

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, April 6, 2023

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream on Thursday, April 6, 2023, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin
	-	J. Lessif
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove – <i>attended virtually</i>
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

The meeting was called to order at 9:30 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: J. Lessif
Seconded by: L. Martin

“The Minutes of the Meeting of March 2, 2023, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

GENERAL BUSINESS:

1. Request Change of Conditions – B21-63-8; A21-15-8, B21-64-8; A21-16-8 & B21-65-8; A21-17-8 (Tru-Built Construction Inc.)

Mark Burke, the applicant’s agent, was in attendance to speak to the application.

R. Versteegen reviewed the report outlining the request. He indicated that the application was previously granted by the Committee in 2022. The intent was to build two sets of semi-detached dwellings. The conditions were originally worded so that the certificate for B21-63-8 would be issued prior to B21-64-8 and the certificate for B21-65-8 would follow after. Since then however the building permit was issued for the southern lot (lot to be severed by B21-65-8 and the lot to be retained) rather than the north lot as originally intended. The request for change of condition by the applicant is to allow for the conveyance of the lots to occur within a legal manner.

Staff are supportive of the request and recommend approval.

B21-64-8

Moved by: J. Lessif
Seconded by: C. van Haastert

'Granted'

Original:

1. The certificate for Application B21-63-8 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-64-8.

Amended:

1. The certificate for Application B21-65-8 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-64-8.

B21-65-8

Moved by: J. Lessif
Seconded by: C. van Haastert

'Granted'

Original:

1. The certificate for Application B21-64-8 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for application B21-65-8.

Amended:

1. The certificate for the lot to be retained be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-65-8.

CARRIED.

CORRESPONDENCE:

1. Correspondence was received from the Township of East Zorra-Tavistock
RE: Application B23-09-2 (peopleCare Inc.)
2. Correspondence was received from the Township of East Zorra-Tavistock
RE: Application B22-95-2 (Greg & Brenda Leslie)

APPLICATIONS FOR CONSENT:

B23-09-2; A23-01-2 – peopleCare Inc.

(Lots 69 & 70, Plan 307, Township of East Zorra-Tavistock)

Chris Pidgeon, the applicant's agent, was online in attendance to the application

The purpose of the application is to create a new lot to be used for institutional uses. The lot to be severed comprises approximately 0.94 ha (2.32 ac) and is currently vacant of any buildings or structures. It is proposed that a new 128-bed long term care home will be constructed on the lot to be severed. The lot to be retained comprises approximately 0.71 ha (1.75 ac) and contains an existing 100-bed long term care home. The existing 100-bed long term care home will be retained until such time as the new 128-bed long term care home is completed.

As part of the Severance Application, the following three (3) variances are being requested:

- Reduce the minimum lot frontage on the lot to be severed from 30 m (98.4 ft) to 10 m (32.8 ft);
- Reduce the minimum interior side yard width on the lot to be retained from 7.5 m (24.6 ft) to 1.4 m (4.6 ft); and,

- Reduce the minimum rear yard depth on the lot to be retained from 10 m (32.8 ft) to 4.1 m (13.4 ft)

The applicant has also applied to permit a legal right-of-way over the lot to be severed, in favour of the lot to be retained, for the purpose of access. The proposed easement will be approximately 10 m (32.8 ft) wide by approximately 100 m (328 ft) in length and would be only required until such time as the existing long term care home is demolished.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject property is designated as Major Institutional in the Village of Tavistock in the County Official Plan. The property is zoned Institutional Zone (I) in the Township of East Zorra-Tavistock Zoning By-law. He noted for the Committee that the applicant has requested a number of variances, and through further review, the frontage for the lot to be retained will be located on Hope Street once severed. The variances are needed to reflect this in the Committee's decision. Further, the surrounding land uses include single-detached dwelling, institutional and commercial uses. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No comments or concerns were raised a result of the public and agency circulation. A resolution from the Township of East Zorra-Tavistock's Council indicating support of the application was received as late correspondence. Planning staff recommend approval of the consent application, subject to the attached conditions and are also of the opinion that the requested easement and variances are appropriate.

