

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, January 18, 2018

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, on Thursday, January 18, 2018 at 9:00 a.m. with the following individuals:

	-	G. Brumby
	-	H. Elliott
	-	B. George
	-	M. Hacon
	-	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 2018.

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

"That Brian George be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2018."

CARRIED.

Brian George accepted the nomination.

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

"That the nominations for the position of Chair of the County of Oxford Land Division Committee for the year 2018 be closed."

CARRIED.

Brian George was declared Chair of the County of Oxford Land Division Committee for the year 2018.

ELECTION OF VICE-CHAIR:

Nominations for the position of Vice-Chair were invited.

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

"That Gordon Brumby be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2018."

CARRIED.

Gordon Brumby accepted the nomination.

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

“That the nominations for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2018 be closed.”

CARRIED.

Gordon Brumby was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2018.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of December 7, 2016, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

Correspondence dated January 12, 2018 was received from the Council of the City of Woodstock regarding Applications B17-02-8 to B17-04-8; A17-10-8 (1266639 Ontario Inc.).

Correspondence dated January 18, 2018 was received from the City of Woodstock regarding Applications B17-02-8 to B17-04-8; A17-10-8 (1266639 Ontario Inc.)

APPLICATIONS FOR CONSENT:

B17-02-8 to B17-04-8; A17-10-8 – 1266639 Ontario Inc. (Lot 12, Park Strip, Registered Plan 445, City of Woodstock)

The owner, Ray Losee was in attendance to present the application. Also in attendance were the following individuals:

Donna MacKay
242 Sydenham Street
Woodstock ON N4S 7B9

William McDonald
225 Sydenham Street
Woodstock ON N4S 7B8

The Committee reviewed the two pieces of late correspondence received from the City of Woodstock regarding the applications.

The purpose of the Applications for Consent is to create 3 residential building lots. The lot to be severed by B17-02-8 will cover an area of approximately 460.3 m² (4,954.8 ft²) with a 12.1 m (39.7 ft) frontage and 43 m (141 ft) depth; the lot to be severed by B17-03-8 will cover an area of approximately 403.6 m² (4,344.6 ft²) with a 12 m (39.4 ft) frontage and 33.6 m (110.2 ft) depth; and the lot to be severed by B17-04-8 will cover an area of approximately 530.2 m² (5,707.2 ft²) with an 18.9 m (62 ft) frontage and 28.8 m (94.5 ft) depth. The proposed lot to be retained will cover an area of approximately 458.6 m² (4,936.5 ft²) with a 12.0 m (39.4 ft) frontage and 38.2 m depth. A single detached dwelling is intended to be constructed on each of the proposed lots. The existing single detached dwelling located on the proposed retained lot will remain. The owner has applied for Partial Discharge of Mortgage.

The owner has also applied for minor variances from the City of Woodstock Zoning By-law No. 8626-10 as follows: Relief is sought from Table 6.2, Lot Area, for the lot to be severed by B17-04-8 (Lot C), to reduce the lot area from 540 m² (5,812.7 ft²) to 530 m² (5,705.1 ft²); relief is also required from Table 6.2, Rear Yard Depth, for the lot to be retained, to reduce the setback from 7.5 m (24.6 ft) to 6.7 m (21.98 ft).

R. Versteegen briefly reviewed the staff Planning Report for the benefit of the Committee and the general public. He indicated that single detached dwellings are proposed to be constructed on each of the severed lots. The property is designated Low Density Residential in the County Official Plan, and is zoned 'Residential Type 1 Zone (R1)' in the City of Woodstock Zoning By-law. Access and all services will be from Sydenham Street. He gave a history of the events that have taken place to date:

The owner originally applied for four severances. A staff planning report was presented to Woodstock Council at its open public meeting on April 18, 2017 and subsequent Council Meeting of April 20, 2017, recommending deferral of the applications, to allow the owner to meet with Planning staff to further review the proposals. Taking into consideration, Woodstock Council's deferral of the applications, no meeting was scheduled before the Land Division Committee.

As a result, the owner subsequently revised his applications by withdrawing a consent application, reconfiguring the proposed lots in the remaining consent applications in addition to withdrawing the accompanying zone change application which had proposed to rezone the subject property from 'Residential Type 1 Zone (R1)' to 'Special Residential Type 2 Zone (R2-Special)'.

A staff planning report, recommending approval for the creation of the three residential building lots, was presented to Woodstock Council at its open public meeting on August 7, 2017 and subsequent Council meeting of August 10, 2017. Woodstock Council again deferred consideration of the applications. Without the benefit of a Council resolution to proceed, the severances were removed from the September 7, 2017 Agenda of the Land Division Committee.

