the Land Division Committee in their decision to approve the application.

A16-06-6

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160.
5. Comments made by the abutting neighbour were noted and considered by the Land Division Committee in their decision to approve the application.

CARRIED.

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On the motion of T. Rock, the Committee meeting adjourned at 9:50 a.m.

*"Gordon Brumby"*

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CHAIRMAN