

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, January 19, 2017

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, January 19, 2017 at 9:00 a.m. with the following individuals:

- G. Brumby
- H. Elliott
- B. George
- M. Hacon
- R. Jull
- A. Tenhove

- Senior Planner - R. Versteegen
- Secretary-Treasurer - L. Taschner

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

ELECTION OF CHAIR:

The Secretary-Treasurer opened the floor for nominations for the position of Chair and Vice Chair of the Committee for the year 2017.

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

"That Gord Brumby be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2017."

CARRIED.

Gord Brumby accepted the nomination.

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

"That the nominations for the position of Chair of the County of Oxford Land Division Committee for the year 2017 be closed."

CARRIED.

Gord Brumby was declared Chair of the County of Oxford Land Division Committee for the year 2017.

ELECTION OF VICE-CHAIR:

Nominations for the position of Vice-Chair were invited.

Moved by: G. Brumby
Seconded by: A. Tenhove

"That Brian George be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2017."

CARRIED.

Brian George accepted the nomination.

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

“That the nominations for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2017 be closed.”

CARRIED.

Brian George was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2017.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of December 1, 2016, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

L. Taschner discussed the OACA Conference to be held in Ottawa from June 4 to June 4, 2017. The members stated they would check their calendars and would confirm whether or not they were available to go.

CORRESPONDENCE:

Correspondence dated January 12, 2017 was received from the Upper Thames River Conservation Authority regarding Application B16-57-8 - Theodore F. Ditchfield & Lillian L. Blumenstock.

Correspondence dated January 12, 2017 was received from the Upper Thames River Conservation Authority regarding Application B16-50-2 – Roger W. Cowing.

Correspondence dated January 17, 2017 received from Tom & Andrea Majewski regarding Application B16-57-8 – Theodore F. Ditchfield & Lillian L. Blumenstock.

Correspondence dated January 17, 2017 was received from Gregory & Michelle Black regarding Application B16-57-8 – Theodore F. Ditchfield & Lillian L. Blumenstock

Correspondence dated January 19, 2017 was received from Christine Valerio regarding Application B16-57-8 - Theodore F. Ditchfield & Lillian L. Blumenstock

Correspondence dated January 19, 2017 was received from Nelson Valerio regarding Application B16-57-8 - Theodore F. Ditchfield & Lillian L. Blumenstock

APPLICATIONS FOR CONSENT:

B16-48-8 – Kevin Jay Truscott (Part Lot 11, Plan 225, City of Woodstock)

Ron Paton, agent for the owner, was in attendance to present the application. He briefly explained the application to the Committee.

The purpose of Application for Consent is for a residential lot addition. The parcel to be severed will cover an area of approximately 166.9 sq. m. (1796.6 sq. ft.), is currently vacant and will be added to the residential lot to the immediate north. The lot to be retained will cover an area of approximately 343.4 sq. m. (3,696.4 sq. ft.) and contains an existing single-detached dwelling. The lot to be enlarged contains a semi-detached dwelling and a detached garage and is approximately 885.4 sq. m. (9,530.6 sq. ft.) in area.

This application is associated with B16-49-8 (Ronald William Paton). Upon completion of the lot addition proposed by this application, the owners of 294 Brant Street (the enlarged lot) propose to sever a residential building lot comprising the severed lands resulting from B16-48-8 and a portion of the lot to be enlarged. The new lot created by both B16-48-8 and B16-49-8 will have frontage on Brant Street.

R. Versteegen reviewed the staff Planning Report. He explained that the current application is for a residential lot addition to the lot to the immediate north. The property is designated Low Density Residential in the County Official Plan and is zoned Residential Type 1 (R1) in the City's Zoning By-law. Industrial uses are located to the north and west, including the CP Rail, while residential uses are located to the east. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. The application originally requested minor variances from the lot frontage, front yard and interior side yard on the retained lot, however, it was determined that those deficiencies are considered legal non-conforming and, therefore, no minor variances are required. No comments or concerns were received from any of the neighbours as a result of the public notice process.

