

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, May 2, 2019

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, May 2, 2019 at 9:00 a.m. with the following individuals:

- G. Brumby
 - M. Hacon
 - R. Jull
 - J. Lessif
 - A. Tenhove
 - C. van Haastert
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- Senior Planner - R. Versteegen
 - Secretary-Treasurer - L. Taschner

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

DECLARATIONS OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of April 4, 2019, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

L. Taschner indicated that there was enough in the budget to allow one more member to attend the OACA Conference in Toronto from June 2-5, 2019.

CORRESPONDENCE:

Correspondence dated May 1, 2019 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B19-15-2 (Dwight & Donna Zehr).

Correspondence dated May 1, 2019 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B19-18-2 & B19-19-2 (Alver Farms Limited).

Correspondence dated May 1, 2019 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B19-26-2 (Gateman Homes).

APPLICATIONS FOR CONSENT:

B19-21-3 – Steven & Kym Cope (Lot457, Plan 745, Township of Norwich, Village of Norwich)

Jerry Ryksen, the owner's agent, was in attendance to present the application. He briefly explained the application.

The purpose of the Application for Consent is for a residential lot addition in the Village of Norwich. It is proposed that approximately 344.3 m² (3,706 ft²) of vacant land will be severed from the rear portion of the subject lands and added to the newly created residential parcel to the immediate south. Once merged, the new lot area of the lot to be enlarged will be approximately 955.8 m² (10,288 ft²) in size. A new single detached dwelling is proposed for the lot to be enlarged. The lot to be retained will be approximately 1,943.2 m² (20,917 ft²) in area and contains an existing single detached dwelling and garden shed. The owners have also applied for the partial discharge of mortgage.

R. Versteegen reviewed the staff Planning Report. He explained that the severance is for a residential lot addition. The enlarged lot was created previously by a severance approved by the Committee in 2018. A single detached dwelling is proposed to be created on the newly enlarged lot. The properties are fully serviced. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the County Official Plan and conforms to the Township of Norwich Zoning By-law provisions. No concerns were received as a result of the agency circulation and no comments were received from any of the neighbouring property owners. Planning staff is recommending approval of the application.

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

In response to R. Jull, R. Versteegen indicated that there would be no impact on the water retention pond located to the

Moved by: M. Hacon
Seconded by: J. Lessif

'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 must be reflected on the certificate.
2. A 0.3 m (1 ft) x 0.3 m (1 ft) parcel of land from the lot to be enlarged be deeded to the Township of Norwich, 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 for Application B19-21-3.
3. 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.
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.

B19-11-1 – Waymark Farms Limited (Part Lot 1-3, Concession 10, Township of Blandford-Blenheim, formerly Township of Blenheim)

Dave Aston, MHBC Planning, was in attendance to speak to the application. Also in attendance was Curtis Shea, 300 Arnold Street, Kitchener ON N2H 6E9. D. Aston briefly explained the application and pointed out the severed and retained lots were once separate property but merged into one ownership. Both properties will continue to be used for agricultural purposes.

The Application for Consent proposes the creation of an agricultural lot. The lot to be severed comprises approximately 54.3 ha (133.4 ac), is in agricultural production (cash crop), and is currently vacant of any buildings/structures. The lot to be retained comprises approximately 82 ha (202.6 ac), is in agricultural production (cash crop), and is currently occupied by an existing accessory farm dwelling and livestock barn (horses).

R. Versteegen briefly reviewed the staff Planning Report. He indicated the severance proposes to create an agricultural lot. The surrounding land uses consist of agriculture and Conservation Authority owned lands to the north. An equestrian riding stables is located on the lot to be retained. Both lots are zoned General Agriculture (A2), and privately serviced (well and septic). In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice.

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

In response to A. Tenhove, R. Versteegen indicated that Minimum Distance Separation (MDS) requirements have all been met.

In response to G. Brumby, it was pointed out that the lads to the north of the subject property are owned by the GRCA.

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. If required, the owner enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.

3. If required, a road widening to 15 m (49.2 ft) from the centreline of Trussler Road along the lot to be severed, as well as a 12 m (39.4 ft) x 12 m (39.4 ft) site triangle at intersection of Township Road 10 and Trussler Road on the southeast corner of the lot to be severed, be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Public Works Department.
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.

