

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, October 4, 2018

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, October 4, 2018 at 9:00 a.m. with the following individuals:

Chair	-	B. George
	-	G. Brumby
	-	H. Elliott
	-	M. Hacon
	-	R. Jull
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: R. Jull

*"The Minutes of the Meeting of September 6, 2018, be approved as amended."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B18-36-8 – M. Grover Services Inc. (Part Lots 6 & 8, Lot 7, Block B, Plan 76, City of Woodstock)

M. Grover briefly explained the application to the Committee. He indicated that he was also requesting an access easement.

The purpose of the Application for Consent is to create a multi-residential building lot. The lot to be severed will cover an area of approximately 888.2 m<sup>2</sup> (9,560.5 ft<sup>2</sup>) and contains an existing accessory structure which is to be removed. The lot is currently used for a parking lot. The lot to be retained will cover an area of approximately 423.2 m<sup>2</sup> (4,555.1 ft<sup>2</sup>) and contains a multiple use, 2-storey building, with commercial on the ground floor and residential on the upper floor.

The owner is also proposing an easement for access purposes over the lot to be retained in favour of the lot to be severed. The easement is 60.4 m<sup>2</sup> (649.6 ft<sup>2</sup>) in area with frontage and direct access to Victoria Street North.

R. Versteegen briefly reviewed the staff Report. He indicated that the lot to be severed is proposed for multi-family residential uses. The lot to be retained will continue to be used for commercial and residential purposes. An access easement is proposed over the retained lot in favour of the severed lot. Both properties will be on full municipal services. The public notice reflected the areas submitted in the application form. However, upon completion of the draft survey, there were slight discrepancies. The proposed severance is consistent with the Provincial Policy Statement, complies with the Official Plan policies, and conforms with the Zoning By-law provisions. He reviewed comments from the circulated agencies and the recommended conditions. Concerns were raised by the neighbour to the east regarding the access. He explained that no written comments were received from the neighbour.

M. Grover stated that he concurred with the findings and suggested conditions of the staff Report.

In response to G. Brumby, R. Versteegen explained what is investigated through a Record of Site Condition.

A question rose regarding the lane at the location of the area of the easement. R. Versteegen indicated that historically the driveway was used by the neighbour to the east.

In response to G. Brumby, M. Grover indicated that there are four apartments in the second storey of the commercial building on the retained lot. M. Grover stated that there are no plans as yet for the new building proposed for the severed lot. R. Versteegen stated that parking for the new building will be determined as part of the site plan process.

In response to R. Jull, R. Versteegen indicated that the current use of the severed lot is a parking lot.

R. Versteegen explained that it is not uncommon that lots in the downtown core are oddly configured based on the historical nature of development.

Moved by: M. Hacon

Seconded by: H. Elliott

*“Granted”*

CONDITIONS:

1. The owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
3. The owner shall submit a recent survey to confirm lot sizes and building and setbacks to the satisfaction of the City of Woodstock.
4. The owner shall submit a building report prepared by a qualified building code designer, confirming any spatial separation provisions required from the Ontario Building Code for the north wall of the existing building on the lot to be retained to the satisfaction of the City of Woodstock Building Department.
5. The owner agrees to register on title an access and maintenance agreement, including the cost-sharing responsibilities (if required), for the proposed access easement. A draft copy of the agreement and reference plan shall be provided to the City for review and a registered copy provided to the City for their records.
6. The owner shall remove the existing accessory structure on the severed lands to the satisfaction of the City of Woodstock.
7. The owner shall verify that there is not an existing lane on the property to the satisfaction of the City of Woodstock.
8. The owner shall provide an easement for servicing purposes to Bell Canada, to the satisfaction of Bell Canada.

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9. 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.
  10. 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.
  11. 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.

CARRIED.

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B18-44-3 - Barbara Gail Davis (Lots 31-33, north of Main Street; Lots 31-33, south of North Street, Conc. 8, Township of Norwich, formerly South Norwich)

Barbara Davis, together with her agent, Sue Davis, were in attendance. S. Davis presented the application to the Committee.

