

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, October 4, 2012

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, October 4, 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

The meeting was called to order at 9:00 a.m. G. Hough introduced Matthew Blevins, contract Development Planner, responsible for the City of Woodstock and the Township of East Zorra-Tavistock.

CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of September 6, 2012, be approved as amended."

CARRIED

BUSINESS ARISING FROM MINUTES:

None.

CORRESPONDENCE:

Correspondence was received from the Woodstock Development Engineer regarding Applications B12-41-8 and B12-42-8 (Routen Holdings Ltd.).

Correspondence was received from the County Engineer regarding Applications B12-41-8 and B12 42-8 (Routen Holdings Ltd.).

Correspondence was received from the County Engineer regarding Application B12-43-8; A12-07-8 (June L. Lewis).

Correspondence was received from Linnda Wellink regarding Application B12-38-4 (Linnda Wellink).

Amended sketches and photos were provided to the Committee regarding Application B12-37-7 (Bradley & Marianne Beausoleil).

Amended wording of Condition No. 1 for Application B12-43-8 (June L. Lewis) was provided to the Committee for its consideration.

GENERAL CORRESPONDENCE:

Correspondence was received from Jenkins & Gilvesy dated October 2, 2012 regarding Application B11-48-4 (Jim Stoakley). The solicitor is requesting the Committee that Condition No. 1 of the decision dated November 10, 2011 be amended. Condition No. 1 currently reads as follows:

“The lot to be severed, the lot to be enlarged and the lot to be retained be appropriately re-zoned.”

The amended condition would read as follows:

“The lot to be retained be appropriately re-zoned.”

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

“That the decision of the Land Division Committee for Application B11-48-4 (Jim Stoakley) be amended such that Condition No. 1 reads as follows:

‘The lot to be retained be appropriately re-zoned.’

Further, that this amended condition is considered a major change of condition and, therefore, a Notice of Change of Conditions be circulated to all the parties involved.”

CARRIED.

GENERAL BUSINESS:

L. Taschner discussed with the Committee the recent OACA Seminar that she attended in Peterborough.

APPLICATIONS FOR CONSENT:

B-12-37-7 – Bradley M. & Marianne Beausoleil (Part Lot 970, Plan 500, Town of Tillsonburg)

Bradley Bennett, the owners' solicitor, was in attendance to present the application. He pointed out that the application is to create an easement between two commercial buildings containing residential units in the upper floors. The easement will be for access via a stairwell, and will formalize the ability of one property owner to enter onto the others' property, and will result in a second access.

The purpose of the Application for Consent to create an easement over the subject property in favour of the property located to the immediate north. The easement will cover an area of 45.6 sq. m (501.58 sq. ft.) and will provide access by way of a stairway and deck.

G. Hough reviewed the staff Planning Report. He stated that no change in the land use is proposed.

B. Bennett stated that he concurred with the findings and suggested conditions of the staff Planning Report.

J. Palmer requested the solicitor to explain the reason for the easement. In response, B. Bennett explained that when the Beausoleils purchased the property, it became apparent that there was no easement to access the stairs from the Beausoleils to the Reynolds, the owners to the north; however, there was an easement from the Beausoleils to the Reynolds.

In response to G. Brumby's inquiry, B. Bennett confirmed that the easement will be from Lot 970, serving Lot 969.

Moved by: M. Hacon
Seconded by: T. Rock

"Granted"

CONDITIONS:

1. The Town of Tillsonburg Building Services inspect the access subject to the proposed easement to confirm compliance with The Ontario Building Code and Ontario Fire Code.
2. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

B12-38-4 – Linnda E. Wellink (Part Lot 25, Conc. 9, Township of South-West Oxford, formerly Dereham)

James Morgan, the owner's solicitor, was in attendance on behalf of the owners. As per the letter of deferral received from the owner, he requested a deferral of the application.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of 18 ha (44.5 ac), contains no buildings or structures and is in agricultural production. The lot to be retained will cover an area of 2.34 ha (5.5 ac), contains two outbuildings and an accessory single detached dwelling. It is proposed that the lot to be severed will be added to the agricultural parcel to the immediate east which covers an area of approximately 113.3 ha (280 ac), contains two barns, and two single detached dwellings and attached garages, and is in agricultural production. The lot to be retained will be used for non-farm rural residential purposes.

