

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, April 6, 2017

The Oxford County Land Division Committee met in the Council Chamber, County Administration Building, Woodstock, Ontario, on Thursday, April 6, 2017 at 9:00 a.m. with the following individuals:

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|---------------------|---|---------------|
| | - | G. Brumby |
| | - | H. Elliott |
| | - | B. George |
| | - | M. Hacon |
| | - | R. Jull |
| | - | T. Rock |
| | - | A. Tenhove |
| Senior Planner | - | R. Versteegen |
| Secretary-Treasurer | - | L. Taschner |

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of March 2, 2017, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

L. Taschner reviewed the information that should appear on Committee expense forms.

CORRESPONDENCE:

Correspondence dated April 3, 2017, was received from the Upper Thames River Conservation Authority regarding Application B17-11-8 (Cornell Welding & Fabricating Ltd.).

APPLICATIONS FOR CONSENT:

B16-51-8 – JEMBY Properties Inc. (Part Lot 11, Block C, Plan 52, City of Woodstock)

Justin & Kelly Byers were in attendance to present their application. K. Byers stated that they were in support of their application.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed is currently vacant and will cover an area of approximately 870.45 sq. m (9,369.8 sq. ft.). The lot to be retained is also currently vacant and will cover an area of approximately 981.3 sq. m (10,563 sq. ft.). A four-plex dwelling is proposed to be constructed on

both the severed and retained lots. The owners have also applied for reciprocating access easements over both the severed and retained lots.

R. Versteegen reviewed the staff Planning Report. He explained that the severed lot is situated in the Entrepreneurial designation, while the retained lot is located within the Low Density Residential designation. The application is consistent with the Provincial Policy Statement (PPS) and complies with the County Official Plan. The owners have applied for a zone change application to rezone the property from R2 to R3. A reciprocal easement has also been requested by the owners to access the parking in the rear of the property.

R. Versteegen noted that the previous owner severed the property in 2015 into 5 lots, including the retained lot. Certificates were issued to create the lots in 2015. Prior to the issuance of the certificates to create the lots proposed by these applications, a one-foot square parcel will need to be deeded to the City of Woodstock from each of the previous lots created, to undo the previous severances. He stated that the lot frontages are consistent with frontages in the area. No concerns or objections were received as a result of the agency circulation. Woodstock Council at its meeting of March 22, 2017, passed a resolution in support of the application.

K. Byers stated that she concurred with the recommendation and conditions of the staff Planning Report.

G. Brumby asked the owner whether the 4-plexes will be side by side. In response, K. Byers stated that the 4 units will be front to back.

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

"Granted"

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. A 0.3 m (1 ft.) x 0.3 m (1 ft.) parcel of land from each of the four lots identified as PINS 00103-0600, 00103-0601, 00103-0602 and 00103-0603 be deeded to the City of Woodstock, 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 issuance of the certificate.
3. A draft copy of the reference plan and Shared Access Easement Agreement for the shared access be provided to the City of Woodstock and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the Agreement.
4. 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. This will include the provision that the owner shall submit an overall grading plan for the severed and retained lots to the City's satisfaction.
5. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford Public Works Department, regarding the installation of services.
6. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot 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 City of Woodstock.
7. The owner shall provide a recent survey confirming lot sizes, to the satisfaction of the City of Woodstock Engineering Department.
8. 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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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 is in keeping 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.

B17-12-8 – Canada Mold Technology Inc. (Part Lot 18, Plan 1654, City of Woodstock)

Matt Reisner, of James A. Vance Construction Inc., was in attendance on behalf of the owner to speak to the application.

The purpose of the application is to establish an easement for stormwater purposes over the subject property in favour of the adjacent property to the east (1101 & 1117 Ridgeway Road). The area of the easement will be approximately 100 sq. m (1,076.4 sq. ft.) in area. The subject property contains an existing industrial facility and is approximately 2.4 ha (5.9 ac.) in area. The lot benefitting from the easement is to accommodate a future chicken hatchery and is approximately 2.34 ha (5.8 ac.) in area.

