

**MINUTES**

**OXFORD COUNTY LAND DIVISION COMMITTEE**

Thursday, February 2, 2012

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, February 2, 2012 at 10:45 a.m. with the following individuals:

- G. Brumby
  - W. Buchanan
  - J. de Bruyn
  - H. Elliott
  - M. Hacon
  - J. Palmer
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- Corporate Manager - G. Hough
  - Secretary-Treasurer - L. Taschner

**ELECTION OF CHAIR:**

The Secretary-Treasurer opened the floor for nominations for the position of Chair for the year 2012. Nominations were as follows:

Moved by: J. Palmer  
Seconded by: G. Brumby

*"That John de Bruyn be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2012."*

John de Bruyn was declared Chair of the County of Oxford Land Division Committee for the year 2012.

J. de Bruyn thanked the Committee members for their vote of confidence.

**ELECTION OF VICE-CHAIR:**

Nominations for the position of Vice-Chair were invited.

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

*"That Gordon Brumby be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2012."*

Gordon Brumby was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2012.

**DECLARATION OF CONFLICT OF INTEREST:**

J. de Bruyn declared a conflict of interest for Application B11-57-4 (Gary & Joanne Treur).

**APPROVAL OF MINUTES:**

Moved by: J. Palmer  
Seconded by: W. Buchanan

*"The Minutes of the Meeting of December 1, 2011, be approved as printed and circulated."*

CARRIED

BUSINESS ARISING FROM MINUTES:

G. Hough indicated that the Ontario Municipal Board hearing was held regarding Application B11-25-2 (Jeff & Jennifer Rodger) on January 31, 2012. A verbal decision was given at the hearing upholding the Land Division Committee decision approving the application. G. Hough indicated that the Board very seldom gives a verbal decision at the hearing. He pointed out that to date a decision has not been received from the Ontario Municipal Board on the James & Cindy Walker (Application B11-10-8) application. He stated indicated that the County of Oxford appealed the decision of the Committee on Application B11-38-3 (Dorothy Eppel). The Township of Norwich approved the Zoning By-law amendment, in principle, and the County will also be appealing the By-law when it is approved.

A discussion ensued regarding Upper Thames River Conservation Area comments and direction was given by the Committee that Planning staff will contact the Upper Thames River Conservation Authority and arrange to have Tracy Annett attend an upcoming meeting to speak to the Committee.

CORRESPONDENCE:

Correspondence was received from David Roe, agent for Johannes & Melinda Koolmees (B11-39-3) requesting a further deferral of the application for up to 3 months to the May, 2012 meeting of the Committee to address the concerns of the County Board of Health and County Public Works Department.

Moved by: J. Palmer  
Seconded by: W. Buchanan

*"That Application B11-39-3 (Johannes & Melinda Koolmees) be further deferred, at the owners' request, for up to three months to the May, 2012 meeting of the County of Oxford Land Division Committee, in order to permit the owners an opportunity to address the concerns raised by the County Board of Health regarding the submission of a site plan for the development of the owners' lands, and matters raised by the County Public Works Department regarding the future use of 407 Main Street West, Springford."*

CARRIED.

Correspondence dated January 31, 2012, was received from the Upper Thames River Conservation Authority regarding Application B11-60-8 (William & Shirley Millson).

Correspondence dated February 1, 2012, was received from Ken & Cheryl Brown, Ron & Joan Falkiner, Marion Malhiot and Rob & Cathy Laye regarding Application B10-11-8 (Stephen Hartley).

Correspondence dated February 1, 2012, was received from the Council of the Township of East Zorra-Tavistock regarding Application B11-58-2 (Currah Enterprises Inc.).

Correspondence dated January 31, 2012, was received from the Upper Thames River Conservation Authority regarding Application B11-57-4 (Gary & Joanne Treur).

Correspondence dated February 2, 2012, was received from Lisa C. Gilvesy regarding Application B11-56-3 (Kyle Arthur).

APPLICATIONS FOR CONSENT:

B-10-11-8 – Stephen Hartley (Lot 3, Concession 11, City of Woodstock)

Bernie Hermsen, the owner's agent, was in attendance to speak to the application. Also in attendance was Mrs. Cheryl Brown, 515168 11<sup>th</sup> Line, R. R. #3, Woodstock ON N4S 7V7. B.