Subsequent to this, a staff planning report was presented to Woodstock Council for its open public meeting on September 18, 2017 and subsequent Council meeting of September 21, 2017, recommending approval for the creation of the three proposed residential building lots. Woodstock Council, again, deferred the applications. Without the benefit of a Council resolution to proceed, the severances were removed from the October 5, 2017 Agenda of the Land Division Committee. The three proposed lots met all of the zone provisions of the R1 Zone, except for the rear yard setback of the existing garage on the lot to be retained due to the road widening along Huron Street and the lot area of the proposed corner lot to be severed by B17-04-8. The owner subsequently amended Application B17-04-8 to include a minor variance to recognize these deficiencies.

A staff report was presented to Woodstock Council at its Open Public Meeting of January 8, 2018 and subsequent Council meeting of January 11, 2018, recommending approval for three residential building lots total. Woodstock Council, again, deferred the applications in order for the City to potentially acquire a portion of the lot proposed by B17-04-8 to be used as a parkette.

In response to the deferral, R. Losee stated that he wished to proceed with the applications, as submitted, to create three residential building lots and retain a lot with an existing single detached dwelling.

Donna MacKay, a neighbour, presented a letter to the Secretary-Treasurer. She stated that she has lived in the area for six decades. She stated that she had no concerns with single detached dwellings being proposed, but was concerned over the number of lots proposed. She indicated

that she felt that the severed lot (B17-02-8) was too narrow. She pointed out that the large oak tree and other trees were removed and that there is little room for parking. The community mailboxes are located on the corner of Huron and Sydenham Streets. She also had concerns about snow removal. She stated that the neighbours feel that the lots will be crammed into the area and that she agreed with City Council's position in that only two lots should be created.

William McDonald stated that he agreed with Donna MacKay's presentation. He also stated that he had concerns with the traffic on Sydenham Street. He indicated concerns that many trees have been cut down by the owner.

G. Brumby noted that Woodstock Council has requested a deferral of the applications to consider the acquisition of part of the property as a parkette. He noted that Mr. Losee indicated that there is no existing deal on the table and that he wishes to proceed.

R. Versteegen reiterated that the staff Planning Report is in support of the severances as in staff's opinion the applications are consistent with 2014 Provincial Policy Statement, comply with Official Plan policies, and generally comply with the R1 Zone provisions of the Woodstock Zoning By-law.

A. Tenhove suggested that the City of Woodstock was a little too late in requesting a parkette.

G. Brumby asked whether the owner would be replanting any trees. In response R. Versteegen stated that tree planting to the City's satisfaction is reflected in Condition 1 of the recommended conditions. G. Brumby then stated that he felt that there was nothing further to discuss.

In response to a question from G. Brumby on whether a further deferral would be appropriate to provide time for the owner and City to negotiate a settlement regarding the parkette A. Hachler, planner for the City of Woodstock noted that the matter has been deferred four times by City Council over the course of the past year and recommended that the Committee move forward with a decision of the applications.

A. Tenhove questioned whether the City could file an appeal if the decisions are approved by the Committee. R. Versteegen answered in the affirmative, however that the decision would be made by City Council.

B17-02-8, B17-03-8 & B17-04-8; A17-10-8

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

'Granted'

NOT CARRIED.

Those members not concurring in the motion, discussed reasons of denial of the application.

The following two reasons were agreed upon by the three members:

B17-02-8 to B17-04-8

1. The application be denied for the reasons set out in the City of Woodstock Council resolution of January 11, 2018 which reads as follows:
 - That Woodstock City Council in a resolution advised that the City did not support the applications to sever the subject property as presented;
 - And further that City Council supported, in principle, the severance of the subject lands to be maximum of three lots, including the retained lot;
 - And further that City Council would consider the acquisition of a portion of any remaining land at the north end of the subject property for future parkette purposes subject to further discussion with the applicant; and
 - City Council requested that the applications be deferred to consider alternatives.

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

A17-10-8

REASONS:

1. The application be denied for the reasons set out in the City of Woodstock Council resolution of January 11, 2018 which reads as follows:
 - That Woodstock City Council in a resolution advised that the City did not support the applications to sever the subject property as presented;
 - And further that City Council supported, in principle, the severance of the subject lands to be maximum of three lots, including the retained lot;
 - And further that City Council would consider the acquisition of a portion of any remaining land at the north end of the subject property for future parkette purposes subject to further discussion with the applicant; and
 - City Council requested that the applications be deferred to consider alternatives.
2. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to deny the application.

CARRIED.

B17-66-3 – Adrian Boeder (Lot 120, Plan 388, Township of Norwich, formerly South Norwich)
Village of Otterville)

The owner, Adrian Boeder, together with the purchaser of the severed lot, George Forsyth, were in attendance. A. Boeder presented the application to the Committee.