CARRIED.

B19-09-1; A19-04-1 – Reginald, Robert & Charles Gurney (Part Lot 13 & 14, Concession 4, Township of Blandford-Blenheim, formerly Township of Blenheim)

Reginald Gurney was in attendance to present the application. He briefly explained the severance to the Committee.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 4 ha (10 ac), is in agricultural production (cash crop), and is occupied by an existing accessory farm dwelling and storage shed. The lot to be severed is proposed to be added to the agricultural parcel to the immediate west, which comprises approximately 40 ha (100 ac), is in agricultural production (cash crop), and contains an existing accessory farm dwelling. The lot to be retained will cover an area of approximately 36.4 ha (90 ac), is currently occupied by an existing accessory farm dwelling and livestock barn, and is also in agricultural production (cash crop).

Relief is also required from Section 7.2.5 – Number of Accessory Dwellings & Garden Suites Per Lot, of the Township Zoning By-law No. 1360-2002 to recognize the second accessory farm dwelling on the newly enlarged lot.

R. Versteegen reviewed the staff Report. He indicated the application proposes an agricultural lot addition, resulting in a rural residential lot. A minor variance has also been requested with the severance to vary the number of dwellings units on the parcel from one to two. The surrounding land use is agriculture. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law except for the minor variance request. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. He noted that a minor variance was approved in 1985 to permit the second dwelling, thus the current variance would recognize a legally existing second dwelling on the newly configured property.

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

B19-09-1

Moved by: A. Tenhove
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. 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. If required, the owner enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.
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.

A19-04-1

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

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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 Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

CARRIED.

B19-15-2 – Dwight & Donna Zehr (Lot 23, Concession 17, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Dwight Zehr was in attendance to present the application. Also in attendance was Scott Zehr, 756375 Oxford Road 5, R. R. #1, Bright ON N0J 1B0. D. Zehr indicated that he wishes to sever the farm for his son and daughter-in-law.

The purpose of the application for consent is to create a non-farm rural residential lot. The lot to be severed will cover an area of approximately 0.81 ha (2.0 ac), and contains an existing single detached dwelling and shed. The lot to be retained will cover an area of approximately 36.4 ha (90 ac) contains a beef barn, silos, storage buildings, an accessory single detached dwelling and cropland. The owners have also applied for a Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report. He indicated that the application proposes the creation of a non-farm rural residential lot that is not surplus to a farm consolidation. The surrounding land use is agriculture. The lot to be retained would contain an existing beef farm, farm buildings and an accessory single detached dwelling. He pointed out that in Planning staff's opinion the application is not consistent with the 2014 Provincial Policy Statement (PPS) as it does not represent one of the four scenarios where lot creation is permitted within in Prime Agricultural Areas. Further, Sections 2.3.4c) and 2.3.4.3 of the PPS state that the creation of new non-farm rural residential lots are only permitted through a farm consolidation. Additionally, the application does not comply with the County Official Plan policies which prohibit the severance of a non-farm rural residential use within the Agricultural Reserve other than for the creation of a lot for a dwelling made surplus through farm consolidation. A re-zoning of the retained lot to Rural Residential (RR) will result in setback deficiencies in terms of front yard setback and setback from a County road for the dwelling. No concerns were received as a result of the agency circulation and no comments were received from neighbours resulting from the public notification. Planning staff recommends denial of the application. He noted that the properties were separate a number of years ago, but have merged on title, thus the reason for the two dwellings being part of one farm parcel.

D. Zehr indicated that nothing new is proposed. He suggested that the County consolidated the parcel in the 1940's.

G. Brumby felt that the owner is not asking to create a new lot as historically it was a lot on its own, separate from the farm holdings. He asked the owner if he had discussed this with County staff. In response, R. Versteegen pointed out that there was no opportunity of grandfathering as Provincial policy and County Official Plan policies have changed. If the retained parcel were to merge in ownership with the property to either the north or south for example, then the recommendation might end up with a different result. And, because County Official Plan policy defines farm consolidations as lots being legally consolidated with an abutting existing farm property to form one parcel under identical ownership, as a starting point, this would be the only way to create a rural residential lot within the Agricultural Reserve designation.

