

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, October 1, 2015

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, October 1, 2015 at 9:00 a.m. with the following individuals in attendance:

Chair	-	G. Brumby
	-	H. Elliott
	-	B. George
	-	M. Hacon
	-	R. Jull
	-	T. Rock - absent
	-	A. Tenhove
Director	-	G. Hough
Acting Secretary-Treasurer	-	L. Buchanan

The meeting was called to order at 9:00 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: M. Hacon
Seconded by: A. Tenhove

"The Minutes of the Meeting of September 3, 2015, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B15-23-6 – Joe Webb Home Improvements Ltd. (Lots 9 & 10, Block 11, Plan 279, Town of Ingersoll)

Joe Webb, owner of the property, was in attendance to present the application. He proposes to create one lot with the intention of building a semi-detached dwelling and retaining a lot for similar use.

G. Hough reviewed the Planning report indicating that Condition No. 3 should be altered to read "The existing single-detached dwelling *and accessory structure(s)* located...".

M. Hacon requested the condition be clarified and J. Webb indicated that the accessory structure on the property is a tin shed and that it would indeed be removed.

B. George and G. Brumby requested clarification of the type of housing on the new lots. Mr. Webb indicated that each lot will have a semi-detached dwelling. Including the previous consent given earlier this year, the three lots will each have a semi-detached dwelling resulting in a total of 6 dwelling units.

Moved by: H. Elliott
Seconded by: R. Jull

“Granted”

B15-23-6

CONDITIONS:

1. The owner enter into a Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The Agreement shall include appropriate clauses to address the following concerns related to the nearby railway operation and to the Town in regard to installation of municipal services,
 - i) the new dwelling shall include a design that features a brick façade along the north side with any windows on this side of the home designed with an STC rating of 32, and shall accommodate facilities for air conditioning in order to mitigate and reduce noise in conjunction with provincial guidelines and regulations; and,
 - ii) registration of the following warning clause in all offers to purchase, agreements of purchase and sale or lease and in the title deed:

“WARNING: Canadian Pacific Railway or its assigns or successors in interest has or have a railway right-of-way and yard located within 300 metres from the land subject hereof. There may be alterations to or expansions of the railway facilities and/or operations in the future, which alterations or expansions 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 dwellings. CPR will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over or under the aforesaid right-of-way.”
2. 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, can be provided to the satisfaction of the County of Oxford Public Works Department prior to clearing the condition.
3. The existing single-detached dwelling and accessory structure(s) located on the subject lands be removed to the satisfaction of the Town of Ingersoll.
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 2014 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.

B15-30-6 to B15-32-6 – Thames Valley District School Board (Lots 6A, 7A, 7, 8, 9, 10 & 100, Block 13, Plan 279, Town of Ingersoll)

Denis Brolese, agent for the applicant, presented the application. He indicated that between 43 and 69 apartments are proposed for the retained lot. The lot to be severed by B15-32-6 is to be used as a parking lot for the nearby funeral home and the remaining two lots to be severed are for residential purposes.

G. Hough presented the Planning report indicating that the consent requested is in keeping with the policies of the Official Plan and Provincial Policy Statement.

R. Jull inquired whether the lot to be used for parking is presently a grassed area. Mr. Brolese indicated in the affirmative.

G. Brumby inquired as to the ownership of the property at present. Mr. Brolese indicated that the Thames Valley District School Board is the current owner. The applicant has submitted an Offer to Purchase and has authority to submit the applications.

A. Tenhove inquired whether an addition to the building on the retained lot would be required to accommodate the residential units. Mr. Brolese indicated that an architect will be retained to determine the number of residential units the building could support. At this time, the applicants are considering between 43 and 69 units; 69 units being the maximum permitted by the zoning provisions of the Residential Type 2 Zone.

B15-30-6

Moved by: M. Hacon
Seconded by: B. George

"Granted"

CONDITIONS:

1. The lot to be severed and retained be appropriately zoned.
2. The owner shall enter into a Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The Severance Agreement shall contain provisions for the installations of sidewalks on the severed lot.
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, can 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-31-6

Moved by: B. George
Seconded by: M. Hacon

"Granted"

CONDITIONS:

1. The lot to be severed and retained be appropriately zoned.
2. The owner shall enter into a Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The Severance Agreement shall contain provisions for the installations of sidewalks on the severed lot.
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, can 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 2014 Provincial Policy Statement.