R. Paton concurred with the findings and suggested conditions of the staff Planning Report.

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

'Granted'

CONDITIONS:

1. 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.
2. The owner shall provide confirmation that turning movements between the retained lot and the rear lane will not encroach onto adjacent properties, to the satisfaction of the City Engineering Department.
3. The owner shall obtain the required permits and municipal approvals for the access from Oxford Street to the retained lot, to the satisfaction of the City of Woodstock.
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 provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
6. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.

-
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.

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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B16-49-8; A16-10-8 – Ronald Paton (Part Lots 11 & 12, Plan 225, City of Woodstock)

R. Paton was in attendance to present the application.

The purpose of the Application for Consent is to create a residential lot that will accommodate a single detached dwelling. The lot to be severed will cover an area of approximately 305.9 sq. m. (3,292.8 sq. ft.) and currently contains a detached garage that is to be demolished. The lot to be retained will cover an area of approximately 579.5 sq. m. (6,237.9 sq. ft.) and contains an existing semi-detached dwelling that will remain on the subject property.

This application for consent is contingent upon the approval of Consent Application B16-48-8 (Kevin Jay Truscott), which proposes to sever lands from an abutting property to the immediate south and will be merged with the applicant's property. The 'merged' lands resulting from B16-48-8 and a portion of the applicant's lot will form the new lot proposed by this severance application.

A minor variance from the City of Woodstock By-law No. 8626-10 has also been requested to recognize the front yard depth of 0 m in favour of the required 6 m (19.7 ft.) and an interior side yard depth of 1.42 m (4.7 ft.) in favour of the required 3 m (9.8 ft.) for the existing semi-detached dwelling on lot to be retained.

R. Versteegen briefly reviewed the staff Planning Report. He explained that this application was the second process which will create the residential infill lot. The existing single detached dwelling will be removed and a new single detached dwelling will be constructed. Access for the severed lot will be off of Brant Street, while access for the retained lot will be via the City owned alley way. The application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies and the minor variance requested for the retained lot will meet the Zoning By-law provisions. Woodstock Council is in support of the severance for a creation of a new lot.

R. Paton stated he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to R. Jull, R. Paton stated that the City of Woodstock maintains the lane.

In response to A. Tenhove, R. Versteegen stated that the City Engineering Department has no concerns with the use of the laneway.

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

'Granted'

B16-49-6

CONDITIONS:

1. The certificate for Application B16-48-8 shall be issued and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B16-49-8.
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.
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 provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
6. The owner shall remove the detached garage from the severed parcel to the satisfaction of the City of Woodstock Building Department.
7. The owner shall provide four legal parking spaces on the retained parcel as required by the Zoning By-law for the two dwelling units contained in the semi-detached dwelling to the satisfaction of the City of Woodstock Building Department.
8. 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.
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.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A16-10-8

REASONS:

1. The variances requested are minor variances from the provisions of the City of Woodstock Zoning By-law No.8626-10.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested are in keeping with the general intent and purpose of City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B16-50-2 – Roger Cowing (Part Lot 16, Conc. 17, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Roger Cowing, together with his agent, Zach Jancsar, were in attendance. Z. Jancsar presented the application. They reviewed the late correspondence received from the Upper Thames River Conservation Authority.

The purpose of the application for consent is for a non-farm rural residential lot addition. The lot to be severed will cover an area of approximately 3,371 m² (0.83 ac), and is vacant. It is proposed that the lot to be severed will be added to the non-farm rural residential parcel to the immediate north. The lot to be enlarged is approximately 2,322.9m² (0.57 ac) in size, and contains an existing single detached dwelling and an in-ground pool. The lot to be retained will comprise approximately 18.79 ha (46.44 ac) and is currently vacant. The lot to be retained is used for agricultural purposes.

R. Versteegen reviewed the staff Planning Report. He noted that the subject property is located within the Agricultural Reserve designation of the Official Plan and is zoned General Agricultural (A2) in the Zoning By-law. The lot to be enlarged is zoned Residential Existing (RE). The purpose of the severance is to correct an encroachment issue whereby the existing lot line runs through the pool. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A re-zoning will be necessary to recognize the severed and enlarged lots. The retained lot will continue to be used for agricultural purposes. No comments or concerns were raised as a result of the agency circulation or the public notice process.

