

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, April 7, 2016

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, April 7, 2016 at 10:22 a.m. with the following individuals:

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

The meeting was called to order at 10:22 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: B. George
Seconded by: T. Rock

"The Minutes of the Meeting of March 3, 2016, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

Correspondence dated March 30, 2016 was received from Jack Love regarding Applications B16-08-6 and B16-09-6 (Harold Wierenga & Cathy Black).

Correspondence dated April 6, 2016 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B15-48-2 (Bruce Yausie).

Correspondence dated April 6, 2016 was received from the Clerk of the Township of East Zorra-Tavistock regarding Application B15-10-2 (Robert & Gail Musselman).

Correspondence dated April 6, 2016 was received from Gerald & Caroline Nibbelink regarding Application B16-50-2 (Rob & Sherry Ramseyer).

APPLICATIONS FOR CONSENT:

B16-01-8 – Wayne R. Wilson (Part of Park Lot 5, s/s of Ingersoll Avenue, Plan 10, City of Woodstock)

No one was present to speak on behalf of the owner 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 approximately 349.8 sq. m (3,765.3 sq. ft.) and is currently vacant. The lot to be retained will cover an area of approximately 400.8 sq. m (4,314.6 sq. ft.), and contains an existing single-detached dwelling. It is proposed that a single-detached dwelling will be constructed on the lot to be severed. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated the owner proposes to create a residential building lot for a single detached dwelling. The lot to be retained is occupied by an existing single detached dwelling. He stated that the application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and is in keeping with the character of the neighbourhood. He pointed out that the new home proposed must meet the established building line. There is sufficient amenity area. A school is located across the road on Oxford Street to the west of the subject property, and a 4-storey retirement home is proposed on the former St. Mary's Church property (situated south of the school property). The area is characterized by a mix of lot sizes and building types.

A. Tenhove questioned the porch on the retained lot and asked if it is not enclosed, could it remain. In response, G. Hough pointed out that the porch encroaches on the road allowance, and the decision to allow the owner to keep it or to remove it is left to the Municipality. The Engineering Department has recommended that it be removed.

Concern was raised that the owner was not present to speak to the application. G. Hough pointed out that the owner was made aware of the meeting.

Moved by: H. Elliott
Seconded by: B. George

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. The owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by the owner.
3. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford Public Works Department, regarding the installation of services and drainage facilities.
4. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice 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 owner shall remove the enclosed porch on the northwest corner of the existing dwelling on the retained lot, to the satisfaction of the City of Woodstock Building Department.
6. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering 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.

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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.

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.

B16-02-3 & B16-03-3 – Dwight R. & Joyce E. Bickell (Part Lot 14, Conc. 2, Township of Norwich, formerly North Norwich)

Dwight Bickell, the owner, was in attendance to present his application. He stated that he is seeking approval for the creation of two residential building lots.

The purpose of the Application for Consent is to create two new residential lots in the Village of Burgessville. The lot to be severed by B16-02-3 will cover an area of approximately 3,473 m² (0.86 ac), and will have approximately 35 m (114.8 ft) of frontage on Burgess Street. The lot to be severed by B16-03-3 will cover an area of approximately 3,419 m² (0.84 ac), and will have approximately 35 m (114.8 ft) of frontage on Burgess Street. The retained lot will cover an area of approximately 3.1 ha (7.6 a) and contains an existing single detached dwelling. A new single detached dwelling is proposed for each of the two lots to be severed. The owners have also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He pointed out that the owner has previously created a residential building lot just north of the proposed lots requested today. He indicated that the retained lot has access to Main Street that is of a width equal to a typical 66 foot road allowance. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A zone change is required for the severed lots.

D. Bickell stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

R. Jull noted that there is an extension to Burgess Street at the proposed lots.

In response to G. Brumby, G. Hough explained that the retained lot is currently zoned Development (D) and that the 66 feet will form the road allowance upon re-zoning and development of the lot.

B16-02-3

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. If required, the owners shall enter into a standard severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.