Hermesen referred the Committee to the sketch noted as Plate 3 in the staff Planning Report and briefly explained the application. He pointed out that there is an Application for Draft Plan of Subdivision on the retained lands. Now that this area of Woodstock is serviced by municipal services, the owner was able to proceed with the Official Plan amendment, requesting the Low Density designation on the property. He stated that he concurred with the findings and suggested conditions of the staff Planning Report.

The purpose of the Application for Consent is to create a vacant residential building lot. The lot to be severed will cover an area of 0.85 ha (2.11 ac), contains an existing single detached dwelling and will continue to be used for residential purposes. The lot to be retained will cover an area of 14.71 ha (36.3 ac) and is proposed to be developed for residential purposes.

G. Hough reviewed the proposal with the Committee. He explained that this area of the subject property became part of the City of Woodstock in 2006 and was identified for future residential use. The Official Plan amendment was approved by the County of Oxford. A block of land for multi-residential development was deferred by the City of Woodstock resulting from the concerns of the abutting property owners. He indicated that the severed lot will cover an area of 36 acres, while the lot to be retained will cover an area of 2.11 acres. He pointed out that agreements will need to be entered into regarding the lot to be retained, and therefore, suggested that an additional condition will be necessary requesting the owner to amend the application such that the lot to be severed and the lot to be retained are reversed. He also pointed out that in conversations with the developers, only single-detached dwellings will be developed on the property. He reviewed the conditions with the Committee.

B. Hermesen stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

C. Brown stated that she was in attendance on behalf of the area residents and indicated that they were concerned with the type of housing proposed directly behind their lots. She understood that multi-family residential development was originally proposed. She stated that she is now satisfied that their concerns have been heard.

In response to M. Hacon's question, G. Hough indicated that the plan of subdivision has not been approved to date.

In response to J. de Bruyn's comments, G. Hough explained that the owner can sever a lot from the subdivision lands. J. de Bruyn questioned the existing block of land on the proposed draft plan of subdivision originally intended for multi-residential use. In response, G. Hough indicated that both City and County Councils will review the proposal in the future and neighbours (including Mrs. Brown) will be invited to further public meetings.

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

*"Granted"*

CONDITIONS:

1. The owner amend the Application for Consent such that the lot to be severed and lot to be retained are reversed.
2. The lot to be severed be appropriately re-zoned.
3. The owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock Zoning By-law No. 5266-76, and amendments thereto.
4. 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.
5. The owner shall confirm that no underground or overhead services serving the severed lot traverse the retained lot and visa versa. Where such services exist, the applicant shall relocate the services or obtain private easements over the severed and/or retained lands, to the satisfaction of the City of Woodstock.

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6. The owner shall agree to convey a 0.3 metre (1 foot) reserve along the property boundaries of the lot to be severed, to the satisfaction of the City of Woodstock Engineering Office.
  7. The owner agrees, in writing, that all existing wells on the lot to be severed will be properly abandoned in accordance with Ontario Regulation 903 and that all septic fields will be abandoned, to the satisfaction of the County Board of Health and the necessary paperwork will be forwarded to the City of Woodstock for review.
  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.
  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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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J. de Bruyn declared a conflict of interest and left the meeting. G. Brumby assumed the chair for this application.

B11-57-4 – Gary & Joanne Treur (Part Lot 19, Conc. 2, Township of South-West Oxford, formerly Dereham)

Gary Treur was in attendance to briefly explain his severance proposal. He reviewed the late correspondence received from the Upper Thames River Conservation Authority.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 15 ha (37 ac), contains 2 barns (one livestock), a driveshed and a workshop, and is in agricultural production. The lot to be retained will cover an area of 0.8 ha (2 ac), and contains an existing single detached dwelling. It is proposed that the lot to be severed will be added to the farm parcel to the immediate west covering an area of 38.9 ha (96 ac), while the lot to be retained will be used for non-farm rural residential purposes. The owners have applied for a Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He pointed out that a barn housing livestock is situated on the lot to be severed behind the house located on the lot to be retained. It is proposed that the animals will be removed and moved to another barn. A condition has been imposed requiring the owners to obtain a Change of Use Permit for the livestock barn on the severed lot.

G. Treur stated that he concurred with the suggested conditions and recommendation of the staff Planning Report. He suggested that it would be best that a new well be installed on the retained lot.

