

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, June 6, 2013

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, June 6, 2013 at 9:00 a.m. with the following individuals:

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of May 9, 2013, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

G. Hough pointed out to the Committee that the CAO would like to meet with the members of the Committee at the July meeting.

M. Hacon and H. Elliott discussed the conference they recently attended. Both indicated that it was a very good conference and that they found the workshops very informative and educational.

L. Taschner also spoke on the conference and concurred with M. Hacon and H. Elliott that the conference offered educational workshops.

CORRESPONDENCE:

Correspondence dated May 28, 2013 was received from Laverne Kirkness requesting a deferral of Application B13-19-7; A13-04-7 (Richard & Louise Leadsom).

A letter of concern dated June 5, 2013 was received from Gord Bishop regarding Application B13-19-7; A13-04-7 (Richard & Louise Leadsom).

A letter of concern dated May 30, 2013 was received from Marjorie Eckenstein regarding Application B13-29-8 (H & M Grevers Developments Ltd.)

A letter of concern dated June 5, 2013 was received from Chris & Julie Runtjes regarding Application B13-29-8 (H & M Grevers Developments Ltd.)

Correspondence dated June 5, 2013 was received from Hydro One regarding Application B13-30-1 (Josh Chabot).

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**APPLICATIONS FOR CONSENT:**

**B13-19-7; A13-04-7 – Richard & Louise Leadsom** (Part Lot 1, Plan 518, Town of Tillsonburg)

No one was present to speak to the application. G. Hough pointed out that a letter was received from the owners' agent, Mr. L. Kirkness, requesting a deferral of the application. He noted that the application was recently considered by Town of Tillsonburg Council at which time it was deferred to address the concerns of the neighbours. It was noted that the late correspondence from the owner's agent, Laverne Kirkness and the letter of concern received from Gord Bishop would be forwarded to the owners with their decision.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 632.5 sq. m (6,808.6 sq. ft.) and is currently vacant. A single detached dwelling is proposed to be constructed. The lot to be retained will also cover an area of 632.5 sq. m (6,808.6 sq. ft.) and contains an existing single detached dwelling.

Minor Variances are requested from Table 6.2: Zone Provisions of the Residential Type 1 (R1) Zone of the Town of Tillsonburg Zoning By-law No. 3295:

| <b><u>Section</u></b>               | <b><u>Required</u></b> | <b><u>Proposed</u></b> |
|-------------------------------------|------------------------|------------------------|
| Lot Depth (Severed & Retained Lots) | 32.0 m (105 ft.)       | 25.15 m (82.51 ft.)    |
| Rear Yard Setback (Retained Lot)    | 12.0 m (39.3 ft.)      | 5.64 m (18.5 ft.)      |
| Front Yard Setback ((Retained Lot)  | 7.5 m (24.6 ft.)       | 7.32 m (24 ft.)        |

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

*"Deferred"*

**REASON:**

1. The application be deferred, at the owners' request, to provide an opportunity for the owners to address the concerns raised during Tillsonburg Council's consideration of the proposal at its regular meeting of May 27, 2013.

CARRIED.

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**B13-20-7; A13-05-7 – Charles & Marianne Sofalvi** (Lot 138 & Part Lot 139, Plan 500, Town of Tillsonburg)

No one was present to speak to the application.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 648.5 sq. m (6,979.5 sq. ft.) and is currently vacant. A single detached dwelling is proposed to be constructed. The lot to be retained will cover an area of 1,132 sq. m (12,186 sq. ft.) and contains an existing single detached dwelling, a garage and two sheds.

A Minor Variance is requested from Table 6.2: Zone Provisions of the Residential Type 1 (R1) Zone of the Town of Tillsonburg Zoning By-law No. 3295:

| <b><u>Section</u></b>      | <b><u>Required</u></b> | <b><u>Proposed</u></b> |
|----------------------------|------------------------|------------------------|
| Lot Frontage (Severed Lot) | 15 m (49.2 ft.)        | 14.32 m (47 ft.)       |

G. Hough briefly reviewed the staff Planning Report. He explained that the Town of Tillsonburg Council considered the application at their regular meeting on May 13, 2013 at which time Council passed a resolution in support of the severance and minor variance. The application is consistent with the 2005 Provincial Policy Statement and complies with the Official Plan policies. A minor variance from the lot frontage provision has been requested in conjunction with the severance. The lot will be similar in size with the existing lots in the surrounding area.

