

## MINUTES

### OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, April 3, 2014

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, April 3, 2014 at 9:00 a.m. with the following individuals:

Chair	-	G. Brumby
	-	W. Buchanan
	-	H. Elliott
	-	J. De Bruyn
	-	M. Hacon
	-	J. Palmer
	-	T. Rock
Director	-	G. Hough
Secretary-Treasurer	-	L. Taschner

#### DECLARATION OF CONFLICT OF INTEREST:

None.

#### APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of March 6, 2014, be approved as circulated."*  
CARRIED.

#### BUSINESS ARISING FROM MINUTES:

None.

#### GENERAL BUSINESS:

G. Hough discussed the Ontario Municipal Board hearing recently held for Application B13-59-3; A13-13-3 (Adrian Boeder). Planning staff recommended approval; however the Committee denied the application. Mr. Boeder appealed the decision. The County did not send legal representation; however, Mr. Boeder subpoenaed the Development Planner from the County. He indicated that the Board rendered a decision in favour of the owner, thus permitting the severance.

#### CORRESPONDENCE:

A letter of concern dated March 6, 2014 was received from the Mr. Amarjit Singh, Local Dairy, regarding Application B13-66-6 (Reeves Realty Corporation & B. W. Conn Homes Ltd.).

Correspondence dated March 26, 2014 was received from Erie Thames Power regarding Application B13-66-6 (Reeves Realty Corporation & B. W. Conn Homes Ltd.).

#### APPLICATIONS FOR CONSENT:

B13-50-8 & B13-51-8 – Marcus & Elaine Abernethie (Part Lots 5 & 6, Plan 58, City of Woodstock formerly East Zorra)

Marcus Abernethie together with his agent, Denis Brolese were in attendance. Also in attendance was Darrell Holmes, 34 Seneca Place, Woodstock ON N4T 1R4. D. Brolese presented the application. He stated that the application received favourable recommendation from Woodstock Council. The application is consistent with the 2005 Provincial Policy Statement (PPS) and it

complies with the County Official Plan policies. A zone change application has been submitted to re-zone the proposed church property. He pointed out that the owner has reconfigured the lots to the satisfaction of the County Public Works Department.

The purpose of the Application for Consent B13-51-8 is to create an institutional lot. The lot to be severed will cover an area of 2,308.75 sq. m (24,851.2 sq. ft) and is currently vacant. A church is proposed to be constructed on the lot. The purpose of the Application for Consent B13-50-8 is to create a residential lot. The lot to be severed by will cover an area of 1,811.7 sq. m (19,501 sq. ft) and is currently vacant. A single detached dwelling is proposed to be constructed on the lot.

G. Hough briefly reviewed the staff Planning Report. He indicated that the zone change application will be considered by Woodstock Council in the near future. He pointed out that the Public Notice was placed into circulation and subsequently the owner amended the configuration of the lots to reflect the County Public Work's Department concerns regarding access.

D. Brolese stated that he and his client concur with the recommendation and suggested conditions of the staff Planning Report.

In response to G. Brumby's question regarding City Council's comments regarding the County Public Works' objections, he noted that access for the three lots will be off of Pittock Park Road which is a municipal road. The County issue was a general planning concern regarding future development of the intersection at Oxford Road 59 and Pittock Park Road.

All parties were now in acceptance of the additional 7 m setback required for the institutional lot.

#### B13-50-8

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

*'Granted'*

#### CONDITIONS:

1. The owners 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. The agreement will be registered on title by the owner. Details in this agreement shall include the removal of the existing asphalt driveway within the boulevard to the lot to be retained and that the boulevard be restored with topsoil and sod/seed by the owner to the City's satisfaction, if the existing driveway is not required, as well as matters related to new curb cuts or the repair of existing curb cuts.
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 shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, 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 owners shall remove the existing dwelling on the proposed retained parcel with the appropriate demolition permit, to the satisfaction of the City of Woodstock Building 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.

B13-51-8

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

*'Granted'*

CONDITIONS:

1. The certificate for Application B13-50-8 be issued, the transfer be registered and a copy of the receipted Transfer be submitted to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for Application B13-51-8.
2. The owners 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. The agreement will be registered on title by the owner.
3. 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.
4. The owners shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and visa versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
5. The owners shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
6. The owners shall remove the accessory building from the retained lands with the appropriate demolition permit, to the satisfaction of the City of Woodstock Building Department.
7. 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.
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.