3. 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 Norwich.
4. The owners provide Proof of Probability of Potable Water, to the satisfaction of the Oxford County Public Works Department.
5. 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.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B16-03-3

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. If required, the owners shall enter into a standard severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.
3. 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 Norwich.
4. The owners provide Proof of Probability of Potable Water, to the satisfaction of the Oxford County Public Works Department.
5. 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.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-48-2 – Bruce Yausie (Part Lot 26, Conc. 12, Township of East Zorra-Tavistock, formerly Township of East Zorra)

D. Brolese, the owner's agent, was in attendance. He requested a deferral of the application to the May meeting in light of new information received.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 21.17 ha (52.3 ac), contains a barn (to be removed) and is in agricultural production. The severed lot will be added to the agricultural lot to the immediate southwest which contains farm buildings and an accessory single detached dwelling, and is also in agricultural production. The lot to be retained will cover an area of approximately 0.81 ha (2 ac) and contains an existing single detached dwelling and driveway (driveway to be removed).

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

"Deferred"

REASON:

1. The application for consent be deferred in order for the owner to further review his application with Planning staff in light of new information.

CARRIED.

B16-05-8 & B16-06-8 – Upper Thames River Conservation Authority (Part Lot 4, Concession 12, City of Woodstock)

Mr. Spencer McDonald, of the Upper Thames River Conservation Authority, was in attendance to present the application. Also in attendance was Robert Watson, 2 Summit Crescent, Woodstock ON N4S 7W2, the prospective purchaser of the parcel to be severed by B16-05-8. S. McDonald briefly explained the severance proposals and indicated that two small parcels of land will be added to two residential lots. The lands are surplus to the Conservation Authority.

The purpose of the Applications for Consent is to facilitate two residential lot additions. The lot to be severed by B16-05-8 will cover an area of approximately 806.32 sq. m (8,679.16 sq. ft.), is vacant, and will be added to the residential lot to the immediate north (2 Summit Crescent), covering an area of approximately 3,961.58 sq. m (42,643.5 sq. ft.). The lot to be severed by B16-06-8 will cover an area of approximately 1,130.32 sq. m (12,166.66 sq. ft), is also vacant, and will be added to the residential lot to the immediate north (615247 Pittock Park Road), covering an area of approximately 0.63 ha (1.56 ac). The parcel to be retained will cover an area of approximately 10.23 ha (25.29 ac), contains no buildings or structures, and consists of conservation lands.

G. Hough briefly reviewed the staff Planning Report. He indicated that the applications are consistent with the 2014 Provincial Policy Statement and comply with the Official Plan policies. The owner has also applied for zone changes to re-zone the severed parcels. The severances are appropriate and make good use of the properties.

S. McDonald indicated he had no comments.

A. Tenhove questioned whether it was ethical for the Conservation Authority to comment on their own applications. In response, S. McDonald pointed out the Conservation Authority always provide comments, however, no recommendation is made. S. McDonald further noted that the lands west of the subject severances will be retained by the Conservation Authority.

T. Rock asked Mr. Watson if he had any comment to make. Mr. R. Watson stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

R. Jull asked who cuts the lawn on the bank? In response, it was pointed out that the new owner of the severed parcel will.

B16-05-8

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north 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 owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice 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. A 0.3 m (1 ft) reserve along the south side of the lot to be severed, abutting Pittock Park Road, be dedicated to the City of Woodstock, free of all costs and encumbrances, 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

Moved by: T. Rock
Seconded by: R. Jull

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north 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 certificate for the lot to be severed by B16-05-8 be issued, the transfer registered and a copy of the receipted Transfer be provided to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for Application B16-06-8.
4. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice 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. A 0.3 m (1 ft) reserve along the south side of the lot to be severed, abutting Pittock Park Road, be dedicated to the City of Woodstock, free of all costs and encumbrances, 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B16-08-6 & B16-09-6 – Harold Wierenga & Cathy Black (Lot 181, Block 48, Plan 279, Town of Ingersoll)

Harold Wierenga, the owner, was in attendance to speak to his application. Also in attendance was Mr. Dennis Spragg, 214 Cherry Street, Ingersoll ON N5C 1J2.

The purpose of the Application for Consent is to create two residential building lots. The lots to be severed will each cover an area of 392.5 sq. m (4,225.2 sq. ft.). The existing frame garage and garden shed situated on the lot to be severed by B16-09-6 will be removed. The lot to be retained will also cover an area of 392.5 sq. m (4,225.2 sq. ft.) and contains an existing single-detached dwelling (to be removed). It is proposed that a single-detached dwelling will be constructed on each of the two severed lots, as well as the lot to be retained. The owner has also applied for a Partial Discharge of Mortgage.

G. Hough briefly reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement and complies with the infill policies for residential development of the Official Plan. A re-zoning will be required. A mix of lot areas is located within the vicinity. The severances are in keeping with the character of the neighbourhood and, therefore, Planning staff is recommending approval of the two severances.