G. Hough explained that the use of the property is to be addressed by Township Council, and that a deferral is appropriate at this time.

The Committee discussed the length of the deferral and suggested 6 months. J. Morgan concurred.

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

"Deferred"

REASON:

1. The application for consent be deferred for up to six months to the April, 2013 meeting of the Land Division Committee in order to permit the owner to address Council of the Township of South-West Oxford regarding the existing use of the lot to be retained.

CARRIED.

B-55/09 – Diane Louise Patenaude (Lot 1535, Plan 500, Town of Tillsonburg)

B-56/09; A12-07-7 – Patenaude Dentistry Professional Corporation (Lot 1536, Plan 500, Town of Tillsonburg)

Dianne Patenaude, together with her solicitor, James Morgan, were in attendance. J. Morgan explained the severance application. He indicated that Application B-55/09 will transfer a strip of land from the lot to the immediate west, Lot 1536, which is occupied by an existing duplex. Application B-56/09 proposes to transfer a parcel of land to the immediate east, being Lot 1535. This parcel is used as a right-of-way for access to the parking lot which is situated on Lot 1535.

The purpose of Application for Consent B-55/09 is for a residential lot addition. The lot to be severed will cover an area of 52.8 sq. m (568.8 sq. ft.) and is vacant. It is proposed that the severed lot will be added to the lot to the immediate west, consisting of an existing two-storey duplex. The lot to be retained will cover an area of 523.16 sq. m (5,630 sq. ft.) contains no buildings or structures and is currently used as a parking lot.

The purpose of Application B-56/09 is for a lot addition. The lot to be severed will cover an area of 55.75 sq. m (600.2 sq. ft.), is vacant and will be added to the commercial lot to the immediate east which is currently used as a parking lot. The lot to be retained will cover an area of 370.6 sq. m (3,989.2 sq. ft.) and contains an existing two-storey duplex.

The owner has applied for the following minor variances from the Town of Tillsonburg Zoning By-law No. 3295:

Section	Required	Proposed
Lot Frontage (retained lot)	18 m (59.06 ft.)	10.67 m (35 ft.)
Lot Area (retained lot)	558 sq. m (6,006 sq. ft.)	370.6 sq. m (3,989.2 sq. ft.)
Parking (retained lot)	4 spaces	3 spaces
Lot Coverage (retained lot)	35 per cent	36 per cent

G. Hough reviewed the staff Planning Report. He stated that the applications are consistent with the 2005 Provincial Policy Statement (PPS), comply with the County Official Plan, and conform to the Town's Zoning By-law.

T. Rock questioned the utility easement. J. Morgan pointed out that a subsequent application for the easement will be forthcoming.

B-55/09

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

"Granted"

CONDITIONS:

1. 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.
2. 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.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

B-56/09

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

"Granted"

B-56/09

CONDITIONS:

1. 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 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.
2. 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.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

A12-01-7

REASONS:

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
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. 3295.

CARRIED.

B12-41-8 & B12-42-8 – Routen Holdings Ltd. (Lot 19 and Part Lot 25, Plan 1654, City of Woodstock)

Lisa Ross of Routen Holdings Ltd., together with Terry Thompson, their solicitor, were in attendance to present the application. T. Thompson presented the application.

The purpose of Application for Consent is for two lot additions. The lot to be severed by B12-41-8 will cover an area of 4,475.5 sq. m (48,175.7 sq. ft.), is currently vacant and will be added to the industrial lot to the immediate west which contains an existing manufacturing plant. The lot to be severed by B12-42-8 will cover an area of 4,475.5 sq. m (48,175.7 sq. ft.), is also currently vacant and is to be added to the industrial lot to the immediate south which contains an existing manufacturing plant. The lot to be retained will cover an area of 1.2 ha (2.98 ac) and contains an existing industrial building. The owner has also applied for a Partial Discharge of Mortgage.

T. Thompson explained the purpose of the two applications before the Committee. He noted that there are no immediate expansions proposed. He stated that he concurred with the findings and suggested conditions of the staff Planning Report. He concurred with the additional condition suggested regarding underground and/or overhead services.