G. Brumby noted that the CPR has requested conditions in their comments and questioned whether those conditions should be included in the decision. In response, G. Hough that in discussion with CPR it was pointed out that there is already existing housing in the area.

Moved by: W. Buchanan  
Seconded by: G. Brumby

*'Granted'*

B-13-20-7

CONDITIONS:

1. The owners enter into a Severance Agreement with the Town of Tillsonburg.
2. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the subject property have been complied with. This condition can be cleared by payment for the required services or entering into a Severance Agreement with the area municipality. A copy of the DRAFT Severance Agreement, which addresses the above requirements, must be provided to the satisfaction of the County of Oxford Public Works department prior to clearing the condition.
3. The owners provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Department.
4. 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.
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.

A13-05-7

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.

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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 Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

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B13-16-5 – Bolton Manor Holsteins Ltd. & Thomas & Wendi Jackson (Lot 10, Conc. 10, Township of Zorra, formerly East Nissouri)

Thomas & Wendi Jackson, together with their agent, David Roe, were in attendance. D. Roe presented the application to the Committee. D. Roe stated that the severance is for a farm consolidation to the immediate southwest, resulting in a 1-acre non-farm rural residential lot. He indicated that both his clients and he concur with the suggested conditions and the 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 40.1 ha (99.1 ac), contains an existing horse barn, a hangar and an air strip, and an accessory single detached dwelling. The lot to be severed will be added to the agricultural parcel to the immediate southwest which covers an area of 40.4 ha (99.8 ac), contains barns associated with a dairy operation, and an accessory single-detached dwelling. The lot to be retained will cover an area of 0.86 ha (0.35 ac), contains an existing single-detached dwelling and will be used for rural residential purposes.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2005 Provincial Policy Statement and complies with the Official Plan policies. The lot to be retained will require a re-zoning. The owners will be required to either remove the existing livestock building on the lot to be severed or obtain a Change of Use Permit, in order to meet the Minimum Distance Setback (MDS) requirement.

G. Brumby questioned whether it the By-law permits two houses on one farm? In response, G. Hough pointed out that during the 1980's second dwellings for hired help were allowed through a minor variance. G. Brumby further questioned whether the training facility will need to be removed. G. Hough stated there was no issue with the training facility.

M. Hacon questioned whether the minor variance will be removed for the retained lot. In response, G. Hough pointed out that a minor variance cannot be expunged. He stated that the Zoning By-law will recognize the lot size and that there will no longer be need for the minor variance.

M. Hacon further commented on the size of the retained lot. In response, D. Roe stated that the owners are only taking what land is needed for the retained lot. G. Hough stated that the lot is large enough to meet the By-law requirements for a rural residential lot.

J. Palmer requested clarification on the amount of land that is common property between the severed and enlarged lots. In response, D. Roe stated that there was a 40 foot overlap.

J. de Bruyn noted that there were no comments received from the Health Unit. In response, T. Jackson stated that he was not sure if there are two wells or one well on the property. G. Hough indicated that the Health Unit must have been satisfied.

In response to G. Brumby, G. Hough pointed out the location of the well and septic system on the lot to be retained.

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

*'Granted'*

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. The existing livestock structure on the lot to be severed be removed or a change of use permit be issued to ensure that the building cannot accommodate livestock, to the satisfaction of the Township of Zorra Chief Building Official.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate southwest and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. If required, a drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Zorra.
5. 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.
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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B12-71-3 - Debby Malcolm (Part Lots 12 & 13, Conc. 2, Township of Norwich, formerly Norwich Norwich)

Andrew & Debby Malcolm were in attendance to present the application.