H. Wierenga stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

D. Spragg stated he was in attendance to learn more about what the owners were proposing. He noted that he owns the property across the road from the Wierenga property and wondered how far back the proposed homes would be from the road. He also had questions regarding the driveways proposed.

H. Wierenga stated that the Town's By-law requires the homes to be constructed 20 feet back from the front property line.

In response to T. Rock, H. Wierenga stated that the plans for the homes are not yet finalized.

R. Jull pointed out that grading in the area is high. In response, H. Wierenga stated that a grading plan will be required prior to the issuance of a Building Permit.

B. George questioned what types of buildings and structures were on the property to the east of the Wierenga property. In response, H. Wierenga indicated that a detached structure was situated on that lot. D. Spragg noted that there is a large fence around the property and from his property he cannot see anything.

D. Spragg also stated that he was concerned about the height of the proposed buildings as it would infringe on his view. In response, H. Wierenga indicated that he will meet all the requirements of the Town's Zoning By-law.

D. Spragg indicated that there is a parking problem now due to the re-location of the community mail boxes. In response, G. Brumby stated that the mailbox location was not within the jurisdiction of the Committee and that he would need to discuss this with Town staff.

B16-08-6

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

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
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 which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
3. The owners shall provide a lot grading plan for the lot to be severed, to the satisfaction of the Town of Ingersoll.
4. The owners shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice versa. Where such services exist, the owners shall relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the Town of Ingersoll.
5. 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.

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

CARRIED.

B16-09-6

Moved by: B. George
Seconded by: H. Elliott

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
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 which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
3. All existing buildings and structures located on the severed and retained lots be removed, to the satisfaction of the Town of Ingersoll.
4. The owners shall provide a lot grading plan for the lot to be severed, to the satisfaction of the Town of Ingersoll.
5. The owners shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice versa. Where such services exist, the owners shall relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the Town of Ingersoll.
6. 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.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B16-10-2 – Robert & Gail Musselman (Part Lot 30, Concession 16, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Robert Musselman was in attendance to present the application. He explained his proposal to the Committee and stated that he wishes to sever approximately 40 acres and consolidate it with the abutting lands to the immediate south, and to retain a lot covering an area of approximately 2.35 acres for rural residential purposes.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 16.19 ha (40 ac), contains no buildings or structures and is in agricultural production. The lot to be severed will be added to the agricultural lot to the immediate south covering an area of approximately 40.47 ha (100 ac), consisting of an existing barn, shed and an accessory single-detached dwelling. The lot to be retained will cover an area of approximately .80 ha (1.97 ac) and contains an existing single-detached dwelling and two sheds. The lot to be retained will be used for non-farm rural residential purposes.

G. Hough briefly reviewed the staff Planning Report. He pointed out that in their comments the Public Health Department determined that the original 2 acres to be retained would not be large enough to accommodate the septic system. Therefore, the lot will need to be increased to 2.35 acres. The application is consistent with the 2014 Provincial Policy Statement and meets the policies of the Official Plan. He explained that the two accessory buildings on the retained lot are in excess of 7,000 sq. ft. and, therefore, Planning staff is recommending that the larger of the two buildings will need to be removed.

In response, R. Musselman stated that he does not wish to remove the buildings as he needs them for storage of his farm equipment.

R. Jull questioned whether the buildings were capable of housing livestock? In response, R. Musselman stated there is no livestock in the buildings.

G. Hough noted that accessory structures are permitted on lots zoned 'RR', but to a maximum lot coverage of 10 per cent of the lot area, or 280 m² (3,014 ft²) of gross floor area, whichever is less. In this case, the lot to be retained contains two agricultural accessory buildings comprising 401.3 m² (4,320 ft²) and 309.2 m² (3,328 ft²), which, both individually and together, exceed the permitted allowance for accessory structures in the 'RR' zone. In response to R. Jull, G. Hough stated that together, the two accessory structures appear to be under the 10 per cent total lot coverage requirement.

R. Musselman questioned what options he might have. It was pointed out that he has one year to remove the buildings in order to meet the lapsing date of the severance.

Moved by: M. Hacon

Seconded by: R. Rock

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately zoned.
2. 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.