R. Versteegen reviewed the staff Planning Report. He indicated that the application is consistent with the Provincial Policy Statement (PPS), complies with the County Official Plan policies and conforms to the Woodstock Zoning By-law. The property is zoned M1. The lot benefitting from the storm water easement is proposed to be used as a chicken hatchery operation. Industrial uses surround the property. No objections or concerns were raised as a result of the agency circulation.

M. Reisner concurred with the findings and recommendation of the staff Planning Report.

Moved by: H. Elliott
Seconded by: R. Jull

"Granted"

CONDITIONS:

1. A draft copy of the reference plan and Shared Easement Agreement for servicing be provided to the City of Woodstock and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the Agreement.
2. 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.
3. 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 is in keeping with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-06-1 & B17-07-1; A17-01-1 – 2226220 Ontario Inc. (Part Lots 7 & 8, Conc. 13, Township of Blandford-Blenheim, formerly Township of Blenheim)

Darrel Fried and Brian Fried, representing the owner, together with their solicitor, Ennio Micacchi, were in attendance to speak to the application. Also in attendance were Mr. & Mrs. Orville Fried, principals of 2226220 Ontario Inc. E. Micacchi presented the application to the Committee. He explained that the severance to create two farm parcels is for estate purposes. Currently there is a shared well between the proposed lot to be severed by B17-07-1 and the retained lot. A new well would cost the owners \$21,000. He requested the Committee to consider approving the application with the existing agreement.

The purpose of the applications for consent is to create two agricultural lots. The lot to be severed by B17-06-1 comprises approximately 71.6 ha (177 ac), is in agricultural production (cash crop) and contains a dairy barn, outdoor manure storage facility, four silos and an accessory farm dwelling. The lot to be severed by B17-07-1 comprises approximately 40.5 ha (100 ac), is in agricultural production (cash crop) and contains a dairy barn, outdoor manure storage facility, two detached garages, several accessory farm buildings and silos, and two accessory farm dwellings. The lot to be retained comprises approximately 22.9 ha (75 ac), is in agricultural production (cash crop), and contains an accessory farm dwelling. The owner has requested a Partial Discharge of Mortgage.

A minor variance is requested from Section 7.2.5 – Number of Accessory Dwellings & Garden Suites Per Lot, of the Township Zoning By-law, to recognize the second accessory farm dwelling on the lot to be severed by B17-07-1.

R. Versteegen reviewed the staff Planning Report. He indicated that the property is designated Agricultural Reserve and Open Space on the Land Use Plan in the County Official Plan. There is a dairy operation and an accessory single-detached dwelling on the lot to be severed by B17-06-1 and two farm dwellings on the lot to be severed by B17-07-1. A minor variance is also requested with B17-07-1 to recognize the second dwelling on the lot. The retained lot also contains an existing single-detached dwelling and is in agricultural production. The lots were once separate holdings, however, merged in the 1960's. The lots are consistent with the Provincial Policy Statement (PPS), complies with the County Official Plan policies and conform to the Township Zoning By-law. No objections or concerns were received as a result of the agency circulation.

E. Micacchi again stated that he preferred that his clients not be required to drill a well.

In response to a Committee member's question, E. Micacchi pointed out that well is situated on the severed lot proposed by B17-07-1 to serve the retained lot.

A Committee member asked what would be need to provide proof of potable water. In response, R. Versteegen stated that the owners will likely be required to drill a well to ensure there is water.

B17-06-1

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

"Granted"

CONDITIONS:

1. 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.
2. If required, the owner enter into a standard Severance Agreement with the Township of Blandford-Blenheim, 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 2014 Provincial Policy Statement.
2. The application for consent is in keeping with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

B17-07-1

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

"Granted"

CONDITIONS:

1. 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.
2. The owner shall undertake to complete and provide Proof of Probability of Potable Water (PPPW) in accordance with the requirements outlined in the County's Protocol for Determining the Probability of Potable Water, to the satisfaction of the County Public Works Department. Should the PPPW determine that potable water is not available, the owner shall enter into a shared well agreement between the lot to be severed and the lot to be retained, to the satisfaction of the County Public Works Department, and said agreement shall be registered on title at the expense of the owner.

