

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, July 6, 2017

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

	-	G. Brumby
	-	H. Elliott
	-	B. George
	-	M. Hacon
	-	R. Jull
	-	T. Rock
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: M. Hacon
Seconded by: B. George

"The Minutes of the Meeting of June 1, 2017, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

Report No 2017-194 was presented to the Committee regarding Application B16-16-5 (409315 Ont. Limited (Happy Hills). R. Versteegen explained that a request has been made for a change of Condition No. 4. The change will provide an extended period for the applicant to obtain the necessary approvals from the MOECC.

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

“That Condition No. 4 of the decision for B16-16-5 (409315 Ont. Limited) be amended to read as follows:

The owner obtains Environmental Compliance Approvals, as necessary, from the Ministry of Environmental and Climate Change for private water and wastewater services for the severed lands and submits documentation of approval or exemption from approval, to the satisfaction of the Community Planning office within one year of the date on which the Notice of Decision regarding the change of condition is sent by the Secretary-Treasurer of the Land Division Committee.

Further, the change of condition is considered major and, therefore, a Notice of Change of Conditions will be sent to the appropriate agencies.”

CARRIED.

APPLICATIONS FOR CONSENT:

B17-31-4 – Noah & Barbara Miller (Part Lots 1 & 2, Conc. 8, Township of South-West Oxford, formerly Township of Dereham)

Greg Lee, 244860 Milldale Road, R. R. #1, Otterville ON N0J 1R0 was in attendance on behalf of the owners and their agent, David Roe. He stated that he concurred with the findings and suggested conditions of the staff Planning Report.

The application for consent proposes an agricultural lot addition. The lot to be severed will cover an area of approximately 11.3 ha (28 ac), contains no buildings or structures, and is agricultural production. The lot to be severed will be added to the agricultural property to the immediate west, covering an area of approximately 29.9 ha (74 ac), containing two livestock barns, other agricultural buildings, and an accessory single detached dwelling. The lot to be retained will cover an area of approximately 30.35 ha (75 ac), is vacant and is also in agricultural production. The owner has also applied for a Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report. He explained the application proposes a lot addition to the agricultural parcel to the immediate west. The severed and enlarged lots are vacant. He noted that the Spitler Creek is the dividing line between the severed and retained lots. The application is consistent with 2014 Provincial Policy Statement, complies with the Official Plan policies, and conforms to the provisions of the Township Zoning By-law. No objections or concerns were received from the circulated agencies or the neighbours. The recommendation is to be approve the application.

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west 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. 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.

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3. 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.
 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.

CARRIED.

B17-32-2 – Kamarah Farms Ltd. (Part Lot 20, Conc. 11, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Mr. Anton Van Maar was in attendance to present his application.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 39.48 ha (97.56 ac) containing no buildings or structures and will be added to the adjacent agricultural lot to the immediate west. The lot to be enlarged covers an area of approximately 55.86 ha (ac), contains two livestock barns, a manure storage facility, and an accessory single detached dwelling and is in agricultural production. The lot to be retained will cover an area of approximately 0.8 ha (1.98 ac) and contains a single detached dwelling.

R. Versteegen briefly reviewed the staff Planning Report. He explained the application proposes a lot addition to the agricultural parcel to the immediate west. The lot to be retained will be used for rural residential purposes. The application is consistent with 2014 Provincial Policy Statement and complies with the Official Plan policies. The lot to be retained will require a zone change to recognize the proposed use of the lot. No objections or concerns were received from the circulated agencies or the neighbours. The recommendation is to be approve the application.

A. Van Maar stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to R. Jull, R. Versteegen stated that there was an easement to the tower.

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 west 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. If required, a road widening to 15 m (49.2 feet) from the centreline of Oxford Road 8 road allowance, 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. 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. If required, the owner enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
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 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 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.

B17-34-1 – Carl Roberts (Part Lots 13 & 14, Part Lot 88, Part Lot 24, Conc. 10, Township of Blandford-Blenheim, formerly Township of Blenheim – Bright)

Carl Roberts was in attendance to present his application. He indicated he proposes to sever his property into the two lots that inadvertently merged in title.

The purpose of the Application for Consent is to sever lands that were previously two separate residential lots that inadvertently merged. The lot to be severed comprises approximately 1,743.9 m² (18,771.2 ft²) and contains an existing single detached dwelling, shed and above-ground pool. The lot to be retained comprises approximately 1,794.3 m² (19,314 ft²) and contains an existing single detached dwelling and detached garage.