The purpose of the Application for Consent is to create one new residential lot in the Village of Otterville. It is proposed that the lot to be severed will comprise approximately 3,034.9 m<sup>2</sup> (32,667.4 ft<sup>2</sup>) and is vacant, while the lot to be retained will also be approximately 3,034.9 m<sup>2</sup> (32,667.4 ft<sup>2</sup>) in area. The lot to be retained contains an existing single detached dwelling and a garden shed. A single detached dwelling is proposed for the lot to be severed.

R. Versteegen reviewed the staff Report. He stated that the proposal is consistent with the Provincial Policy Statement, complies with the Official Plan policies, and conforms with the Zoning By-law provisions. The property is currently zoned Residential Type 1 (R1). The property is currently serviced by municipal water and private septic system. The same is proposed for the severed lot. No comments or concerns were received as a result of the agency circulation and the public notification to the neighbours.

S. Davis stated that both she and the owner concur with the conditions of the Report.

Moved by: H. Elliott  
Seconded by: G. Brumby

*"Granted"*

CONDITIONS:

1. 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 Norwich.

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 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. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
3. If required, the owner enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
4. 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.
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.

CARRIED.

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B18-44-3 – R & R Heleniak Holdings Inc. (Part Lot 8, Conc. 5, Township of Norwich, formerly Village of Norwich)

David Roe, the owner's agent, was in attendance to present the application. He explained the application to the Committee and stated that Oxford Pallet is purchasing the severed lot.

The purpose of the application for consent is to create one new industrial parcel in the Village of Norwich. The lot to be severed will be approximately 5.13 ha (12.6 ac) in area, with approximately 248.9 m (816.6 ft) of frontage on Airport Road. The lot to be severed contains no buildings or structures, and it is proposed to be rezoned to permit the establishment of a manufacturing use (pallet repair and recycling). The lot to be retained will be approximately 7 ha (17.2 ac) in area, with approximately 230.6 m (756.5 ft) frontage on Highway 59 (Stover Street South). The lot to be retained is currently vacant and no new development is proposed at this time. The owner has also applied for Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report. The purpose of the severance is to create an industrial building lot in the Norwich. The purpose is to expand the existing Oxford Pallet and Recyclers business. The proposal is consistent with the Provincial Policy Statement and complies with the Official Plan policies. The severed lot is to be rezoned from 'D' to 'MG-10' which is currently the zoning that applies to existing Oxford Pallet business to the east. No concerns were received as a result of the agency circulation or the through the public notification to the neighbours.

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

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

*"Granted"*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. 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 Norwich.
3. 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 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. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
4. If required, the owner enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
5. 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.
6. 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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B18-40-3 – Maat Farms Inc. (Part Lots 18-20, Conc. 9, Township of Norwich, formerly South Norwich)

Ineke Maat of Maat Farms Inc., together with her agent, Heather Den Boer, were in attendance.

The purpose of the application is to create one new farm parcel in the Township of Norwich. It is proposed that the lot to be severed will be approximately 41.33 ha (102.1 ac) in area, with approximately 527 m (1,729 ft) of frontage on Ninth Road. The lot to be severed contains no buildings or structures. The lot to be retained will be approximately 73.76 ha (182.3 ac) in area, with approximately 1,039 m (3,408 ft) frontage on Ninth Road and contains an existing farm building, as well as a private well. The owner has also applied for a Partial Discharge of Mortgage.

R. Versteegen briefly reviewed the staff Report. He explained that the severed and retained lots inadvertently merged in title. The purpose of the severance is to recreate the two lots. The severed lot will cover an area of approximately 102 acres and is vacant, while the lot to be retained will cover an area of 182 acres and contains farm buildings. Cash crop operations exist on both lots. The proposal is consistent with the Provincial Policy Statement and complies with the Official Plan policies. Both lots exceed the minimum lot area requirement of 50 acres in the Township's Zoning By-law. No concerns were raised as a result of the agency circulation and the public notification to the neighbours.

H. Den Boer stated that both she and I. Maat concur with the findings and suggested conditions of the staff Planning Report.

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

*"Granted"*

CONDITIONS:

1. If required, the owner enter into a standard Severance Agreement with the Township of Norwich, to the satisfaction of the Township.
2. 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.
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 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.

CARRIED.

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On the motion of G. Brumby, the Committee meeting adjourned at 9:05 a.m.

*"Brian George"*

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CHAIRMAN