

## MINUTES

### OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, June 7, 2012

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, June 7, 2012 at 9:00 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	W. Buchanan
	-	H. Elliott
	-	M. Hacon
	-	J. Palmer
	-	T. Rock
Corporate Manager	-	G. Hough
Secretary-Treasurer	-	L. Taschner

#### CONFLICT OF INTEREST:

None.

#### APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of May 3, 2012, be approved as printed and circulated."*

CARRIED

#### BUSINESS ARISING FROM MINUTES:

None.

#### CORRESPONDENCE:

None.

#### GENERAL BUSINESS:

L. Taschner spoke on the OACA Conference she attended on June 3-6, in Burlington.

The Committee discussed the terms of office of the Committee members. J. Palmer suggested that the current 6-year term be changed to an 8-year term, to coincide with the term of Council. G. Hough stated that he would review the terms of office, and will report back to the Committee.

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#### APPLICATIONS FOR CONSENT:

B-12-14-3 – Koert Pelleboer & Hermina Pelleboer-Buijert (Part Lots 17 & 18, Conc. 8, Township of Norwich, formerly South Norwich)

Koert Pelleboer was in attendance to present his application.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of 57.4 ha (141.75 ac), contains farm buildings associated with a tobacco farm operation, and is in agricultural production. The lot to be severed will be added to the parcel to the immediate west, consisting of two barns, an accessory single detached dwelling and is also in agricultural production. The lot to be retained will cover an area of 0.51 ha (1.25 ac), contains a single detached dwelling and will be used for non-farm rural residential purposes.

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G. Hough briefly reviewed the staff Planning Report. He indicated that the proposal is consistent with the 2005 Provincial Policy Statement and complies with the County of Oxford Official Plan policies. He noted that the lot to be retained will need a re-zoning to a rural residential zone. No concerns or objections were received from the circulated agencies.

K. Pelleboer stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

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 west and be consolidated with said owners existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The owners confirm that the septic system and well servicing the retained lot is wholly located within the lot to be retained, to the satisfaction of the Oxford County Public Health and Emergency Services 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, lot to be retained, and lot to be enlarged be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the Oxford County Director of Public Works.
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 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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B12-19-7; A12-05-7 & B12-20-7; A12-06-7 – Kathryn Barbon (Lot 1486, Plan 500, Town of Tillsonburg)

No one was present on behalf of the owner to present the application.

The purpose of Application B12-19-7 is to create a residential lot. The lot to be severed will cover an area of 335.49 sq. m (3,611.3 sq. ft.) and consists of an existing single detached dwelling. The purpose of Application B12-20-7 is also to create a residential lot. The lot to be severed will cover an area of 325.04 sq. m (3498.7 sq. ft.) and consists of an existing single detached dwelling. The lot to be retained will cover an area of 383.4 sq. m (4,126.9 sq. ft.), and contains an existing commercial building. The owner has also applied for Partial Discharges of Mortgage.

Minor variances are sought for B12-19-7 from Section 7.2 of the Town of Tillsonburg Zoning By-law No. 3295, as follows:

1. To reduce the minimum required Lot Depth from 30 m (98.4 ft) to 25.53 m (83.7 ft) for the severed lot;
2. To reduce the minimum required Front Yard Depth from 6 m (19.7 ft) to 2.20 m (7.2 ft) for the severed lot;
3. To reduce the minimum required Rear Yard Depth from 7.5 m (24.6 ft) to 5.58 m (18.3 ft) for the severed lot;
4. To reduce the minimum required Interior Side Yard Width from 1.2 m (3.9 ft) to 0.89 m (2.9 ft) for the severed lot; and
5. Relief from the provisions of Section 5.20.2.1 - General Provisions, Motor Vehicle Parking Standards to reduce the required number of parking spaces from two (2) to one (1) for the severed lot.

Minor variances are sought for B12-20-7 from Section 7.2 of the Town of Tillsonburg Zoning By-law No. 3295, as follows:

1. To reduce the minimum required Lot Depth from 30 m (98.4 ft) to 25.53 m (83.7 ft) for the severed lot;
2. To reduce the minimum required Front Yard Depth from 6 m (19.7 ft) to 4.45 m (14.6 ft) for the severed lot;
3. To reduce the minimum required Interior Side Yard Width from 1.2 m (3.9 ft) to 0.89 m (2.9 ft) from the southerly lot line and from 3 m (9.8 ft) to 2.44 m (8 ft) from the northerly lot line for the severed lot;
4. Relief from the provisions of Section 5.20.2.1 - General Provisions, Motor Vehicle Parking Standards to reduce the required number of parking spaces from two (2) to one (1) for the severed lot.

G. Hough briefly reviewed the staff Planning Report. He explained that the owner proposes to divide the property into three separate lots, two residential and one commercial. Minor variances have been submitted with the severance applications. No new development is proposed. No concerns or objections were received as a result of the public circulation. The applications are consistent with the 2005 Provincial Policy Statement, comply with the County of Oxford Official Plan policies, and with approval of the requested variances, conform to the Town of Tillsonburg Zoning By-law.