R. Versteegen briefly reviewed the staff Planning Report. He pointed out that the severed lot contains a house and an in-ground pool, while the retained lot contains a house and a detached garage. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies, and conforms to the provisions of the Township Zoning By-law. He indicated that the severed lot is zoned R1-10 which recognizes the two-unit dwelling and the retained lot is zoned R1.

In response to C. Roberts, R. Versteegen stated that he may or may not need to complete a drainage assessment re-apportionment on his property.

G. Brumby noted that the existing house fronting on Baird Street used to be an industrial building.

Moved by: T. Rock
Seconded by: R. Jull

'Granted'

CONDITIONS:

1. 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.
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 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 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.

CARRIED.

B17-29-7 – Andy Jacko Farms Limited (Lots 14, 15 & 25, Plan 1653, Town of Tillsonburg)

Matthew Bota, of Harrison Pensa, together with Darren Jacko, 93 Potters Road, Tillsonburg ON N4G 4G7, were in attendance. M. Bota presented the application. He explained that the severed lot will be added to the existing property owned by Eichenberg Motors to be used for additional parking for the dealership.

The applicant proposes to sever a parcel of land, having an average width of 158.5 m (520'), average depth of 2.4 m (8'), and area of 377.2 sq m (4060 sq ft), and merge this parcel with the abutting Eichenberg Chrysler Dealership to the south. The lot to be enlarged covers an area of approximately 1.2 ha (2.91 ac), and is currently vacant. The lot to be retained will cover an area of approximately 6.6 ha (16.4 ac) and is currently vacant. The said lands are designated for residential purposes.

R. Versteegen briefly reviewed the staff Planning Report. He confirmed that the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A zone change application has been submitted to facilitate the severance for commercial

purposes. The retained lot will be developed in the future for residential purposes. No objections or concerns were raised as a result of the agency circulation or the public notification to the neighbours.

M. Bota stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to G. Brumby, D. Jacko stated that his father is gifting the agree-upon parcel of land to the dealership.

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. 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 Sections 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. That the owner provide a 6.0 m easement, or blanket easement, on the lands to be severed, for the purpose of a future watermain, to the satisfaction of the County of Oxford Public Works Department.
4. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, 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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-28-1 – Wells Farms Limited & Don Wells (Part Lot 1, Conc. 2, Township of Blandford-Blenheim, formerly Township of Blenheim)

Don Wells, together with his agent, Susan Ritchie, were in attendance. D. Wells presented the application to the Committee.

The purpose of the application for consent is for an agricultural lot addition. The lot to be severed comprises approximately 39.8 ha (98.4 ac), is in agricultural production (cash crop), contains an existing bank barn (which is proposed to be removed). The severed lot will be added to the agricultural parcel to the immediate north. The lot to be enlarged comprises approximately 19.6 ha

(48.4 ac), is in agricultural production (cash crop), and contains an existing bank barn, shed and accessory farm dwelling. The lot to be retained comprises approximately 0.89 ha (2.2 ac) and contains an existing single detached dwelling, detached garage, shed and in-ground pool. The owners have also applied for Partial Discharge of Mortgage.

R. Versteegen briefly reviewed the staff Planning Report. He indicated the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A zone change application has been submitted to facilitate the severance and to recognize the proposed use of the retained lot for rural residential purposes. No objections or concerns were raised as a result of the agency circulation or through the notification process to the neighbours.

D. Wells stated that he would like to keep the steel shed which is attached to the bulk barn. He indicated that he concurred with the remaining suggested conditions and the recommendation of the staff Planning Report.

B. George questioned about buildings on the severed lot. In response, D. Wells indicated that the previous owner treed the area.

M. Hacon noted that there were oversized buildings on the residential lot and wondered if any conditions were warranted to remove the buildings? In response, R. Versteegen stated that the re-zoning will address that.

T. Rock questioned whether there was specific justification for the larger lot size of the retained lot. In response, R. Versteegen noted that 30,000 sq. ft is the minimum standard and the Committee has latitude to grant larger lots up to 2.5 acres.

In response to the larger lot question, S. Ritchie indicated that the additional lands are required to incorporate the existing well size of the property.

G. Brumby questioned if the driveshed was attached to the barn. D. Wells stated that he has no need for the barn, however would like to keep the steel driveshed and that there will be no access issue to the building. R. Versteegen indicated that this will need to be approved by the Township.

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately zoned.
2. The existing bank barn located on the lot to be severed be removed, to the satisfaction of the Township of Blandford-Blenheim.
3. 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.
4. 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.
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. 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.

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 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.

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

"Gordon Brumby"
CHAIRMAN