The purpose of the Application for Consent is to create a non-farm rural residential lot. The lot to be severed will cover an area of 0.7 ha (1.74 ac) and contains an existing single-detached dwelling and a 4.8 m (16 ft) high, 12.2 m x 21.3 m (40 ft x 70 ft) accessory building. The lot to be retained will cover an area of 46.7 ha (115.5 ac), contains a shop, a driveshed, a barn and an accessory single detached dwelling, and is used for agricultural and agricultural-business purposes (an excavating business).

G. Hough briefly reviewed the staff Planning Report. He explained that the application was deferred at the April 4, 2013 meeting of the Committee. He indicated that the severance is to sever off the house from the farm. Normally, this type of application would not be before the Committee; however, there was an error in conveyancing. The Township Zoning By-law does not permit a 2,800 sq. ft. accessory building. He noted that Mr. Malcolm indicated at the April meeting that the accessory building on the lot to be severed is one complete shell and cannot be reduced in size. It was decided that the owners would attend before Township Council to get approval for their zoning in principle. The zoning was approved in principle, pending a decision of the Land Division Committee, permitting the owners to keep the existing accessory building.

D. Malcolm stated that she had no comments to make.

G. Brumby stated that there was some confusion over the location of the property. He confirmed that the property subject to the severance is 385470 Oxford Road 59.

J. de Bruyn discussed the conditions. In response, G. Hough pointed out that typically the Land Division Committee considers the application first and the next step is for the Township to re-zone the property. The zoning will be a special Rural Residential (RR-special) Zone recognizing the size of the accessory structure.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately re-zoned.
2. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Norwich.
3. 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.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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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B13-15-1 – 2303521 Ontario Inc. (Part Lots 10 & 11, Conc. 11, Township of Blandford-Blenheim, formerly Blenheim)

Andrew Head, the owner's agent, was in attendance to present the application. Also in attendance was Hendrik Hooft, 887212 Township Road 11, R. R. 3, Bright ON N0J 1B0. A. Head explained that the severance is to separate two farms into separate holdings.

The purpose of the application for consent is for the creation of an agricultural lot. The lot to be severed will cover an area of approximately 58.5 ha (169.3 ac), contains no buildings or structures and is in agricultural production. The lot to be retained will cover an area of approximately 32.8 ha (81.1 ac), consists of the existing farm buildings, a school, an office, a clothing manufacturing building, a garage, and residential dwellings, and is in agricultural production all associated with the Brethren Community. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the severed lot will cover an area of approximately 170 acres, while the lot to be retained will be approximately 82 acres. The retained lot consists of an established settlement (Brethren), including commercial uses, schools, and residences. He stated that the properties will remain flexible and will each be of sufficient size

to maintain the intent of the Official Plan and is consistent with the 2005 Provincial Policy Statement. He discussed the zoning requirements for both lots, and noted that the retained lot will require a re-zoning to recognize the new lot area.

H. Hooft explained that his children own the property to the east and south. He requested explanation of the zoning. He questioned whether further farm buildings can be built. In response, G. Hough explained that farm buildings and a house are permitted to be constructed on the severed lot. H. Hooft asked whether the owners will be able to further sever the property. In response, G. Hough explained that a further severance would require a new application. G. Hough further explained that zoning provisions and Official Plan policies typically do not identify people, only uses. However, the present Official Plan policies restrict ownership of the Brethren property to religious-oriented groups. If another non-religiously based group were to take over the property, a further Official Plan amendment would be required. There are policy measures in the Official Plan that state that the property to be retained can only be operated by the Brethren or a similar religious community.

H. Hooft requested Planning staff for further information regarding the planning approvals. G. Hough indicated that staff would provide the documentation to him.

In response to J. Palmer's inquiry, G. Hough explained that the General Agricultural (A2) zone requires a minimum of 75 acres. The severed lot will meet the A2 Zone requirements. The developed portion of the lot to be retained is currently zoned A2-1 recognizing the uses on the lot. This area could be increased in size but would require the appropriate approvals.

J. de Bruyn questioned whether the Nith River in this area was navigable. In response, G. Hough explained that it would need to be determined through legal review. If it is determined that it is not navigable, a further severance application would be required if the owners wanted to further divide the property.