J. Lessif stated that he understands how staff got to the recommendation, however has trouble accepting it, despite the rules. He felt the recommendation to deny did not make sense, as there would be no negative impact if the application were to be approved.

G. Brumby questioned whether the Committee could decide differently from the staff recommendation, and noted that the County had the right to appeal the Committee's decision.

M. Hacon suggested approving the application would be setting a precedent creating a rural residential lot without a farm consolidation taking place.

R. Jull indicated that the Township has not objected to the application and stated he felt the application could be considered favourable.

J. Lessif questioned how a precedent was being set?

Moved by: R. Jull
Seconded by: J. Lessif

'Granted'

Suggested conditions were read aloud, with the reason given to approve because of the historical nature of the second dwelling.

NOT CARRIED.

The motion to "Grant" was lost as a result of a tie.

REASONS:

1. The proposal is not consistent with Section 2.3.4 of the 2014 Provincial Policy Statement as it relates to lot creation in Prime Agricultural Areas.
2. The proposal does not conform to Section 3.1.5.4 of the County Official Plan as it relates to lot creation and rural residential uses in the Agricultural Reserve Policy area.

CARRIED.

B19-16-3 – Alan Dale & 2218552 Ontario Inc. (Part Lot 17, Concession 6, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Alan Dale was in attendance to speak to the application. He indicated he wishes to split the property.

The purpose of the Application for Consent is for an agricultural lot addition as well as the creation of a non-farm rural residential lot. The lot to be severed comprises approximately 6.87 ha (17 ac), is in agricultural production and is currently vacant. It is proposed that the lot to be severed will be added lot to the immediate west. The lot to be enlarged comprises approximately 40.46 ha (100 ac), is also in agricultural production and contains an existing barn, driveshed and accessory single detached dwelling. The lot to be retained comprises approximately 0.48 ha (1.2 ac) and contains an existing single detached dwelling.

R. Versteegen reviewed the staff Planning Report. He explained at the application proposes a farm consolidation resulting in the creation of a non-farm rural residential lot. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS). The surrounding land use is agriculture. The application accumulates +8 points using the Point System to evaluate non-farm rural residential proposals and, therefore, complies with the Official Plan policies. A zone change will be necessary to recognize the proposed residential use of the lot to be retained. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. Planning staff is in support of the application.

A. Dale explained that he lives on the 100-acre parcel to the west. The parcel to the east covers an area of 17 acres. It is his intent to keep all the properties. He stated that he concurs with the suggested conditions and the recommendation of the staff Planning Report.

In response to G. Brumby, R. Versteegen indicated that the severed lot is currently zoned A1 and that this zoning limits the size of agricultural operations that don't exist in the A2 zone. Rezoning from A1 to A2 will allow the property more flexibility in terms of farm uses and not creating unnecessary setbacks on the newly configured lot caused by the dual zoning.

Moved by: J. Lessif
Seconded by: C. van Haastert

'Granted'

CONDITIONS:

1. The lots to be severed and 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 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 must be reflected on the certificate.
3. If required, a drainage reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S. O., 1990, at the owners' expense, to the satisfaction of the Township of Norwich.
4. If required, a road widening of 5.0 m (16.4 ft) from the centreline of Curries Road, 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 of Oxford Public Works Department.
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.

B19-18-2 & B19-19-2 – Alver Farms Limited (Lots 11, 12 & 13, Concession 9, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Jonathan Hook and Kevin Hook were in attendance. J. Hook presented the application to the Committee. He explained that he is seeking to separate his farm into three separate farm parcels.

The purpose of the applications for consent is to create two agricultural lots. The lot to be severed by Application B19-18-2 comprises approximately 40.5 ha (100 ac), containing a barn, a well and cropland and the lot to be severed by Application B18-19-2 comprises approximately 40.5 ha (100 ac) of vacant cropland. The lot to be retained comprises approximately 40.5 ha (100 ac) and contains an accessory single detached dwelling with private well and septic system, several outbuildings and cropland.