2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-32-6

Moved by: M. Hacon
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. The lot to be severed and retained be appropriately zoned.
2. The owner shall enter into a Severance Agreement with the Town of Ingersoll, to the satisfaction of the Town. The Severance Agreement shall contain provisions for the installations of sidewalks on the severed lot.
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, can 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-25-2 – Graham D., Avril J. & Jordan A. Harcourt (Lots 115, 116 & 117, Plan 111, Township
B15-26-2 – Laureen L. & Jordan A. Harcourt of East Zorra-Tavistock, formerly
B15-27-2 – Laureen L. & Avril J. Harcourt Township of East Zorra

Mr. Graham Harcourt was in attendance to present the application.

G. Hough presented the Planning report indicating that the proposed severances comply with the Official Plan and Provincial Policy Statement. He also indicated that the merging condition, with respect to all three lots to be severed, would be included in each decision. This condition was inadvertently omitted from the report.

G. Brumby inquired as to whether the three lots already existed (retained lots). G. Hough replied in the affirmative.

R. Jull inquired as to the size of the retained lots. G. Hough indicated that the resultant lots to be retained would be approximately 9,000 sq. ft. in size.

B15-25-2

Moved by: A. Tenhove
Seconded by: H. Elliott

“Granted”

CONDITIONS:

1. The lots to be severed and retained be appropriately 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 owners provide a survey of the severed and retained lots, completed by an Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of the
4. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of the Drainage act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners submit payment for cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock, to the satisfaction of the Township.
6. A road widening of 1 m (3.3 ft) along James Street, along the frontage of 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 of East Zorra-Tavistock.
7. A 3.0 m (9.84 ft) storm drain easement along the north side of the lot to be severed and the lot to be retained, be dedicated to Township of East Zorra-Tavistock, free of all costs and encumbrances, to the satisfaction of the Township of East Zorra-Tavistock.
8. The owners agree, in writing, to satisfy all requirements, financial and otherwise, of the Township of East Zorra-Tavistock, regarding development fees, including, road construction fees, water and sewer connection fees and development charges.
9. The owners enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
10. The severance agreement shall contain a provision that requires, prior to issuance of a building permit, a grading plan be prepared by a professional engineer or Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.
11. 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.

12. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan

CARRIED.

B15-26-2

Moved by: M. Hacon
Seconded by: R. Jull

"Granted"

CONDITIONS:

1. The lots to be severed and retained be appropriately 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 owners provide a survey for each of the retained and severed lots, completed by an Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.
4. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of the Drainage act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners submit payment for cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock for each of the retained lots, to the satisfaction of the Township.
6. A road widening of 1.0 m (3.3 ft) along James Street, along the frontages of the lots to be retained, be 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 owners agree, in writing, to satisfy all requirements, financial and otherwise, of the Township of East Zorra-Tavistock, regarding development fees, including, road construction fees, water and sewer connection fees and development charges.
8. The owners enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
9. The severance agreement shall contain a provision that requires, prior to issuance of a building permit, a grading plan be prepared by a professional engineer or Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.
10. 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.

11. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-27-2

Moved by: B. George
Seconded by: A. Tenhove

"Granted"

CONDITIONS:

1. The lots to be severed and retained be appropriately 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 owners provide a survey for each of the retained and severed lots, completed by an Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.
4. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of the Drainage act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners submit payment for cash-in-lieu for parkland purposes to the Township of East Zorra-Tavistock for each of the retained lots, to the satisfaction of the Township.
6. A road widening of 1.0 m (3.3 ft) along James Street, along the frontages of the lots to be retained, be 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 owners agree, in writing, to satisfy all requirements, financial and otherwise, of the Township of East Zorra-Tavistock, regarding development fees, including, road construction fees, water and sewer connection fees and development charges.
8. The owners enter into a Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
9. The severance agreement shall contain a provision that requires, prior to issuance of a building permit, a grading plan be prepared by a professional engineer or Ontario Land Surveyor, to the satisfaction of the Township of East Zorra-Tavistock.

10. 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.
11. 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

H. Elliott made a brief presentation on his attendance at the Ontario Association of Committees of Adjustment's fall seminar in North Bay during the latter part of September. He indicated that the seminar was well attended and very informative.

M. Hacon inquired as to the status of the Woodlands Conservation By-Law Review. G. Hough indicated that the Oxford Natural Heritage Study is being updated and that a new Conservation By-law should follow upon completion of that review. The timing for a new by-law should be early in 2016.

On the motion of H. Elliott, the Committee meeting adjourned at 10:00 a.m.

"Gordon Brumby"

CHAIR