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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.
3. The subject property is appropriately zoned.

CARRIED.

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B14-02-5; A14-02-5 – Beekwood Farms Ltd. (Part Lots 31 & 32, Conc. 8, Township of Zorra, formerly West Zorra)

Matthew Peters and Ryan Peters were in attendance. M. Peters presented the application to the Committee. He pointed out that he purchased two farms in 1985 and the properties merged in title at that time. He now wishes to sell the 75-acre severed lot to his son.

The purpose of the Application for Consent is to create a new agricultural lot. The lot to be severed will comprise approximately 30 ha (75 ac), contains a pig barn, two manure pits (one being 24 m in diameter and the other 30 m in diameter), a shed and an accessory single-detached dwelling, and is in agricultural production. It is proposed that a part of the pig barn and the 24 m manure pit are to be removed. The lot to be retained will cover an area of 50 ha (125 ac), contains a pig barn, a machine shed and an accessory single detached dwelling, and also is in agricultural production.

Relief from Section 7.2.2, Minimum Distance Separation (MDS) Requirements for Manure Storage Structures is also being requested to allow a Minimum Distance Separation (MDS II) for the accessory dwelling on the lot to be retained to the existing manure storage facilities on the lot to be severed of 231 m (758 ft) in place of the setback of 272 m (894 ft) required by the Township of Zorra Zoning By-law No. 35-99.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2005 Provincial Policy Statement (PPS). He stated that 75 acres is the minimum acreage for farm parcels. A minor variance has been requested to allow a minimum distance separation for the accessory dwelling on the lot to be retained to the existing manure storage facilities on the severed lot. The application complies with the Official Plan policies and maintains the intent of the Township's Zoning By-law.

T. Rock questioned why the OPP has commented. In response, G. Hough pointed out that all development applications are circulated to a standard set of agencies, and OPP is one of those agencies.

G. Brumby commented on whether the house is to be removed, as there seems to be changes as per the Plates appended to the staff Report.

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

*'Granted'*

B14-02-5

CONDITIONS:

1. 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 Zorra.
2. 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.

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.

A14-02-5

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Zorra Zoning By-law No. 35-99.
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 Township of Zorra Zoning By-law No. 35-99.

CARRIED.

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B14-05-3 – Brad & Kellie Deming (Part Lot 7, Conc. 6, Township of Norwich, formerly North Norwich)

Brad Deming was in attendance to speak to his application. He indicated that he wishes to sever the lot and sell it to his son. The retained lot consists of an agri-business. It is proposed that a single detached dwelling will be constructed on the lot to be retained.

The purpose of the Application for Consent is to create an agri-business lot. The lot to be severed will cover an area of 0.81 ha (2 ac), contains an existing 74.32 sq. m (800 sq. ft.) shop and an accessory single-detached dwelling. The lot to be retained will cover an area of 1.5 ha (3.7 ac) and contains an existing 557.4 sq. m (6,000 sq. ft.) shop. A single-detached dwelling is proposed to be constructed on the lot to be retained. Both lots will continue to be used for agri-business purposes.

G. Hough briefly reviewed the staff Planning Report. He pointed out that the severed lot contains an existing agri-business and a single detached dwelling, while the lot to be retained contains an existing agri-business. The owner intends to construct a single detached dwelling on the retained lot. The application is consistent with the 2005 Provincial Policy Statement (PPS), complies with the policies of the Official Plan and the subject property is appropriately zoned.

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

*'Granted'*

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CONDITIONS:

1. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Norwich.
2. 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.
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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B14-06-5 – Harland B. Betzner & Harland B. Betzner Funeral Home Inc. (Part Lot 9, Plan 140,  
Township of Zorra, formerly  
North Oxford – Thamesford)

Harland Betzner was in attendance and presented his application 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 127.6 sq. m (1,373.5 sq. ft.), contains no buildings or structures and is to be added to the residential lot to the immediate west. The lot to be enlarged covers an area of 1,012.8 sq. m (10,902.5 sq. ft.) and contains an existing single-detached dwelling, a detached garage, a carport and a pool. The lot to be retained will cover an area of 2,579.4 sq. m (27,765.3 sq. ft.) and consists of an existing funeral home.