R. Versteegen briefly reviewed the staff Planning Report. He pointed out that two lots are proposed to be created. The severed lot by B19-18-2 will cover an area of 100 acres and is vacant, while the severed lot by B19-19-2 will also cover an area of approximately 100 acres and contains an existing barn. The lot to be retained will also cover an area of approximately 100 acres and contains farm storage buildings and an accessory single detached dwelling. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. Planning staff is recommending approval of the applications.

J. Hook stated that he concurs with the suggested conditions and the recommendation of the staff Planning Report.

In response to G. Brumby, J. Hook stated that the reason for the severance was for estate planning.

B19-18-2

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

'Granted'

CONDITIONS:

1. The certificate for Application B19-19-2 be issued, the Transfer be registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B19-18-2.
2. A road widening of 5 m (16.4 ft) along Oxford Road 33 for the entire frontage of the lot to be retained abutting said Oxford Road 33 and a sight triangle of 15 m x 15 m (49.2 ft x 49.2 ft) at the intersection of Oxford Road 33 and 10th Line be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
3. 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 East Zorra-Tavistock.
4. If required, the owner shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
5. 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.
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 subject property is appropriately zoned.

4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B19-19-2

Moved by: M. Hacon
Seconded by: C. van Haastert

'Granted'

CONDITIONS:

1. 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 East Zorra-Tavistock.
2. If required, the owner shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
3. 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.
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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B19-17-7; A19-05-7 – 2370392 Ontario Ltd. (Lots 885 & 886, Plan 500, Town of Tillsonburg)

Paul VanderHeyden, 1420 Hazen Road, Langton, ON N0E 1G0 was in attendance to present the application. He explained that he is co-owner of 2370392 Ontario Ltd. He briefly explained the application.

The purpose of the Application for Consent is to create a residential lot. The lot to be severed will be approximately 427.1 m² (4,597 ft²) in size, with approximately 15.85 m (52 ft) of frontage on Bidwell Street and contains an existing dwelling. The lot to be retained will be approximately 847.5 m² (9,122 ft²) in size, with approximately 24.75 m (81.2 ft) of frontage on Bidwell Street & Washington Grand Avenue and contains a former church building, which is proposed to be converted for commercial purposes (including storage, dance studio & microbrewery).

Minor variances have been requested for the lot to be severed from the Town of Tillsonburg Zoning By-law No. 3295 to permit:

- a reduced rear yard depth of 7.62 m (25 ft) in place of the 9 m (29.5 ft) is required;
- a reduced lot depth of 26.94 m (88.3 ft) in place of the 30 m (98.4 ft) required; and
- a reduced front yard depth of 6.9 m (22.6 ft) in place of the 7.5 m (24.6 ft) required.

Additional minor variances are required for the lot to be severed from the Town of Tillsonburg Zoning By-law No. 3295 to permit:

- a reduced interior side yard depth of 2.83 m (9.28 ft) in place of the required 3.0 m (9.8 ft)
- reduced setback between rear lot line and the existing deck in the rear yard of 3.96 m (12.99 ft) in place of the 3.7 m (12.1 ft) required.

R. Versteegen briefly reviewed the staff Planning Report. He explained that the application proposes to separate the existing manse from the church property. A zone change has been approved by the Town allowing the commercial uses on the retained lot. Minor variances have been requested from the lot depth, front yard and rear yard provisions for the lot to be severed. Further variances are required for the interior side yard and minimum setback between the existing deck and the rear lot line of the severed lot. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. The lot is appropriately zoned and a number of minor variance have been requested and are further required. There is a parking deficiency on the retained lot; however, a cash-in-lieu of parking agreement has been entered into between the owner and the Town which was identified through the previous zone change application. Additionally, it is noted that a Town owned parking lot exists on the immediate opposite side of Bidwell Street. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. Planning staff is recommending approval of the applications.

P. VanderHeyden that he concurs with the suggested conditions and the recommendation of the staff Planning Report.

In response to J. Lessif, P. VanderHeyden stated that there were 17 parking places in the rear of the lot and that 64 spaces were required by the By-law. P. VanderHeyden also pointed out that the severed lot has an asphalt driveway that is on the north side of the dwelling. This driveway also functions as an access point around the building on the retained lot, thus the need to relocate a driveway for the severed lot to the south side of the proposed property.