Moved by: H. Elliott  
Seconded by: J. Palmer

*"Granted"*

CONDITIONS:

1. The lot to be retained be appropriately re-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 shall comply with Sections 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The owners are required to demonstrate Proof of Potable Water for the lot to be retained with the County of Oxford's Protocol for Determining the Probability of Potable Water for Development Proposals on Private Services, to the satisfaction of the County Director of Public Works.
4. The owners are required to obtain a Change of Use Permit for the livestock barn on the lot to be severed, to the satisfaction of the Township of South-West Oxford Chief Building Official.
5. If required, the owners enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
6. If required, a drainage assessment re-apportionment 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 South-West Oxford.
7. 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, services and otherwise have been complied with.
8. 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 2005 Provincial Policy Statement.
1. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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J. de Bruyn returned to the meeting and assumed the Chair.

B11-60-8 – William & Shirley Millson (Park Lot 11, Reg. Plan 55, City of Woodstock)

William & Shirley Millson were in attendance to speak to their application. W. Millson briefly explained their application to the Committee.

The purpose of the Application for Consent is to separate an existing semi-detached dwelling. The lot to be severed will cover an area of 639.8 sq. m (6,887 sq. ft.). The lot to be retained will cover an area of 815.3 sq. m (8,776. 1 sq. ft.). Both the lots to be severed and retained will consist of one-half of the dwelling unit. An easement has been requested over the lot to be severed in favour of the lot to be retained for sanitary sewer purposes. The owners have also applied for Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He explained that the existing semi-detached dwelling will be split, each lot consisting of one-half of the dwelling unit. A re-zoning will be necessary from Residential Type 1 (R1) to Residential Type 2 (R2) to recognize the use proposed. An easement for sanitary sewer purposes has also been requested with the severance.

G. Millson stated that they concurred with the findings and suggested conditions as set out in the recommendation of the staff Planning Report.

G. Brumby suggested the owners will be required to meet the standard Building Code conditions for the two properties. G. Hough concurred.

Moved by: W. Buchanan  
Seconded by: H. Elliott

*"Granted"*

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately re-zoned.
2. The owners 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 owners confirm that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owners shall relocate the services or obtain private easements over the severed and/or retained lands, to the satisfaction of the City of Woodstock.
4. The owners provide confirmation for building code compliance for attached dwellings through an inspection by the City of Woodstock Building Department. The owners will obtain a building permit for any remedial work required as a result of the required inspection. All work is to be completed to the satisfaction of the Building Department.
5. The owners shall submit a recent survey to confirm size of the severed lot, to the satisfaction of the City of Woodstock Engineering Office.
6. 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.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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B11-61-4 – Carl & Carolyn Oxley (Lots 39 & 40, Reg. Plan 66, Township of South-West Oxford, formerly Dereham)

Carl Oxley, the owner, together with Larry Hughes, the applicant and prospective purchaser, were in attendance. L. Hughes presented the application. L. Hughes explained that he is purchasing the lot to be severed and stated that this parcel of land was previously an unopened road allowance. Both he and Mr. Oxley purchased one-half of the road allowance from the Township. The reason for the severance is to accommodate the location of the driveway on his property.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of 304 sq. m (3,267 sq. ft.) and is currently vacant. It is proposed that the lot to be severed will be added to the residential lot to the immediate east which contains an existing single detached dwelling and garage. The lot to be retained will cover an area of 1,620 sq. m (17,424 sq. ft.), and contains an existing single detached dwelling and garage.

G. Hough briefly explained the application and stated that the proposal is consistent with the 2005 Provincial Policy Statement, complies with the Oxford County Official Plan and is appropriately zoned.

J. Palmer questioned the road allowance located to the north of the severance. In response, L. Hughes noted that those lands are owned by the Township.

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

*"Granted"*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel shall comply with Sections 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. If required, the owners enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
3. If required, a drainage assessment re-apportionment 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 South-West Oxford.
4. 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, 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 2005 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.

CARRIED.