In response to B. George's query, R. Versteegen pointed out that the RE lot existed prior to the By-law being passed. R. Versteegen pointed out that Condition No. 1 of the decision will need to be amended to read 'severed and enlarged lot be appropriately zoned'.

G. Brumby stated that he did not see the posted sign on the property along the 17th Line. Z. Jancsar stated that the sign blew away.

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

'Granted'

CONDITIONS:

1. The lots to be severed and enlarged 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. If required, the owners enter into a standard Severance Agreement with the Township of East-Zorra Tavistock, to the satisfaction of the Township.
4. The owners provide a survey of the lot to be severed, indicating the location and setbacks of all buildings and structures, to the satisfaction of the Township of East Zorra-Tavistock.
5. Drainage assessment reapportionment 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 East Zorra-Tavistock.
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.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B16-52-7; A16-11-7 – The Roman Catholic Episcopal Corporation of the Diocese of London
In Ontario (Lots 798 to 801, Plan 500, Town of Tillsonburg)

Tena Mendonca of 18 Stubbs Court, Tillsonburg ON N4G 4P5 was in attendance to present the application.

The application for consent proposes to create a residential lot. The lot to be severed will cover an area of approximately 544.6 sq. m (5,862 sq. ft.) and consists of a single-detached dwelling and attached garage. The lot to be retained will cover an area of approximately 2,040 sq. m (21,959 sq. ft.), is vacant and will continue to serve as parking for the existing church across the road to the west. An identical application was approved by the Land Division Committee on May 5, 2004; however, the application was not completed within the one-year period.

An application for minor variance has also been submitted and relief is sought from the Town of Tillsonburg Zoning By-law No. 3295 to recognize the location of the existing single-detached dwelling on the lot to be severed:

Section	Required	Proposed
Section 12.2, Lot Area (corner lot)	555 m ² (5,974.2 ft ²)	544.6 m ² (5,862 ft ²)
Section 12.2, Lot Depth	30 m (98.4 ft)	26.6 m (87.5 ft)
Section 12.2, Front Yard	7.5 m (24.6 ft)	3 m (9.9 ft)
Section 12.2, Exterior Side Yard	7.5 m (24.6 ft)	2.7 m (9.1 ft)
Section 12.2, Rear Yard	9 m (29.5 ft)	7.5 m (24.7 ft)

R. Versteegen reviewed the staff Planning Report. He stated that the subject property is designated Entrepreneurial in the Official Plan and Zoning By-law. The application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. A number of minor variances have been applied for in conjunction with the severance. An application to create two residential lots was approved by the Land Division Committee in 2004. Consent was completed on one of the lots. The severance for the lot before the Committee today lapsed in 2004 and now the owner is requesting the identical severance. The minor variances are to recognize the existing house on the severed lot. The retained lot will continue to be used as a parking lot for the church situated across the road. Planning staff is in support of the application.

T. Mendonca stated that she concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to R. Jull, T. Mendonca stated that there is an access through the back of the property on the retained lot to a lane.

In response to G. Brumby, T. Mendonca stated that the house will likely be torn down.

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

'Granted'

B16-52-7

CONDITIONS:

1. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
2. 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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A16-11-7

REASONS:

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested are in keeping with the general intent and purpose of Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

B16-55-2 & B16-56-2 – 634524 Ontario Inc. (Lots 47 & 48, Plan 111; Part Block A, Plan 111, Township of East Zorra-Tavistock, formerly Village of Innerkip)

Ray Losee was in attendance to present the application to the Committee. He explained he wishes to create two residential building lots which will front onto Queen Street in Innerkip. He noted that water and sewer are available.

The purpose of the Application for Consent is to create two residential building lots. The lot to be severed by B16-55-2 will cover an area of approximately 895.5 m² (9,639.1 sq.ft.) and the lot to be severed by B16-56-2 will cover an area of approximately 817.6m² (8,800.5 sq.ft.). The lot to be retained will cover an area of 938.0 m² (3,077.4sq.ft.), and contains an existing single detached dwelling with attached garage. The severed lots are currently vacant and it is proposed that a single detached dwelling will be constructed on each of the severed lots.