G. Hough briefly reviewed the staff Planning Report. He noted that the application is consistent with the 2005 Provincial Policy Statement (PPS) and complies with the Oxford County Official Plan. He indicated that the owner will require a re-zoning.

H. Betzner stated that he concurs with the recommendation and suggested conditions of the staff Planning Report.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed 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 must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The Clerk of the Township of Zorra 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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B14-08-1 – Shain Arnott & Heidi Faul (Lot 2 and Part Lots 1 & 3, Plan 199, Township of Blandford-Blenheim, formerly Blenheim – Drumbo)

Shain Arnott & Heidi Faul were in attendance to present their application. Also in attendance were Delbert & Lorraine Murray, 846413 Township Road 9, R.R. #3, Bright ON N0J 1B0. S. Arnott explained how the properties inadvertently merged in title and he wishes to re-create the lots.

The purpose of the Application for Consent is to create a new mixed use (commercial/residential) lot. The lot to be severed will comprise approximately 551.7 m<sup>2</sup> (5,938.4 ft<sup>2</sup>) and contains an existing single detached dwelling. The lot to be retained will comprise approximately 938.5 m<sup>2</sup> (10,101.9 ft<sup>2</sup>) and contains an existing two-storey multiple unit dwelling, consisting of three units. It is proposed that the lot to be retained will continue to be used for multiple residential purposes.

G. Hough briefly reviewed the staff Planning Report. The application is consistent with the 2005 Provincial Policy Statement (PPS) and complies with the Oxford County Official Plan. He indicated that the lots are located within the Serviced Village area in the County of Oxford Settlement Strategy Plan and allows residential uses. A single detached dwelling is situated on the lot to be severed. The multi-family residence located on the lot to be retained is considered legal non-conforming. The property is currently zoned Central Commercial (CC), and will need to be re-zoned to a special Central Commercial Zone (CC-special) to recognize the new lot sizes and yard setbacks.

Delbert Murray questioned whether the house will continue to be used for residential purposes. In response, H. Faul indicated that it will be used as a single family home only.

T. Rock questioned whether the legal conforming use is eliminated? In response, G. Hough explained that new lot lines will no longer be in compliance with the existing zoning. The location of the existing building will also need to be recognized. The legal non-conforming status of the use, however, will remain.

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

*'Granted'*

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CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately re-zoned.
2. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Blandford-Blenheim.
3. 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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B13-66-6 – Reeves Realty Corporation & B. W. Conn Homes Ltd. (Lot 13 & Part Lot 14, Plan 279, Town of Ingersoll)

Leonard Reeves was in attendance to present his application. Mr. Amarjit Singh of 139 Victoria Street Ingersoll ON N5C 2M8 arrived at 10:10 a.m., approximately 10 minutes after the start of the proceedings for the application. L. Reeves indicated that he concurred with the recommendation and suggested conditions of the staff Planning Report. He reviewed the two pieces of late correspondence, one from Mr. Singh and the second from Erie Thames Power.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed and retained presently consists of a two storey single detached dwelling. This dwelling is to be removed and a 2-unit semi-detached dwelling is to be construction on each of the lot to be severed and the lot to be retained. The lot to be severed will cover an area of 641.01 sq. m (6,900 sq. ft.) and the lot to be retained will cover an area of 873.26 sq. m (9,400 sq. ft.). The owners have also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application was deferred by the Land Division Committee at the January 23<sup>rd</sup> meeting at the request of the owner in order to permit him to meet with CN Rail staff regarding CN's recommendation and suggested conditions. The application is consistent with the 2005 Provincial Policy Statement (PPS) and complies with the Oxford County Official Plan policies. He noted that in their original comments, CN requested a number of building requirements regarding noise and vibration. CN has indicated that after speaking with Planning staff, they have withdrawn their original concerns and are agreeable to reducing some of the construction requirements. The existing building to the east of the subject property already mitigates noise to some extent. A 30 m setback will need to be implemented. In response, L. Reeves stated that he now concurs with CN's recommended conditions.