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B11-58-2 – Currah Enterprises Inc. (Block B, Reg. Plan 111, Township of East Zorra-Tavistock, formerly East Zorra)

Chad Currah was in attendance present the application. Also in attendance was the prospective purchaser, Dean Olson, 576 Falconridge Crescent, Kitchener ON N2K 4J2. C. Currah briefly explained the application and stated that he wishes to create a residential building lot.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 2,511.1 sq. m. (27,030 sq. ft.) and contains an existing storage shed. The lot to be retained will cover an area of 929.9 sq. m. (10,010 sq. ft.) and contains an existing single detached dwelling. It is proposed that a single detached dwelling will be constructed on the lot to be severed. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough explained that as municipal services are being made available, more severances will be before the Committee to create residential lots. He noted that there is an existing shed on the lot to be severed. He suggested that the request for a road widening would be approximately 3 m (10 ft) from the centreline of the road. He pointed out that it is during the severance proposal that the County has the opportunity to take road widenings. He reviewed the suggested conditions with the owner and prospective purchaser and stated that the conditions are not unusual and are fairly standard.

C. Currah stated that he concurred with the findings and suggested conditions of the staff Planning Report. He indicated that the existing shed has been on the property for approximately 100 to 150 years fronting onto Currah Lane, and suggested that an Encroachment Agreement could be entered into with the Township to keep the shed there. He noted that in their comments, the Township has recommended that the shed be removed as the By-law does not permit an accessory building.

D. Olson stated that he is looking to move forward with the application.

In response, G. Hough suggested that owner had the option of requesting a change of conditions at a later date, if the Township removes the need for the condition.

G. Brumby questioned whether the shed could be moved on the property. In response, G. Hough pointed out that a minor variance would be needed.

G. Hough reviewed the wording of Condition No. 4 and at the Committee's request, the word 'can' was changed to 'must' at it relates to the lots being connected to the municipal water and sanitary sewer.

C. Currah questioned the need for Condition No. 5 which requires that all existing wells on the lot to be severed and/or retained be properly abandoned and that all septic fields be properly abandoned, as he has already done this. He further questioned the need for Condition No. 9 requiring drainage assessment re-apportionment. In response, G. Hough pointed out that these conditions have been requested by the Township in their comments to Planning staff.

D. Olson stated that the septic system is to be removed from the property at the time of construction. In response, G. Hough pointed out that the owner will need to enter into an Agreement as per Condition No. 5.

J. de Bruyn questioned whether access to the severed lot will be via the County Road. In response, D. Olson indicated that using Currah Lane as his access makes more sense. The house will face Blandford Street, with the garage facing onto Currah Lane.

Moved by: G. Brumby  
Seconded by: M. Hacon

*"Granted, with the amendment to Condition No. 4"*

CONDITIONS:

1. The lots to be severed and retained be appropriately re-zoned.
2. The owner enter into a Severance Agreement with the Township of East Zorra-Tavistock.
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 and sewer services to the subject property have been complied with, including payment for the cost of the two service connections on the proposed severed lot. 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. Prior to the completion of the consent, the owners shall confirm that the lot to be severed and the lot to be retained must be connected to the municipal water and sanitary sewer services, to the satisfaction of the County of Oxford Public Works Department.
5. The owner agrees, in writing, that all existing wells on the lot to be severed and/or retained will be properly abandoned in accordance with Ontario Regulation 903 and that all septic fields will be abandoned, to the satisfaction of the County of Oxford Board of Health.
6. The owner shall dedicate a road widening from the centre line of Oxford County Road 4, along the frontage of the lot to be severed and the lot to be retained, free of all costs and encumbrances, to the satisfaction of the County of Oxford Public Works Department.
7. The applicant demolish or otherwise remove the existing storage shed located on the severed lot and the Township road allowance, to the satisfaction of the Township of East-Zorra Tavistock.
8. Prior to the completion of the consent, the applicant provide a survey, illustrating setback information for the existing dwelling on the lot to be retained to ensure compliance with the provisions of the Township of East Zorra-Tavistock Zoning By-law, to the satisfaction of the Township of East Zorra-Tavistock.
9. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the applicant's expense, to the satisfaction of the Township of East Zorra-Tavistock.
10. The owner submit a payment of \$750.00 cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock, to the satisfaction of the Township.
11. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services, and otherwise, have been complied with.
12. 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 2005 Provincial Policy Statement.