C. Pidgeon indicated that the easement is for vehicular and cross servicing between the lot to be retained and severed. The new long-term care home will be constructed first and the existing home will most likely be demolished prior to this. The applicant has already received full site plan approval and accepts the eight conditions.

A. Tenhove inquired about the use of the retained lot once the long-term care home is demolished. C. Pidgeon noted that the owner will either sell the lot or redevelop it based on their portfolio and needs at the time the property is available.

In response to G. Brumby, C. Pidgeon clarified the easement and frontage of the lot to be severed. He indicated that the easement will no longer be required once the existing home has been demolished and cross servicing is no longer required between the two sites.

B23-09-2

Moved by: L. Martin
Seconded by: J. Lessif

'Granted'

CONDITIONS:

1. If required, a drainage assessment reapportionment shall be undertaken, pursuant to The Drainage Act, R.S.O. 1990, to the satisfaction of the Township of East Zorra-Tavistock.
2. If required, the owners shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
3. The Owner shall provide cash-in-lieu of parkland, to the satisfaction of the Township of East Zorra-Tavistock.
4. The Owner shall provide spatial calculations of existing buildings, to the satisfaction of the Township of East Zorra-Tavistock.
5. The Land Division Committee approves a Servicing Easement as per the comments received from Bell Canada as attached to Report No. CP 2023-109 and the Owner shall enter into an agreement with Bell Canada regarding this easement, to the satisfaction of Bell Canada.

6. 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.
7. An easement agreement between the Owner(s) of the lot to be severed and the lot to be retained shall be entered into to allow for access purposes. All cost-sharing requirements and maintenance responsibility shall be clearly indicated in the Agreement, and the said Agreement shall be registered on title 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 of East Zorra-Tavistock, 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

A23-01-2

Moved by: C. van Haastert
Seconded by: J. Lessif

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of Township of East Zorra-Tavistock Zoning By-law No. 2003-18.

CARRIED.

B22-81-3 – Darrin and Sheli Young
(Part of Lot 199, Plan 388, Township of Norwich)

Ryan Verhoog, the applicant's agent, attended virtually to speak to the application.

The purpose of the application for consent is to create one new residential building lot in the Village of Otterville and to retain one lot containing an existing single detached dwelling. It is proposed that the lot to be severed will be 2,804 m² (30,207.8 ft²) in size, with 49.7 m (163.2 ft) of frontage on Church Street, while the lot to be retained will be 3,051.6 m² (32,847 ft²) in size, with 48 m (157.5 ft) of frontage on Church Street.

The lot to be severed contains an existing detached garage that will be removed, and one new single detached dwelling and private septic system is proposed for the lot to be severed. The lot to be retained contains an existing single detached dwelling and private septic system. No new development is proposed for the lot to be retained. The subject lands also contain easements in favour of EARTH Power (Block 26, 41M-359) and the Township of Norwich (Block 12, 41M-346).

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated Village Settlement in the County Official Plan and zoned Residential Type 1 Zone (R1) in the Township of Norwich Zoning Bylaw. He noted that there is an easement in favour of Hydro One running across the property, however this still allows for sufficient area to accommodate the proposed dwelling, parking and private services. He advised that two new driveways are required to accommodate the development. Surrounding land uses include single-detached dwelling and a draft approved subdivision. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan policies and is appropriately zoned. No comments or concerns were raised a result of the public and agency notification. Planning staff recommend approval of the consent application subject to the attached six conditions.

R. Verhoog inquired regarding the storm water management condition, and was advised to reach out to the Township for assistance and clarification.