T. Rock questioned the Director about the warning clause and wondered why the Town and County would also not be responsible along with CN Rail regarding the noise and vibration issues. In response, G. Hough explained that a feasibility study was not required and, therefore, there was no need for the Town to protect themselves.



J. De Bruyn noted that the 30 m setback was not listed in the recommendation as a condition. He addressed the configuration of the lot and the elevation between the Reeve's property and the industrial building to the east owned by Mr. Singh. In response, G. Hough indicated that drainage and grading plans will be required at the Building Permit stage.

A. Singh indicated that he owns the lot to the immediate east of the subject property and has concerns for his business' ability to operate effectively in the future. He indicated that the owner proposes to construct two semi-detached dwellings, each with two units, and has concerns that the residential development will impede the future growth of this operation. He feels that the proposed owners of the residential units will have no regard to his industrial lot. The elevation between his property and the Reeves property is also a concern. He indicated that the existing retaining wall needs to be fixed. He noted that parking problems already exist and that additional residential units will only add to this.

L. Reeves stated that he felt that Mr. Singh's comments are not valid. He indicated that in his opinion the development will enhance the area.

G. Hough explained that the proposed re-zoning on the subject property will permit the proposed semi-detached dwellings. He stated that should Mr. Singh wish to expand his industrial operation, he would not be restricted beyond whatever limitations presently exist. He pointed out that elevation between properties is always a concern, and that this concern will be dealt with through the grading/drainage plans at the Building Permit stage. The issues regarding the retaining wall will need to be resolved between the property owners. The 30 m requirement from the railway is sufficient according to CN Rail.

J. De Bruyn suggested that a privacy fence along the east side of the property could ensure privacy for both property owners.

L. Reeves suggested that a fence could be possible and he would discuss this with Mr. Singh.

A. Singh questioned the public notice sign validity and indicated that the notice was posted on the door of the house. He felt that it should have been on the road in front of the property. He noted that anyone interested in learning more about the meeting would have needed to cross the property. It was confirmed that the sign was properly posted. A. Singh questioned why the owner is wanting to building four units, and suggested that concern will arise by others in the neighbourhood. He indicated that parking is already an issue and that his parking lot is already used by the surrounding neighbours. He suggested that he has tried contacting L. Reeves to no avail.

M. Hacon questioned whether a zone change will be necessary. In response, G. Hough indicated that the property will require a re-zoning to recognize the type of units proposed, being semi-detached dwellings. He further indicated that each unit will require two parking spaces. The application as submitted meets the parking requirements.

T. Rock questioned why the By-law was only approved in principle? In response, G. Hough pointed out that the standard practice is that the decision is rendered on the severance prior to the zoning decision.

W. Buchanan noted that the R2 zone allows semi-detached dwelling dwellings, and that the R3 Zone permits three units.

A. Singh stated that it was his opinion that the property has been re-zoned without proper notification to him prior to the meeting. In response, G. Hough pointed out that the public meeting on the zoning has been heard, however, the zoning is not yet complete.

T. Rock requested the Chair whether it was reasonable to permit the two parties to discuss the application. In response, G. Brumby suggested that their discussions could take place after the hearing, and that the Committee should proceed with the meeting.

Moved by: J. De Bruyn  
Seconded by: J. Palmer

*'Granted'*

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately re-zoned.
2. The owners enter into a standard Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The Agreement shall include appropriate clauses to address the requirements of CN Rail, as follows:
  - (i) construction of a 1.8 m (5.9 ft) chain link fence along the south lot line adjacent to the railway right-of-way;
  - (ii) new homes shall include appropriate windows (STC rating of 32) and be designed to accommodate facilities for air conditioning in order to mitigate and reduce noise in conjunction with provincial guidelines and regulations;
  - (iii) the following clause shall be included with all offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit constructed on the subject lands:

*“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”*
  - (iv) registration of an environmental easement (allowing ‘operational emissions’ of potential noise and vibration over the subject lands) on title to address future complaints related to the railway operation, in the format as provided by CN Railway.
3. 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 requirements, must be provided to the satisfaction of the County of Oxford Public Works Department prior to clearing the condition.
4. The Clerk of the Town of Ingersoll 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.

CARRIED.

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On the motion of M. Hacon, the Committee meeting adjourned at 10:40 a.m.

*"Gordon Brumby"*

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CHAIRPERSON