The purpose of the Application for Consent is for a residential lot addition, whereby approximately 333.5 m² (3,589.8 ft²) will be severed from the rear of the subject lands to be added to the property to the immediate west. Once merged, it is proposed that the lot to be enlarged will be approximately 1,339.5 m² (14,418.3 ft²) in area. The lot to be enlarged contains an existing single detached dwelling and no new development is proposed. The lot to be retained contains an existing single detached dwelling and, once severed, will be approximately 2,801.5 m² (30,155.1 ft²) in size.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the application is for a residential lot addition. The retained lot and the enlarged lot both consist of single detached dwellings. The lot to be severed is vacant. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. Both the retained and enlarged lots have private sanitary services and are municipal water. The lot to be enlarged is currently undersized and will continue to be undersized, even with the addition of the lot and, therefore, a zone change is necessary to recognize its new lot size. The property is currently zoned Residential Type 1 (R1).

A. Boeder stated that he concurred with the suggested conditions and the recommendation of the staff Planning Report.

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

'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 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 must be reflected on the certificate.
3. The owner provide proof that the septic systems serving both the lot to be retained and the lot to be enlarged are located a minimum of 3.0 m (9.8 ft) from any new property lines, to the satisfaction of County of Oxford Public Health and Emergency Services.
4. The owner shall provide a survey of both the severed and retained lots to confirm lot dimensions, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.
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.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-67-3 – Rebecca H. Ryksen (Part Lot 27, Plan 239; Part Lot 15, Concession 1, Township of Norwich, formerly North Norwich – Village of Norwich)

Ryan Verhoog, the owner's solicitor, was in attendance to present the application. He briefly explained the easement to the Committee.

The purpose of the Application for Consent is to create an easement over the subject property in favour of the lands to the immediate west. The effect of the proposed easement will be to create a 6.1 m (20 ft) access off of Main Street North for the lands to the west of the subject property.

R. Versteegen briefly reviewed the staff Planning Report. He explained that an easement for access purposes to lands to the immediate west are being requested. This will improve the existing situation. The easement will measure 20' x 300'. In Planning staff's opinion, the application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies, and conforms to the Township Zoning By-law. The Public Health Department has requested the location of the existing septic system as it may be in the location of the existing driveway.

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

G. Brumby questioned whether the proposed easement will benefit future owners? In response, R. Verhoog indicated that the easement will be more beneficial than if no easement is granted. The two owners will not be moving anytime in the future.

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

'Granted'

CONDITIONS:

1. The owner be required to provide the exact location of the existing septic system for the lands subject to this application (648 Main Street North), and for the lands to the immediate north (656 Main Street North), to the satisfaction of the County of Oxford Public Health and Emergency Services Department. This information must demonstrate that the proposed access easement will not negatively affect any existing private services.
2. The owner be required to secure an entrance permit to the subject property from the Township of Norwich, to the satisfaction of the Township of Norwich Public Works Department.
3. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

B17-68-8 – Amer Cengic (Part Lot 28, Registered Plan 212, City of Woodstock)

No one was in attendance to speak to the application.

The purpose of the Application for Consent is to separate an existing semi-detached dwelling into two separate lots. The lot to be severed comprises approximately 643.5 m² (6,926.6 ft²), while the lot to be retained comprises approximately 636.3 m² (6,849.1 ft²). Each lot will consist of a semi-detached dwelling unit. The owner has also applied for a Partial Discharge of Mortgage.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the opinion of Planning staff is that the application is consistent with the 2014 Provincial Policy Statement, complies with the Official Plan policies, and conforms to the R2 Provisions of the City of Woodstock Zoning By-law. No adverse comments were received as a result of the agency circulation process, and Planning staff is in support of the application.

In response to B. George, R. Versteegen identified the sliver of land along the north side of the severed lands is a walkway and indicated that it was not part of the current application.

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

'Granted'

CONDITIONS:

1. The owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
2. 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.
3. 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.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

B17-69-3 & B17-70-3 – Allan & Lorraine Jaques (Part Lot 8, Concession 5, Township of Norwich, formerly East Oxford)

Ryan Verhoog, the owners' solicitor, was in attendance to present the application. He indicated that the application is for the consolidation of two farm parcels.

The purpose of the applications for consent is for two agricultural lot additions. The lot to be severed by B17-69-3 is approximately 26.1 ha (64.5 ac) in size, is vacant of any buildings and structures and is used for agricultural production. It is proposed that the lot will be added to the agricultural parcel to the immediate west, resulting in an agricultural parcel approximately 67.2 ha (166 ac) in area. The lot to be severed by B17-70-3 is in agricultural production, vacant of any buildings and structures, and is approximately 8.7 ha (21.5 ac) in size. It is proposed that the lot will be added to the agricultural parcel to the immediate east, resulting in a farm parcel approximately 88 ha (217.5 ac) in size. The lot to be retained will be approximately 31.5 ha (77.8 ac), with approximately 223 m (731.6 ft) of frontage along Firehall Road. The lot contains several agricultural related buildings, as well as an accessory single detached dwelling, and will continue to be used for agricultural purposes.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that in the opinion of Planning staff, the applications are consistent with the 2014 Provincial Policy Statement, comply with the Official Plan policies, and conform to the Township Zoning By-law. Comments received resulting from the agency circulation were in support of the applications. Planning staff is in support of both severances.