3. The existing manure storage tank located on the lot to be retained be removed, to the satisfaction of the Township of East Zorra-Tavistock.
4. The larger of the two accessory buildings located on the lot to be retained, as identified on Plate 3 of Report No. CASPO 2016-76, be removed, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners obtain a Change of Use Permit for the existing accessory buildings that are to remain on the lot to be retained, if such buildings were designed as farm buildings, to the satisfaction of the Township of East Zorra-Tavistock.
6. The owners provide a survey of the lot to be retained, indicating the location and setbacks of all buildings and structures, to the satisfaction of the Township of East Zorra-Tavistock.
7. If required, 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.
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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

CARRIED.

B15-20-2 – Rob & Sherry Ramseyer (Part Lot 18, Conc. 5, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Rob & Sherry Ramseyer were in attendance. S. Ramseyer presented the application to the Committee. She indicated that her agent was not able to attend the meeting. She stated that the lot proposed exceeds the lot size requirements. An infill lot is proposed. She stated that she understands the lot depth concerns. She provided examples of other severances in the Township where lots were created with less than the 30 m required lot depth, and were re-zoned with a special R1 Zone. The first example was at 72 Jacob Street West in Tavistock, while the second example was for a severance that was created with deficiencies in Innerkip. She indicated that when they first met with J. Shearer, the Township Chief Building Official and the County Planner, no concerns were raised regarding their proposal. Their rear yard backs onto agricultural lands. She pointed out that a new service was installed at the lot in anticipation of a new lot being created. They no longer want a large property and propose to construct a 1-1/2 storey home. She indicated this will fit nicely within the neighbourhood.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of 536 sq. m (5,770 sq. ft.), and is currently vacant. The lot to be retained will cover an area of 824 sq. m (8,870 sq. ft.) and contains an existing single-detached dwelling, with an attached garage. It is proposed that a single-detached dwelling will be constructed on the lot to be severed.

G. Hough briefly reviewed the staff Planning Report. He explained that Planning staff has concern with the deficient depth to accommodate a house, based on the building envelope. He reviewed the Official Plan policies and the Zoning By-law provisions. He pointed out that staff is not in support of the application.

S. Ramseyer indicated that Township Council voiced no objection to the application. She passed around photos of the area and stated that their proposal will conform to the character of the neighbourhood.

R. Ramseyer re-iterated that the storm sewers are already in place.

In response to R. Jull, R. Ramseyer stated that the trees on the south side of the property are located on the property line.

M. Hacon indicated that he saw no sign posted on the property. L. Taschner explained that no sign was required as the application was deferred at the previous meeting.

B. George pointed out that the agricultural lands at the rear of the lots may not exist in the future, and noted the location of a shop on the property. In response, S. Ramseyer stated that they were not concerned with the location of the existing shop.

H. Elliott questioned why the infrastructure would be in place, where no development has taken place. In response, G. Hough pointed out that just because the infrastructure is in place, it does not justify a severance. It is simply anticipated that a severance could take place.

G. Hough reviewed the suggested conditions with the Committee and the owners.

B. George stated that the severance should not be approved based on the deficient lot depth and noted he feels there is not enough room to build an appealing house.

T. Rock stated that he will not be supporting the severance. There are substantial reasons noted in the staff Planning Report. When a negative recommendation is provided by Planning, T. Rock questioned why the conditions for approval are provided to the Committee at the same time. In response, G. Hough pointed out the conditions are provided for the Committee's assistance, to ensure that the proper conditions are included in the recommendation of the decision.

S. Ramseyer stated that the severed lot is certainly wide enough for a house. If the Township was to dispose of the lot, no severance would be required. She noted that she and her husband visited the home at 72 Jacob Street in Tavistock and that the home they are proposing is similar in size.

R. Jull noted that the Township had no concurs with the application.

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
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 properties 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 which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.

3. A driveway entrance be provided for the lot to be severed and retained, to the satisfaction of the Township of East Zorra-Tavistock Director of Public Works and Development.
4. Alterations to the garage on the lot to be retained be completed, to the satisfaction of the Township Chief Building Official, for vehicle access.
5. If required, the owner shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
6. 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 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 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan with respect to street oriented neighbourhood infill development and is considered to be consistent with the character of the existing neighbourhood with respect to lot area, and setbacks for a proposed single detached dwelling.
3. The application for consent meets the provisions of the Township of East Zorra-Tavistock Zoning By-law No. 2013-18.

CARRIED.

On the motion of H. Elliott, the Committee meeting adjourned at 12:15 p.m.

"Gordon Brumby"

CHAIRMAN