

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, September 4, 2014

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, September 4, 2014 at 9:45 a.m. with the following individuals:

Chair	-	G. Brumby
	-	J. De Bruyn
	-	H. Elliott
	-	M. Hacon
	-	J. Palmer
City Planner	-	R. Versteegen
Secretary-Treasurer	-	L. Taschner

The meeting was called to order at 9:45 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of August 7, 2014, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

L. Taschner spoke on the OACA Seminar.

CORRESPONDENCE:

Correspondence was received from the Council of the Township of East Zorra-Tavistock regarding Application B14-43-2 (Thomas S. Birtch), stating they have no objection to the application.

APPLICATIONS FOR CONSENT:

B14-37-4 – Donald George Wiseman (Part Lot 51, Conc. 4, Township of South-West Oxford, formerly West Oxford)

Ryan Verhoog of White Coad LLP, together with the owner Donald G. Wiseman were in attendance to present the application. R. Verhoog briefly explained the application to the Committee.

The purpose of the Application for Consent is for an industrial lot addition. The lot to be severed will cover an area of 1,889.4 m² (20,339.9 ft²) and consists of vacant industrial land. The lot to be severed is to be added to the industrial lot to the immediate northwest. The lot to be enlarged covers an area of 12,579 m² (135,408 ft²) and contains a commercial building and parking area related to the repair and storage of equipment used for an off-site custom gravel crushing and screening operation. The lot to be retained will cover an area 3,048.3 m² (32,813 ft²) and consists a two-storey building used as a retail store on the ground floor and two apartments on the second storey. The owner has also applied for an easement over the lot to be severed to provide access to the rear of the two-storey building on the lot to be retained.

R. Versteegen reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. The owners have submitted a zone change application. He pointed out that the lot to be enlarged contains an industrial building, while the retained lot will continue to be used for commercial/residential purposes. No physical change will be taking place. He reviewed the comments of the agencies and indicated that no concerns or objections were received. The owner is also requesting an easement for access purposes over the severed lot in favour of the retained lot.

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

In response to J. De Bruyn, R. Versteegen stated that no re-zoning will be required for the severed and enlarged lots. He also noted that a road widening has been requested along the frontage of the retained lot.

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately re-zoned.
2. Drainage assessment re-apportionments 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 parcel intended to be severed be conveyed to the abutting landowner to the immediate northwest 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. A road widening of 13 m (42.6 feet) from the centre line of Oxford Road 12 (Sweaburg Road) along the frontage of the lot to be retained be dedicated to the County of Oxford, free of all costs and encumbrances, to the satisfaction of the County Director of Public Works.
5. That an easement for the purpose of motor vehicle access be established over the severed parcel in favour of the retained lands to the satisfaction of the Township of South West Oxford and the County of Oxford.
6. 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.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

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

CARRIED.

B14-43-2 – Thomas S. Birtch (Part Lot 16, Conc. 12, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Thomas & Caroline Birtch were in attendance to present their application. They reviewed the late correspondence received from the Council of the Township of East Zorra-Tavistock. T. Birtch briefly explained the application to the Committee.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 1.10 ha (2.71 ac) and is currently vacant. The lot to be retained will cover an area of 1.04 ha (2.58 ac), and contains an existing single detached dwelling and garage. It is proposed that a single detached dwelling will be constructed on the lot to be severed.

R. Versteegen reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement, and complied with the Official Plan policies. He pointed out that the subject property is located within the Rural Cluster of Harrington, which is grouping of ten non-farm rural residential lots on both sides of the road. He explained that a re-zoning will be required to re-zone the lot to be retained from Estate Residential (ER) to Rural Residential (RR). He indicated that the existing gazebo situated on the lot to be severed will be permitted to stay on the severed lot, and will be dealt with through the zone change application.

M. Hacon stated that typically no buildings are permitted on a vacant lot in the absence of a house. In response, R. Versteegen stated that the structure is not large and can be considered fairly minor. In response, T. Birtch stated that the structure was more like a lawn ornament and measured 2 feet by 4 feet.

In response to J. De Bruyn, R. Versteegen stated that both the severed and retained lots will require a re-zoning.

T. Birtch indicated that the road widening requested is larger than he would like to give and suggested that perhaps the cash-in-lieu of parkland could be deferred to offset the cost for the road widening.

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

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately re-zoned.
2. The owner enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
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 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. The owner shall provide a recent survey confirming lot sizes and building setbacks of the severed and retained lands, to the satisfaction of the Township of East Zorra-Tavistock.
6. The owner shall provide a road widening along the frontage of the lot to be severed dedicated to the Township of East Zorra-Tavistock, free of all costs and encumbrances, to the satisfaction of the Township of East Zorra-Tavistock.
7. The owner shall submit a payment for 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.

CARRIED.

On the motion of J. Palmer, the Committee meeting adjourned at 10:30 a.m.

"Gordon Brumby"

CHAIRPERSON