R. Versteegen reviewed the staff Planning Report. He pointed out that all the frontages will be on Queen Street. The severed and retained lots will be fully serviced. There is an existing single detached dwelling situated on the retained lot. The applications are consistent with the 2014 Provincial Policy Statement and create an infill opportunity. The applications comply with the Official Plan policies and conform to the R1 Zone provisions. No objections or concerns were raised during the agency circulation or through the public notification process. Planning staff is in support of the severance and recommend approval.

R. Losee stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

In response to A. Tenhove, it was pointed out that the most northerly lot (B16-56-2) could have access of Balsam Street or Queen Street.

In response to G. Brumby, R. Versteegen stated that the Township will need to determine the orientation of the house to either face Balsam Street or Queen Street.

B16-55-2

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

'Granted'

CONDITIONS:

1. The owner enters into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.

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 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.
4. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the Township of East Zorra-Tavistock.
5. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.
6. The owner shall provide exposure protection and percent glazing calculation for the south side exposed building face, to the satisfaction of the Township.
7. 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.
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.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application

B16-56-2

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

'Granted'

CONDITIONS:

1. The owner enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township. The Agreement shall include provision that the owner will be responsible for costs associated with curb cuts and sidewalk work and/ or redesign.

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 owner shall obtain all required municipal approvals for the development of the driveway access to the severed lot.
4. 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.
5. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the Township of East Zorra-Tavistock.
6. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.
7. 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.
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.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B16-54-5 – Steve & Kim Thomas (Part Lot 20, Conc. 9, Township of Zorra, formerly Township of East Nissouri)

Steve & Kimberley Thomas, together with their agent, David Roe, were in attendance. D. Roe explained the application to the Committee. He pointed out that the severance is for an agricultural lot addition, and the lot to be retained is proposed to be used as a dog kennel.

The purpose of the application for consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 20.2 ha (50 ac), contains no buildings or structures and is in agricultural production. The severed lot is to be added to the adjacent agricultural lot to the immediate east which covers an area of approximately 69.5 ha (172 ac), and contains

farm buildings and an accessory single detached dwelling. The lot to be retained cover an area of approximately 0.57 ha (1.41 ac) in area, and contains a single detached dwelling, and an existing kennel/dog rescue business.

R. Versteegen reviewed the staff Planning Report. He stated that the retained lot consists of an existing house and two buildings associated with a dog kennel/rescue business. The lot to be severed is to be consolidated with the farm to the immediate east which contains farm buildings and an accessory house. The application is consistent with the 2014 Provincial Policy Statement, and complies with the Official Plan policies. He explained that in reviewing the policies of the Official Plan, proposals for non-farm residential development which accumulate less than +12 points may be considered for approval, provided that the proposal conforms to the general policies for such consent applications. The proposal to retain approximately 0.57 ha (1.41 ac) for non-farm rural residential purposes accumulates +8 points, and, therefore, the application is supportable. The retained lot will require a re-zoning to a special Rural Residential Zone to recognize the two larger structures used for the dog kennel. The application was reviewed by commenting agencies and no objections or concerns were received. No comments or concerns were raised as a result of the public notification to the neighbours.

D. Roe concurred with the suggested conditions and the recommendation of the staff Planning Report.

R. Jull wondered whether the animal control operation will serve the Township only.

M. Hacon questioned why the zoning would not reflect a business on the property. In response, R. Versteegen stated that the use is long-standing, and agreed that the zoning should reflect the use. He further stated that the use meets the permitted uses in the Zoning By-law.

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

'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 east and be consolidated with said owners' 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. Drainage re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Zorra
4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial 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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B16-57-8 – Theodore F. Ditchfield & Lillian L. Blumenstock (Part Lot 5, Conc. 13, City of Woodstock)

Ray Losee, the owners' agent, was in attendance to present the application. Also in attendance were:

Robert Watson
2 Summit Crescent
Woodstock ON N4S 7W2

Frank Sloan
290 Pittock Park Road
Woodstock ON N4S 7W2

R. Losee reviewed the late correspondence received from the following individuals: Upper Thames River Conservation Authority, Tom & Andrea Majewski, Gregory & Michelle Black, and Nelson & Christine Valerio.