B19-17-7

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

'Granted'

CONDITIONS:

1. If required, the owner enter into a standard Severance Agreement with the Town of Tillsonburg, to the satisfaction of the Town.
2. An encroachment permit be secured from the Town Engineering Department and a driveway be established to the lot to be severed, to the satisfaction of the Town of Tillsonburg.
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 the 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 Town of Tillsonburg. In order to clear this condition, a 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. The owner enter into any necessary easements for the purpose of access and maintenance over the lots to be severed and retained, as required, in favour of Tillsonburg Hydro, to the satisfaction of the Town of Tillsonburg.
5. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, 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 subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A19-05-7

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

'Granted'

REASONS:

1. The variances requested and required are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
2. The variances requested and required are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested and required are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested and required are in keeping with the general intent and purpose of Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

B19-24-5 – James Cooper (Part Lot 8 & 9, Concession 1, Township of Zorra, formerly Township of West Zorra)

James Cooper was in attendance to speak to the application. He explained the application by indicating that he wished to split his existing farm parcel into two 75-acre parcels.

The purpose of the Application for Consent is to create an agricultural lot. The lot to be severed will comprise approximately 30.4 ha (75 ac), comprising cropland, a woodlot, and an accessory single detached dwelling with private well and septic system, for agricultural purposes. The lot to be retained comprises approximately 30.4 ha (75 ac) and contains cropland, a beef barn, storage buildings, and an accessory single detached dwelling with private well and septic system. The owner has also applied for a Partial Discharge of Mortgage.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the area is predominantly used for agriculture, with rural residential lots to the east and south. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. The application meets the Minimum Distance Separation (MDS) requirements and Planning staff is recommending approval of the application.

J. Cooper stated that he concurs with the suggested conditions and the recommendation of the staff Planning Report.

C. van Haastert stated that he did not see the sign on the property. When asked, the remaining Committee members indicated that they did see the sign.

R. Versteegen explained that a minor variance was approved allowing a second residence on the property. In response, he stated that the rules have now changed and including a condition was not necessary.

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

'Granted'

CONDITIONS:

1. 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 Zorra.
2. If required, the owner shall enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township of Zorra.
3. The Clerk of the Township of Zorra 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.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B19-26-2 – Gateman Homes (Part Lot 28, Plan 307, Township of East Zorra-Tavistock, Village of Tavistock)

Chris Pidgeon of GSP Group was in attendance to present the application. He explained that in order to bring the property into the Land Titles system, the boundary of the property must be certified. It was determined at that time that the neighbour's shed and deck extended onto the subdivision lands. The owner objected to moving his shed and deck and, therefore, a severance of a small sliver of land is necessary.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of approximately 4.43 sq. m (47.7 sq. ft.), and contains a part of a shed and deck, and will be added to the lot to the immediate north. The lot to be enlarged covers an area of approximately 418.3 sq. m (4,502.69 sq. ft.), with frontage on Westwood Avenue, and contains an existing semi-detached dwelling, a shed, deck and a pool. The lot to be retained comprises 14,767 m² (3.65 ac) of vacant land intended to be developed for a residential subdivision. The owner has also applied for a Partial Discharge of Mortgage.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the retained lands are to be developed as part of plan of subdivision. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies. A rezoning will be necessary to bring the lot to be severed and enlarged into conformity with the By-law requirements. No concerns were raised as a result of the agency circulation, and no comments were received from the surrounding neighbours as a result of the public notice. Planning staff is recommending approval of the applications.

C. Pidgeon stated that the zone change has been submitted. He indicated that he concurs with the suggested conditions and the recommendation of the staff Planning Report.

M. Hacon suggested this was a lot of work for a small parcel of land.

In response, C. Pidgeon indicated that the costs for the severance are being borne by the owner, except for the legal costs. They will be borne by the property owner acquiring the property.

Moved by: C. van Haastert
Seconded by: M. Hacon

'Granted'

CONDITIONS:

1. The parcel to be severed be appropriately zoned.
2. 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.
3. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

On the motion of R. Jull, the Committee meeting adjourned at 11:00 a.m.

"Gordon Brumby"

CHAIRMAN