Moved by: D. Paron

Seconded by: L. Martin

'Granted'

CONDITIONS:

1. Confirmation be provided that the existing septic system serving the dwelling on the lot to be retained is wholly located within the limits of the lot to be retained, to the satisfaction of the Township of Norwich Building Department. Any encroachment of the existing septic system serving the dwelling on the lot to be retained into the lot to be severed will be required to be relocated.
2. Confirmation be provided that any existing structures located on the lot to be severed have been removed, to the satisfaction of the Township of Norwich.
3. Confirmation be provided of legal and adequate outlet for the purpose of stormwater drainage for the lot to be severed and the lot to be retained, to the satisfaction of the Township of Norwich.
4. The owner agrees to satisfy all requirements, financial and otherwise of the County of Oxford Public Works Department regarding the installation of water services, to the satisfaction of the County of Oxford.
5. If required, the applicant enter into a severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.

6. 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.
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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-51-3 – Richard and Susan Pilkey
(Part Lot 14, Concession 2 (North Norwich), Township of Norwich)

Ryan Verhoog was in attendance on behalf of the agent to speak to the application

An application for consent has been received to create one new parcel of land in the Village of Burgessville. It is proposed that the lot to be severed will be approximately 10,145 m² (2.5 ac) in size, with 92.5 m (303.5 ft) of frontage on Burgess Street and a depth of 116 m (381 ft). The lot to be severed contains an existing industrial building which is currently utilized for storage purposes. It is proposed that the lot to be retained will be approximately 4.9 ha (12 ac) in size, with frontage of Burgess Street. The lot to be retained is in agricultural production and no new development is proposed for these lands.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated Settlement in the County Official Plan and has a split zoning of Development Zone (D) and Special Development Zone (D-sp) in the Township of Norwich Zoning Bylaw. Surrounding land uses include residential and agricultural parcels to the east outside of the Village limits. He advised that the existing contractors shop was established in 1993 through site specific zoning. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No comments or concerns were raised as a result of public and agency circulation. Planning staff recommend approval of the application, subject to the three attached conditions.

R. Verhoog had no questions or comments, and understood and accepted all three conditions.

In response to C. van Haastert, R. Versteegen advised that the zoning would remain split until a proposal is brought forward to develop the land. Currently, the zoning has no impact on the severance.

Moved by: L. Martin
Seconded by: J. Lessif

'Granted'

CONDITIONS:

1. 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.
2. If required, the owners enter into a standard Severance Agreement with the Township of Norwich, to the satisfaction of the Township.
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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-55-3 & B23-01-3 – Springtop Farms Ltd. & David and Lois Topham
(Part Lot 18, Concession 2 (North Norwich) Township of Norwich)

Dave Topham was in attendance to speak to the application.

The purpose of the applications for consent is to correct the property boundary of an existing non-farm rural residential parcel, municipally known as 385192 Highway 59, in the Township of Norwich.

Application B22-55-3 proposes the severance of approximately 1,680.7 m² (0.4 ac) of vacant agricultural land, to be added to the existing non-farm rural residential parcel to the immediate west. Application B23-01-3 proposes the severance of approximately 791 m² (0.19 ac) of land from non-farm rural residential parcel located at 385192 Highway 59, to be to be added to the farm parcel municipally known as 385188 Highway 59, to the immediate west. The lot to be severed via B23-01-3 contains a portion of the existing dwelling associated with the agricultural operations of the lands located at 385188 Highway 59.

Once severed, the remnant agricultural parcel will be approximately 42.9 ha (106 ac) in area and will continue to be used for agricultural purposes. The remnant agricultural parcel contains an existing livestock barn with manure storage tank, as well as the existing single detached dwelling, accessory to the farm, while the reconfigured non-farm rural residential parcel will be approximately 2,910.9 m² (31,332.6 ft²) in size and will contain the existing dwelling municipally known as 385192 Highway 59.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated as Agricultural Reserve in the County Official Plan and zoned as Residential Existing

Zone (RE) and General Agricultural Zone (A2) in the Township of Norwich Zoning Bylaw. The intent of the applications is to rectify the property lot lines based on a previous interpretation of the deed and legal description. In Planning staff's opinion the application for consent represents a minor boundary adjustment, is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County Official Plan. The subject lands will need to be rezoned to reflect their new uses. No comments or concerns were raised as a result of the agency and public circulation. Planning staff recommend approval of the consent applications, subject to the five conditions attached.