G. Hough reviewed the staff Planning Report. He explained that the properties contain two different zones, an M3 zone on the lots to be severed and an M2 Zone on the lot to be enlarged to the west. There is no requirement at the immediate time to re-zone the lots to be severed. However, the owner and his solicitor are aware that any development within the area of the lot to be severed and added to the lot to the west may require a zone change. The applications are consistent with the 2005 Provincial Policy Statement (PPS), comply with the County Official Plan, and conform to the City's Zoning By-law. He pointed out that an additional condition will be required for both severances to establish services that may traverse the properties, or to recognize private easements between the property owners, to the satisfaction of the City of Woodstock.

T. Thompson concurred. He explained that there are two storm water easements whereby water runs east and west. The severances will not affect the existing easements.

M. Hacon requested the Secretary-Treasurer to read the additional condition aloud. The Committee concurred with the need for the additional condition.

B12-41-8

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

"Granted, with the additional condition"

CONDITIONS:

1. 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 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.
2. If required, the owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto.
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.
4. The owner provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.

5. 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.
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.
3. The subject property is appropriately zoned.

CARRIED.

B12-42-8

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

"Granted, with the additional condition"

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 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.
2. If required, the owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto.
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.
4. The owner provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
5. 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.
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.
 3. The subject property is appropriately zoned.

CARRIED.

B12-43-8; A12-07-8 – June L. Lewis (Part Lots 1 & 2, Plan 570, City of Woodstock)

John Park, the owner's solicitor, was in attendance to speak to the application. He explained that the reason for the severance is to enable the applicant to leave one-half of the semi detached dwelling to the applicant's daughter and the other half to the applicant's son.

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 401.7 sq. m (4,324 sq. ft.) and the lot to be retained will cover an area of 363.7 sq. m (3,915 sq. ft.). Each lot will contain one-half of the existing semi-detached dwelling.

Permission is sought from Table 7.2, Lot Depth, to permit a lot depth for the lot to be severed and retained of 22.8 m (74.8 ft) in place of the 28 m (92 ft) required by the City of Woodstock Zoning By-law No. 8626-10.

G. Hough reviewed the staff Planning Report. He indicated that the application is consistent with the 2005 Provincial Policy Statement (PPS) and complies with the County Official Plan. A small shed, presently on the lot to be severed, will be removed. A minor variance has also been requested from the lot depth provisions for both the severed and retained lots. Both the City of Woodstock and the County of Oxford have requested road widenings from Clarke Street North and Devonshire Avenue. He noted that the County has also requested a 5 m daylight triangle at the corner of Clarke Street North and Devonshire Avenue.

J. Park concurred with the request for the 5 m daylight triangle and the amendment to Condition No. 1.

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

"Granted with amendment to Condition No. 1"

B12-43-8

CONDITIONS:

1. If required, a road widening of 3.0 m (9.8 ft.) adjacent to Devonshire Avenue from the lot to be severed and a 5.0 m x 5.0 m (16.4 ft x 16.4 ft) daylight triangle at the northwest 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 Director of Public Works.
2. If required, a road widening of 3.0 m (9.8 ft.) adjacent to Clarke Street North along the frontage of the lot to be severed and the lot to be retained be dedicated to the City of Woodstock, free of all costs and encumbrances, to the satisfaction of the City of Woodstock.
3. If required, the owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto.
4. The applicant provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
5. 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.
6. The owner shall supply the draft R-plan to the City of Woodstock Engineering Department to confirm the lot sizes and building setbacks.

7. The applicant provides confirmation for building code compliance for attached dwellings through an inspection by the City of Woodstock Building Department. The applicant 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.
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.
3. The subject property is appropriately zoned.

A12-01-7

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
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 the City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B12-44-1 – Ted & Lee Mitchell (Part Lots 3 & 4, Concession 7, Township of Blandford-Blenheim, formerly Blandford)

Ted Mitchell was in attendance to present his application. He briefly explained his proposal to the Committee.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of 0.39 ha (1.0 ac) and contains no buildings or structures. The lot to be retained will cover an area of 37.15 ha (91.8 ac), and contains farm buildings and an accessory single detached dwelling and is in agricultural production. It is proposed that the lot to be severed will be added to the Maple Lake Park Ltd. property, a mobile home park, situated to the immediate east. The retained lot will continue to be used for agricultural purposes.