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2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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B11-65-3 – Jan, Wilhelmina & Raymond Den Boer (Part Lot 19, Conc. 9, Township of Norwich, formerly South Norwich)

David Roe, the owners' agent, was in attendance to present the application. He briefly explained the application and indicated that the severance proposes to consolidate a 42 acre parcel of land with the farm parcel to the immediate east which covers an area of 97 acres, resulting in a rural residential lot consisting of a single-detached dwelling and greenhouse. The greenhouse will be removed. The lot to be retained will cover an area of 1.48 acres. He stated that he concurred with the findings and suggested conditions of the staff Planning Report.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 17 ha (42 ac), contains three barns and is in agricultural production. The lot to be severed will be added to the farm parcel to the immediate east covering an area of 39.3 ha (97.1 ac) and consisting of farm buildings and an accessory single detached dwelling. The lot to be retained will cover an area of 0.6 ha (1.48 ac), contains an existing green house (to be removed) and a single detached dwelling and garage, and will be used for non-farm rural residential purposes.

G. Hough explained that the application is for a simple farm consolidation. The proposal is consistent with the 2005 Provincial Policy Statement and complies with the Oxford County Official Plan.

G. Brumby questioned if the lot to be severed is to be added to the west. In response, G. Hough indicated that the lot is to be added to the east, and suggested that Condition No. 2 be amended to reflect this amendment.

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

*"Granted"*

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The greenhouse located on the lot to be retained be removed, to the satisfaction of the Township of Norwich Building Department.
4. A road widening to 15 m (50 ft) from the centre line of Oxford Road 19, along the frontage of the lot to be severed and 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 Director of Public Works.
5. If required, drainage assessment re-apportionment 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.
6. 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.

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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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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B11-56-3 – Kyle Arthur (Part Lot 18, Conc. 11, Township of Norwich, formerly South Norwich)

Ms. Maria Kinkel, the owner's solicitor, was in attendance to speak to the application. She briefly explained the application and stated that she concurred with the suggested conditions and recommendation of the staff Planning Report.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 29.5 ha (73 ac), contains a pack barn, two greenhouses, a storage shed, a work shop and bulk kilns, and is in agricultural production. The lot to be severed will be added to the farm parcel to the immediate east covering an area of 24.7 ha (61 ac). The lot to be retained will cover an area of 0.6 ha (1.32 ac), contains an existing single detached dwelling and will be used for non-farm rural residential purposes. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He noted that the zoning will deal with the barn situated on the severed lot. He noted that a previous application was before the Committee in 2010 which proposed the creation of a 61 acre lot. He stated that the proposal before the Committee is consistent with the 2005 Provincial Policy Statement and complies with the Oxford County Official Plan.

In response to M. Hacon's comments, G. Hough indicated that the severed lot will require a special A2 zoning to recognize the existing barn on the lot to be severed.

In response to G. Brumby, G. Hough indicated that the farm buildings will remain on the retained lot.

Moved by: J. Palmer  
Seconded by: G. Brumby

*"Granted"*

CONDITIONS:

1. The lots to be severed, retained and enlarged be appropriately re-zoned.
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 County of Oxford, free of any costs or encumbrances, and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee prior to the stamping of the deed for Application #B11-56-3.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owners existing property. Any additional transactions with regard to the parcel severed will have to comply with Subsections 3 and 5, of Section 50 of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

4. A road widening to 15 m (50 ft) from the centre line of Oxford County Road 37, along the frontage of the lot to be severed and 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.
5. The owner confirms that the septic system and well servicing the retained parcel is wholly located within the lot to be retained to the satisfaction of the Oxford County Public Health and Emergency Services Department.
6. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O. 1990, at the applicants' expense, to the satisfaction of the Township of Norwich.
7. 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.
8. 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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

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B-52/08; A-15/08 – Ron & Betsy Ingram (Part Lot 1, Conc. 11, Township of Blandford-Blenheim, formerly Village of Bright)

Ron & Betsy Ingram were in attendance for the hearing of their application. R. Ingram briefly explained the application and pointed out that a minor variance is also being requested with the severance to recognize the deficient lot frontage for the lot to be severed.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 0.97 ha (2.4 acres) and is vacant. The lot to be retained will cover an area of 0.77 ha (1.9 acres) and contains an existing commercial building and detached dwelling. That portion of the dwelling straddling the lot line between the severed and retained lots will be removed. A single detached dwelling is proposed to be constructed on the lot to be severed.