In response to T. Rock's inquiry, G. Hough briefly explained that the minor variances requested are associated with the severances and relief is being sought from the Land Division Committee as they are a direct result of the severances.

In response to G. Brumby, G. Hough stated that each lot will be required to meet the Building Code requirements. The proposal is to convey each lot separately. If there any deficiencies, they will need to be brought into conformity as per The Building Code.

#### B12-19-7

Moved by: J. Palmer  
Seconded by: T. Rock

*'Granted'*

#### CONDITIONS:

1. The owner enter into a standard Severance Agreement with the Town of Tillsonburg, to the satisfaction of the Town.

2. If required, the owner provide a site grading plan prepared to the satisfaction of the Town of Tillsonburg Engineering Department.
3. The owner provide confirmation to the Oxford County Public Works Department that separate water and sanitary sewer services exist to serve the lots to be severed and retained. If separate services do not exist, the owner must install separate water and sanitary services, to the satisfaction of the County Department of Public Works.
4. The owner confirms that no underground or overhead services serving the retained lands traverse the severed parcels 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 Town of Tillsonburg Engineering Department.
5. The Chief Building Official of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Ontario Building Code with respect to spatial separation distances for the lots to be severed have been satisfied.
6. The deed for Application B12-20-7 be stamped/certificate issued, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the stamping of the deed/issuance of the certificate for Application B12-19-7.
7. 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.
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.
3. The subject property is appropriately zoned.

A12-05-7

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 1994.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested are in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 1994.

B12-20-7

Moved by: T. Rock  
Seconded by: H. Elliott

*'Granted'*

CONDITIONS:

1. The owner enter into a standard Severance Agreement with the Town of Tillsonburg, to the satisfaction of the Town.
2. If required, the owner provide a site grading plan prepared to the satisfaction of the Town of Tillsonburg Engineering Department.
3. The owner provide confirmation to the Oxford County Public Works Department that separate water and sanitary sewer services exist to serve the lots to be severed and retained. If separate services do not exist, the owner must install separate water and sanitary services, to the satisfaction of the County Department of Public Works.
4. The owner confirms that no underground or overhead services serving the retained lands traverse the severed parcels 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 Town of Tillsonburg Engineering Department.
5. The Chief Building Official of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Ontario Building Code with respect to spatial separation distances for the lots to be severed have been satisfied.
- 6.. 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.
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.
3. The subject property is appropriately zoned.

A12-06-7

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 1994.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested are in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 1994.

CARRIED.

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B11-39-3 – Johannes & Melinda Koolmees (Lots 1 & 2, Plan 22; Part Lot 22, Conc. 9, Township of Norwich, formerly South Norwich)

David Roe, the owners' agent, together with Bart Rietveld, the prospective purchaser of the severed lot were in attendance. D. Roe presented the application to the Committee. He explained that the owners are proposing to sell a parcel of land to Mr. Rietveld in order to provide him with additional land to accommodate an on-site septic system. Once the lands are consolidated with the Rietveld property, Mr. Rietveld will be purchasing land to the west of his property from the County of Oxford.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of 159 sq. m (1,710 sq. ft.), contains no buildings or structures and will be added to the lot to the immediate north. The lot to be enlarged consists of a repair garage. The lot to be retained will cover an area of 1,903 sq. m (20,484 sq. ft.), and contains an existing single detached dwelling.

G. Hough briefly reviewed the staff Planning Report. He indicated the proposal is consistent with the 2005 Provincial Policy Statement and complies with the Official Plan policies. The application was deferred at the owner's request at the October 6, 2011 meeting of the Committee to allow the applicant to meet the concerns and issues of the Board of Health regarding the proposed septic system. Those concerns have now been addressed and the application is ready to proceed. He pointed out that a re-zoning will also be necessary.

In response to J. Palmer's inquiry, D. Roe explained that the parcel of land to the west of the Rietveld property, presently in the name of the County of Oxford, is vacant. He stated that once the severance transfer has been completed, those lands will be consolidated with the Rietveld property.

T. Rock questioned whether the municipality or the owner's solicitor will prepare the legal documentation. In response, G. Hough pointed out that control of the preparation of the documentation varies with each municipality.

Moved by: W. Buchanan  
Seconded by: M. Hacon

*'Granted'*

CONDITIONS:

1. The lots to be severed and retained and the parcel to be enlarged be appropriately re-zoned.
2. If required, the owners enter into a standard Severance Agreement with the Township of Norwich, to the satisfaction of the Township.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. The owner of the lot to be enlarged shall agree in writing that the lands to the immediate west of the lot to be enlarged, which are owned by the County of Oxford, shall be purchased and merged with the said enlarged lot resulting from Consent Application B11-39-3 to the satisfaction of the County Public Works Department and further, that the said enlarged lot will be disconnected from the septic system on the retained lot to the satisfaction of the County Public Health and Emergency Services Department.
5. The owners shall provide a recent survey confirming the lot sizes and building setbacks to the Community and Strategic Planning Office, to the satisfaction of the County of Oxford.
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.

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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On the motion of J. Palmer, the Committee meeting adjourned at 10:00 a.m.

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CHAIRPERSON