G. Hough reviewed the staff Planning Report. He pointed out that a similar application was considered and approved by the Committee in 2010. It has been determined that additional lands are required by the Mobile Home Park to provide additional space to install septic systems. The application is consistent with the 2005 Provincial Policy Statement (PPS) and complies with the County Official Plan. A Zoning By-law amendment is required to re-zone the severed lot.

T. Mitchell stated that he concurred with the findings and suggested conditions of the staff Planning Report.

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

"Granted"

CONDITIONS:

1. The lot to be severed be appropriately rezoned.
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 severed parcel must comply with Section 50 (3) and 50(5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, 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 Blandford-Blenheim.
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 2005 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B12-51-2 – Tru-Built Construction Inc. (Part Lot 16, Concession 12, Township of East Zorra-Tavistock, formerly East Zorra)

Troy Harrett was in attendance to present the application. He explained that the previous severance on the property lapsed, and now he is re-applying.

The purpose of the Application for Consent is to create a residential building lot. Both the lot to be severed and the lot to be retained will cover an area of 1.0 ha (2.5 ac), and are currently vacant. A single detached dwelling is proposed to be constructed on both the severed and retained lots. The owner has also applied for a Partial Discharge of Mortgage. This application is identical to Application B11-06-2 which was considered by the Land Division Committee in 2011. The application was approved, however, the conditions were not met within the one-year period and the application lapsed.

G. Hough reviewed the staff Planning Report. The application is consistent with the 2005 Provincial Policy Statement (PPS), complies with the County Official Plan, and conforms to the Township of East Zorra-Tavistock Zoning By-law.

T. Harrett concurred with the findings and suggested conditions of the staff Planning Report.

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

"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 applicant's expense, to the satisfaction of the Township of East Zorra-Tavistock.
2. The owner enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
3. If required, the owner shall provide a detailed lot grading plan for the lots to be severed and retained, to the satisfaction of the Township of East Zorra-Tavistock.
4. The owner shall provide proof of potable water for the lot to be severed, to the satisfaction of the County of Oxford Public Works Department.
5. If required, a road widening along the frontage of the lot to be severed and the lot to be retained be dedicated to the Township of East Zorra-Tavistock, free of all costs and encumbrances, to the satisfaction of the Township.
6. The owner meet the requirements of the Township regarding driveway access, to the satisfaction of the Township of East-Zorra Tavistock.
7. 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.
8. 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, services and otherwise, 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.
3. The subject property is appropriately zoned.

CARRIED.

B12-32-5 – Donald & Sharon McDonald (Lot 5 and Part Lot 6, Plan 134, Township of Zorra, formerly

West Zorra – Embro)

Donald McDonald and Tony Blue were in attendance. D. McDonald briefly explained the application to the Committee.

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed will cover an area of 277.6 sq. m (2,988.16 sq. ft.) and contains an existing frame garage. The lot to be severed will be added to the residential lot to the immediate west which contains an existing single detached dwelling, a garage and a shed. The lot to be retained will cover an area of 896.3 sq. m (9,648 sq. ft.) and contains an existing single detached dwelling and garage. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough reviewed the staff Planning Report. He explained that the application was deferred at the September meeting to allow the Council of the Township of Zorra to review the zoning issues on the lot to be enlarged, currently owned by Tony Blue. A Zoning By-law amendment was approved in principle, identifying the existing uses on the lot to be enlarged and recognizing the reduced lot size of the retained lot, resulting from the severance. Accessory buildings will no longer be considered accessory to the residential use. The application is consistent with the 2005 Provincial Policy Statement (PPS), complies with the County Official Plan, and will generally conform to the Township of Zorra Zoning By-law once the Zoning By-law amendment is passed by East Zorra-Tavistock Council.

Both D. McDonald and T. Blue concurred with the findings and suggested conditions of the staff Planning Report.

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

"Granted"

CONDITIONS:

1. The lots to be severed, retained and enlarged be appropriately re-zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west (known municipally as 134 Elgin Street) and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Sections 50(3) and 50(5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, the applicants enter into a standard Severance Agreement with the Township of Zorra, to the satisfaction of the Township.
4. The Clerk of the Township of Zorra 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.

CARRIED.

On the motion of J. Palmer, the Committee meeting adjourned at 10:35 a.m.

"John de Bruyn"

CHAIRPERSON