Permission for relief is sought from Section 15.2 (Village Zone), Lot Frontage, to permit a lot frontage for the lot to be severed of 9.1 m (30 feet) in place of the 35 m (115 feet) required by the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

G. Hough reviewed the staff Planning Report. He indicated that the existing Official Plan policies encourage backyard fill applications. The proposal is consistent with the 2005 Provincial Policy Statement and complies with the Oxford County Official Plan. He stated that the existing structure straddling the lot line between the severed and retained lots will need to be removed. He indicated that the V-4 zoning permits a machine shop and a list of additional uses, and suggested that the uses ultimately permitted on the severed lands be discussed with staff and decided by the Township Council. He noted that there is no need for a minor variance, as the deficient lot frontage can also be addressed in the required zone change.

R. Ingram stated that he concurred with the findings and suggested conditions of the staff Planning Report.

M. Hacon questioned the owner as to where he had placed the public notice sign. In response, the Secretary-Treasurer pointed out that there was no need to post a sign on the property at this time, as the hearing was for a deferred application, and no signage is required.

In response to G. Brumby's inquiry, G. Hough indicated that the County Public Works Department had confirmed that the application could now proceed as sufficient water capacity now exists to support new development.

J. de Bruyn wondered whether it was necessary that the zone change clarify that the lot to be severed should be for residential purposes, for fire safety requirements. In response, G. Hough explained that it was not necessary to stipulate this. He indicated that a 30 foot frontage is adequate for fire and emergency vehicles to access the property.

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

*"Granted"*

B-52/08

CONDITIONS:

1. The lot to be severed be appropriately re-zoned.
2. The owners shall remove the structure on the lot to be severed, to the satisfaction of the Township Chief Building Official.
3. If required, the owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.
4. If required, drainage assessment re-apportionment 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 Blandford-Blenheim.
5. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and/or sewer services to the subject property have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County. 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.
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, services and otherwise, have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

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REASONS:

1. The application for consent is consistent with the 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

A-15/08

REASON:

1. The application for relief of the lot frontage requirement of the severed parcel is unnecessary as the said relief can be addressed through the required re-zoning of the severed parcel.

CARRIED.

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B11-64-1; A11-15-1 – Trustees of Peace United Pastoral Charge of the United Church of Canada  
(Part Lot 1, Conc. 11, Township of Blandford-Blenheim, formerly Village of Bright)

Don Woolcott, agent for the Church property, was in attendance to speak to the application. He briefly explained the proposal and stated that he concurred with the findings and suggested conditions of the staff Planning Report.

The purpose of the Application for Consent is to separate the existing residence from the church property. The lot to be severed will cover an area of 1,099 sq. m (11,830 sq. ft.) and contains an existing church. The lot to be retained will cover an area of 1,614 sq. m (17,373 sq. ft.) and contains an existing single detached dwelling.

Permission is sought for relief from the provisions of Section 11.2, Residential Type 1 Zone (R1) to permit a Lot Area for the lot to be retained of 1,614 sq. m (17,373 sq. ft.) in place of the 2,800 sq. m (30,140 sq. ft.) required; and for Lot Depth for the lot to be retained of 40.25 m (132.1 ft.) in place of the 50 m (164 ft.) required by the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

G. Hough reviewed the staff Planning Report and stated that the proposal is consistent with the 2005 Provincial Policy Statement and complies with the Oxford County Official Plan. He suggested a further condition requiring the owners to obtain confirmation from the Board of Health that both properties can accommodate a septic system be included.

In response, D. Woolcott indicated that the work is being undertaken now. They are proposing to use a hybrid system. He agreed with the additional condition being imposed.

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

*"Granted"*

B11-64-1

CONDITIONS:

1. The lot to be severed be appropriately re-zoned.
2. The owner properly decommission any abandoned private services (water well, cistern and/or septic system) located on the lot to be retained, in accordance with the Ontario Water Resources Act, R.S.O. 1990 (Ontario Regulation No. 903) and to the satisfaction of the Oxford County Department of Public Works.
3. The owner confirm that both the lot to be severed and the lot to be retained are capable of accommodating a suitable private septic system, to the satisfaction of the Oxford County Board of Health.

4. If required, the owner shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.
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 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.
7. 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.
8. 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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

A11-15-1

REASON:

1. The variance requested is a minor variance from the provisions of the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.
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.
2. The variance requested is in keeping with the general intent and purpose of the Township of Blandford-Blenheim Zoning By-law No. 1360-2002.

CARRIED.

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On the motion of M. Hacon, the Committee meeting adjourned at 12:35 p.m.

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CHAIRPERSON