R. Losee explained that this property has a history of development activity. He explained that he is purchasing the severed lot and will consolidate it with his existing property which fronts onto Pittock Park Road, and proposes to develop the property with low density residential uses. The existing Ontario Municipal Board hearing resulted in the requirement that the lands be held in one ownership. He is proposing 22 senior-type bungalow semi-detached dwellings with garages. There will be a private road accessing the development. The development could be gated.

The purpose of the Application for Consent is for a lot addition. The lot to be severed will cover an area of approximately 1.2 ha (2.9 ac) and contains an existing structure to be demolished. The lot to be severed will be added to the residential lot to the immediate east which covers an area of approximately 677.4 sq. m (7,291.8 sq. ft.), and contains an existing single-detached dwelling also to be demolished. The lot to be retained will cover an area of approximately 1,336.5 sq. m (14,386.9 sq. ft.) and contains an existing single-detached dwelling and garage. The owners have also applied for Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report. He explained that the lot to be retained consists of an existing single detached dwelling and garage. The severed lot consists of an accessory structure to be removed. He pointed out that the Land Division Committee is dealing with only the severance of the property and that other development applications will be considered by the County of Oxford and the City of Woodstock in due course. There is some history regarding the property. In 2009, it was proposed that the subject property would be used for a townhouse development. The application was supported and approved by Woodstock Council and was subsequently appeal by the neighbours to the Ontario Municipal Board which, in turn, upheld the neighbours' appeal. A subsequent severance was also refused by the Ontario Municipal Board.

R. Versteegen stated that the current application before the Committee is consistent with the 2014 Provincial Policy Statement. An Official Plan Amendment and Zone change will be required to proceed with the intended development. The lot to be enlarged is currently zoned Residential Type 1 (R1), while the lot to be severed is currently zoned Future Development (FD).

R. Losee stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

G. Brumby explained to those in the gallery that only the severance of the land was being discussed at this meeting and not how it is to be developed.

R. Watson spoke in opposition to the severance application and stated that allowing the severance will impact greatly on the community and streetscape. He noted that allowing the severance of this development will be very costly to the neighbours in hiring consultants, lawyers and planners if they wish to appeal the decision to the Ontario Municipal Board. He confirmed with staff that it is up to the Land Division Committee to either approve or deny the application. He stated that he felt the Committee should not approve the application, given the impacts on the neighbours and taxpayers. He suggested that if the severance is not approved, there would be no development. It was pointed out to B. Watson that regardless of the severance, the lands could be developed.

R. Watson presented his comments and concerns to the Committee and staff. He indicated that the severance will affect the parking problems already existing. He passed around photos to the Committee members and staff for their review. He noted that there are no sidewalks and that traffic already increases during the time that Pittock Park is opened. He pointed out that there are already 24 homes along the 13th Line. The proposed development will double the number of homes on the street. He confirmed that there is no way of knowing whether Senator Homes, the current developer of an existing subdivision currently underway surrounding the existing property mentioned to purchasers of their subdivision that homes could be constructed on this property.

F. Sloan explained that he lives across the road from the proposed lot. He stated that he too objects to the severance of the property. He is concerned with the increase of traffic in the area after the lands are developed and noted that applications on this property have been in front of the Ontario Municipal Board twice before.

R. Losee pointed out that one of the owners, F. Ditchfield, did speak to prospective purchasers of lots in the vicinity about his property.

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The 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 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.
3. The owners shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
4. 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.
5. The owners shall agree, in writing, that the existing well on the lot to be retained will be properly abandoned in accordance with Ontario Regulation 903 and that all septic fields will be abandoned, to the satisfaction of the County Board of Health and the necessary paperwork will be forwarded to the City of Woodstock for review.
6. The owners shall provide the County of Oxford Public Works Department a letter acknowledging that they will pay \$31,619 and \$48,449 for the provision of water and sanitary services respectively at the time of site plan approval for the severed and enlarged lands. Any prospective purchaser of these lands shall be notified of these costs.

-
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.

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.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

On the motion of A Tenhove, the Committee meeting adjourned at 10:50 a.m.

CHAIRMAN