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3. If required, the owners enter into a standard Severance Agreement with the Township of Blandford-Blenheim, 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 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. The Land Division Committee did not receive any comments from the public respecting this application.

A17-01-1

REASONS:

1. The variances requested are minor variances from the provisions of the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested are in keeping with the general intent and purpose of Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

CARRIED.

B17-09-1 – John & Karen Gal (Part Lot 2, Conc. 2, Township of Blandford-Blenheim, formerly Township of Blandford)

John & Karen Gal were in attendance to present their application.

The purpose of the application for consent is for an agricultural lot addition. The lot to be severed comprises approximately 10.1 ha (25 ac), contains no buildings or structures and is in agricultural production (cash crop). It is proposed that the severed lot will be added to the agricultural lot to the immediate south which covers an area of approximately 20.2 ha (50 ac), is in agricultural production (cash crop) and contains an existing accessory farm dwelling. The lot to be retained comprises approximately 36.7 ha (90.6 ac), is in agricultural production (cash crop), and contains a bank barn, several silos, shed, detached garage and an accessory farm dwelling. The owners have also applied for a Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report. He noted that the lots are consistent with the Provincial Policy Statement (PPS), complies with the County Official Plan policies and conform to the Township Zoning By-law. No objections or concerns were received as a result of the agency

circulation. The lots are located within the Agricultural Reserve and Environmental Protection 2 Overlay policies in the Official Plan. The lot addition will create a through lot for access for the lot to be enlarged from Township Road 2 and Township Road 3.

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

R. Versteegen reviewed the conditions for the owners.

In response to a question raised, J. Gal pointed out that the severed and retained lots are vacant, however, the enlarged lot contains a house.

J. Gal pointed out that there is no additional access along the tree line.

Moved by: B. George
Seconded by: A. Tenhove

"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, the owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford-Blenheim.
3. 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.
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 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 is in keeping with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-11-8 – Cornell Welding & Fabricating Ltd. (Part Lot 17, Conc. 2, City of Woodstock, formerly Township of East Oxford)

Corby Kirwin of SPH Engineering was in attendance on behalf of the owner to answer any questions.

The purpose of the application is to establish an easement for stormwater purposes over the subject property in favour of the adjacent property to the east (984 Keyes Drive). The area of the easement will be approximately 402.7 sq. m (4,334.6 sq. ft.) in area. The subject property contains an industrial building and open storage yard and is approximately 1.18 ha (2.9 ac.) in area. The lot benefitting from the easement also contains an industrial building and open storage yard and is approximately 0.73 ha (1.8 ac.) in area.

R. Versteegen reviewed the staff Planning Report. He explained the severance is to create an easement for stormwater purposes. The application is consistent with the Provincial Policy Statement (PPS), complies with the Traditional Industrial policy in the County Official Plan and conforms to the City Zoning By-law. No objections or concerns were received as a result of the agency circulation. Both properties are owned by the owner under separate titles.

C. Kirwin stated that he concurred with the recommendation and conditions of the staff Planning Report.

G. Brumby asked whether any new buildings are to be built. In response, C. Kirwin stated that a coverall structure for tooling and dye process is proposed.

In response to an inquiry from a Committee members, C. Kirwin noted that Cantario is located to the south.

R. Versteegen explained that easement will be connected to the City's catch basin.

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

"Granted"

CONDITIONS:

1. A draft copy of the reference plan and Shared Easement Agreement for servicing be provided to the City of Woodstock and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the Agreement.
2. 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.
3. 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 is in keeping with the policies of the County of Oxford Official Plan.

3. The subject property is appropriately zoned.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

On the motion of A. Tenhove, the Committee meeting adjourned at 10:10 a.m.

"Gordon Brumby"

CHAIRMAN