A. Head stated that there is no definite answer. The Nith River is loosely deemed navigable.

A discussion ensued regarding the Provincially Significant Wetlands on the severed parcel.

J. de Bruyn questioned whether the manufacturing component on the lot to be retained was compliant with the zoning on the property. In response, G. Hough stated that the Township is satisfied that the uses are permitted. There are no compliance issues.

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

*'Granted'*

**CONDITIONS:**

1. That the lot to be retained be re-zoned to recognize the lot 'area' of the retained lands in accordance with the definitions contained in the Township of Blandford-Blenheim Zoning By-law.
2. 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.
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.

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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.

CARRIED.

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B13-38-4 – Simon Wagler Homes Inc. (Part Lot 10, Conc. 5; Part Lots 1 & 2, Plan 25, Township of South-West Oxford, formerly Dereham)

Simon Wagler was in attendance to present his application. He explained that he applied for a severance last year, however, the application lapsed. In order to complete the severance he has submitted an identical application.

The purpose of the Application for Consent is to create a residential lot. The lot to be severed will cover an area of 1,394.8 sq. m (15,013.8 sq. ft.) and contains an existing single-detached dwelling and attached garage. The lot to be retained will cover an area of 1,366.2 sq. m (14,706 sq. ft.) and also contains an existing single-detached dwelling and attached garage. An identical application was considered by the Land Division Committee at its meeting of April 5, 2012 at which time the Committee approved the severance to create a residential building lot. The conditions were not met within the one-year period and, therefore, the application lapsed.

G. Hough briefly reviewed the staff Planning Report and pointed out that there are currently two new houses on one lot. Mr. Wagler now wishes to sever the lot into two lots, resulting in each lot having its own house.

M. Hacon asked how two houses could be constructed on one lot? In response, G. Hough pointed out that there was oversight on the part of the Township and two building permits were issued on the assumption that the original severance had been completed.

G. Brumby asked if both houses are sold. In response, S. Wagler stated that there were conditional offers on each house, pending severance of the property.

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

*'Granted'*

CONDITIONS:

1. If required, the owner enters into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township.
- 2.. If required, a 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 South-West Oxford.
3. The lot to be severed and the lot to be retained must have separate connections to the municipal water and wastewater system to the satisfaction of the County of Oxford Public Works Department. All financial requirements of the County with respect to the provision of water and wastewater services must be complied with. This condition can be cleared by payment for the required services or by entering into a Severance Agreement with the Area Municipality. A copy of the DRAFT Severance Agreement, which addresses the above-noted requirements, must be provided to the satisfaction of the County of Oxford Public Works Department prior to the clearing of the condition.
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.

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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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B13-29-8 – H & M Grevers Developments Ltd. (Lot 8, Plan 26, City of Woodstock)

Kevin Williams was in attendance to present the application. Also in attendance was Marjorie Eckenstein, 51 Brock Street, Woodstock ON N4S 3B6.

K. Williams explained that he proposes to construct two 4-plex dwellings, one the lot to be retained and the lot to be enlarged. The purpose of the severance is for a residential lot addition, resulting in equal lot areas for both the retained and enlarged lots.

The purpose of the application for consent is for a residential lot addition. The parcel to be severed will cover an area of approximately 92.45 sq. m (995.2 sq. ft.), is vacant and will be added to the residential lot to the immediate south, covering an area of approximately 639.9 sq. m (6,888.1 sq. ft.). The existing dwelling on the lot to be enlarged will be removed and a four-plex is proposed to be constructed. The lot to be retained will cover an area of approximately 736.8 sq. m (7,931.1 sq. ft.) and is currently vacant. A four-plex is also proposed to be constructed on the retained lot.

An application for an easement for mutual access for vehicular purposes measuring approximately 3.0 m x 40 m (9.84 ft x 131 ft) between the lot to be retained and the newly enlarged lot has also been applied for.