R. Verhoog questioned whether his client had to meet the 74 acre minimum as noted in the recommendations of the two applications. In response, R. Versteegen pointed out that the minimum lot area requirement for the A2 Zone in Township of Norwich is 20.24 ha (50 ac).

A. Tenhove asked R. Verhoog if he would agree if the condition read a 28.33 ha (70 acre) lot area. In response, R. Verhoog stated that he would.

G. Brumby questioned why the southerly boundary of the severance for B17-70-3 did not extend to Curries Road. In response, R. Verhoog explained that the owner wanted to keep those lands for his personal recreational purposes.

B17-69-3

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

'Granted'

CONDITIONS:

1. 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 must be reflected on the certificate.
2. If required, drainage 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 Norwich.
3. The owners confirm by way of a deposited Reference Plan, prepared by an Ontario Land Surveyor, that the lot area of the lot to be retained measures a minimum of 28.3 ha (70 acres).
4. 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.
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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-70-3

Moved by: G. Brumby
Seconded by: M. Hacon

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east 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 must be reflected on the certificate.
2. If required, a drainage 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 Norwich.
3. The owners confirm by way of a deposited Reference Plan, prepared by an Ontario Land Surveyor, that the lot area of the lot to be retained measures a minimum of 28.3 ha (70 acres).
4. 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.
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.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B17-71-2 – Wilhelmus & Antonia Van Haeren (Part Lot 15, Concession 11, Township of East Zorra-Tavistock, formerly East Zorra)

No one was present to speak to the application. R. Versteegen indicated that the owners have requested a deferral of the application in their letter dated January 8, 2018.

The purpose of the Application for Consent is to sever a vacant lot for residential purposes within the rural cluster of Braemar Sideroad. The lands to be severed comprise approximately 0.809 ha (2.0 ac). The lot to be retained comprises approximately 14.41 ha (35.68 ac), and consists of an existing single detached dwelling, shed, pool and private services (well and septic system). A single detached dwelling is proposed to be constructed on the lot to be severed.

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

"Deferred"

REASON:

1. The application be deferred at the request of the owners in order to provide them an opportunity to address concerns identified by the Township of East Zorra-Tavistock, and in accordance with previous discussions with Planning staff.

CARRIED.

B17-72-3 – John & Jacqueline Krushel (Part Lot 14, Concession 2, Township of Norwich, formerly East Oxford)

John Krushel and Robert DeBrabandere were in attendance to speak to the application.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed comprises approximately 20.43 ha (50.48 ac), is in agricultural production (cash crop), contains an existing coverall structure. The lot to be severed is to be added to the agricultural parcel to the immediate west. The lot to be enlarged comprises approximately 17 ha (42 ac), is in agricultural production (cash crop), and contains a barn, a shed and an accessory farm dwelling. The lot to be retained comprises approximately 1.0 ha (2.5 ac) and contains an existing single detached dwelling and accessory building.

R. Versteegen briefly reviewed the staff Planning Report. He indicated that the severance proposes a farm consolidation with a retained lot covering an area of 2.5 acres. In the opinion of Planning staff, the application is consistent with the 2014 Provincial Policy Statement and complies with the Official Plan policies. Under a previous severance (B17-50-3), the owners were seeking a farm consolidation but with a retained lot of 2.9 acres. The Committee denied the application. The owners have now re-applied to sever the lands and to retain a 2.5 acre parcel. A re-zoning will be required. The County Official Plan evaluation system, under Section 3.1.5.4 (Rural Residential Uses), is intended to provide an impartial and consistent method of evaluating proposals which would result in non-farm rural residential development within the Agricultural Reserve designation. This application accumulates +8 points. R. Versteegen reviewed the comments received from the circulated agencies. Planning staff is in support of the application and recommends approval.

Both J. Krushel and R. DeBrabandere concurred with the suggested conditions and the recommendation of the staff Planning Report.

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

'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 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 must be reflected on the certificate.
3. The lot to be retained be a maximum of 1 hectares (2.5 acres).
4. If required, drainage 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 Norwich.

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

CARRIED.

On the motion of G. Brumby, the Committee meeting adjourned at 10:40 a.m.

"Brian George"

CHAIRMAN