G. Hough briefly reviewed the staff Planning Report. He stated that the application is consistent with the 2005 Provincial Policy Statement, and complies with the policies of the Official Plan. He pointed out that the owner will need to apply to the City of Woodstock for minor variances to recognize the buildings proposed based on building footprints viewed by staff. The current zoning allows development of a 4-unit dwelling. The previous home on the retained lot has been removed.

K. Williams stated that he concurred with the findings of the staff report, the suggested conditions and the recommendation of the staff Planning Report.

M. Eckenstein stated that she has lived in her home for the past 20 years. She stated that the current home on the enlarged lot is run down. In response, K. Williams stated that he will be investing \$1 million in the project. He only just purchased the property on May 31.

G. Hough pointed out that the lot frontages of both properties are still deficient for 4-unit dwellings and the owner will require additional minor variances.

J. de Bruyn questioned the elevation of the lot. In response, G. Hough explained such things as grading, drainage, parking, etc., will be dealt with through Site Plan Control.

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

*'Granted'*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The owner shall establish a mutual access easement on Parcels A and B, as illustrated on Plate 3 of Report No. CASPO 2013-134, and shall create a binding mutual access maintenance agreement to the satisfaction of the City of Woodstock.
3. 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.
4. The owner shall confirm that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands, to the satisfaction of the City of Woodstock.
5. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
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.
3. The subject property is appropriately zoned.

CARRIED.

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B13-13-30-1 – Josh Chabot (Lot 3 & Part Lot 4, Plan 57, Township of Blandford-Blenheim, formerly Blenheim – Plattsville)

Tim Gerth, the applicant, was in attendance to present the application. He reviewed the late correspondence received from Hydro One. He explained that he wishes to acquire a piece of land to be added to his property. An easement is also requested for shared access.

The purpose of the application for consent is for a commercial lot addition. The parcel to be severed will cover an area of approximately 115.9 sq. m (1,248 sq. ft.), is vacant and will be added to the commercial lot to the immediate south, covering an area of 178.4 sq. m (1,920 sq. ft.) and consisting of an existing commercial building with an upper apartment. The lot to be retained will cover an area of 980 sq. m (10,549.8 sq. ft.) and contains an existing commercial roofing business. The owner has also applied for a 2.74 m x 40.23 m (9 ft x 132 ft) easement for access purposes in favour of the newly enlarged lot. A Partial Discharge of Mortgage has also been applied for.

G. Hough briefly reviewed the staff Planning Report. He explained that the legal non-conforming status is not longer in effect. He does accept that the legal non-conforming use will continue. The application is consistent with the 2005 Provincial Policy Statement and complies with the Official Plan policies.

M. Hacon asked whether the legal non-conforming status remains. In response, G. Hough stated that according to the Township of Blandford-Blenheim it will remain.

G. Brumby requested that the Corporate Manager identify the lots to be severed and retained and the location of the proposed easement.

Moved by: G. Brumby  
Seconded by: W. Buchanan

*'Granted'*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. 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.
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.

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B13-31-8 – Jason Lovie & Cheryl Ann Massicotte (Part Lot 3, Plan 34, City of Woodstock)

Cheryl Massicotte was in attendance to present the application. She explained that the two lots were once separate holdings. She noted that the properties merged in 2007 when they acquired the lot to be retained.

The purpose of the application for consent is to create a residential lot. The lot to be severed will cover an area of 275.9 sq. m (2,970 sq. ft.) and contains an existing semi-detached dwelling. The lot to be retained will cover an area of 364.1 sq. m (3,919 sq. ft.) and contains an existing commercial building (The Comfort Guy), with an upper apartment. The lot to be severed will continue to be used for residential purpose, while the lot to be retained will continue to be used for commercial purposes.

G. Hough briefly reviewed the staff Planning Report. He noted that the property is zoned Central Business (C5). The lots are small. The zoning in the downtown area is flexible. The lot to be severed will require a re-zoning to a special C5 zone to recognize the existing 2-unit dwelling use.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed 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 shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
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.

CARRIED.

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On the motion of H. Elliott, the Committee meeting adjourned at 11:00 a.m.

*"John de Bruyn"*

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CHAIRPERSON