D. Topham understood and accepted all the conditions as outlined in the staff Planning Report.

B22-55-3

Moved by: C. van Haastert
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The parcel to be severed be appropriately zoned, to the satisfaction of the Township of Norwich.
2. The parcel to be severed be conveyed to the abutting land owner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required a 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 Norwich.
4. If required, a road widening of 3 m (9.8 ft) along the frontage of Oxford Road 59 from both the severed and retained lots be dedicated to the County of Oxford, free of all costs, liens, easements and other encumbrances, to the satisfaction of the County of Oxford 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 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B23-01-3

Moved by: C. van Haastert

Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The parcel to be severed be appropriately zoned, to the satisfaction of the Township of Norwich.
2. The parcel to be severed be conveyed to the abutting land owner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required a 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 Norwich.
4. If required, a road widening of 3 m (9.8 ft) along the frontage of Oxford Road 59 from both the severed and retained lots be dedicated to the County of Oxford, free of all costs, liens, easements and other encumbrances, to the satisfaction of the County of Oxford 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 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-95-2 – Greg and Brenda Leslie

(Part of Lot 15, Concession 11 (East Zorra) Township of East Zorra-Tavistock)

Rob Walton and Brenda Leslie were in attendance to speak to the application.

The purpose of the application is to create a residential lot for a single detached dwelling within an identified Rural Cluster. The lot to be severed comprises approximately 1.15 ha (2.84 ac) and is currently vacant of any buildings or structures. The lot to be retained comprises approximately 2.86 ha (7 ac) and contains an existing single detached dwelling, pool, and pool shed. The existing buildings and structures on the lot to be retained are proposed to remain.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated as Rural Cluster in the County Official Plan and zoned Estate Residential Zone (ER) in the Township of East Zorra-Tavistock Zoning Bylaw. The intent is to create a new non-farm rural residential lot with access to the private laneway to the rear of property. An Environmental

Impact Study was submitted by the applicant to indicate that there is buildable area on the lot to be severed. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No public comments were received as a result of public notification. Agency comments were supportive of the application and reflected in the conditions. R. Versteegen pointed out that Condition 2 maintains that a shared entrance shall be established onto Braemar Sideroad across the lot to be retained.

In response to G. Brumby, R. Versteegen noted that the easement for the shared driveway was not part of the application as the location of the driveway would not be clear and was a recommendation of Planning staff.

R. Walton presented photos and mapping to the Committee in support of the owner's position regarding the application. He indicated that the private lane to the south of the lot to be severed is owned by the subject land owners. R. Walton requested that the Committee amend the Condition 2 & 6 to reflect the owner's intention of the application. R. Walton agreed that an additional access onto Braemar Sideroad would not be appropriate, however he argued that the shared driveway, as recommended by staff, was not the intention behind the proposal. He is proposing that the lot to be severed be accessed by the private laneway to the rear of the property. He pointed out a similar application within the area of the subject lands that was approved by the Committee that had the option of an alternative access point. He noted that no agency comments opposed the use of the private laneway, and that the owners would establish a legal easement over the private lane. He also requested that Condition 6 be removed or amended so that the 1 ft. reserve is placed onto Braemar Sideroad to not allow additional entrances to be established.

B. Leslie spoke to the Committee regarding the safety, aesthetics and environmental impact of the lots. In relation to safety she noted that the private road is very well maintained with shared costs. A new lot would further contribute to the maintenance of the road. Each dwelling that uses the private driveway has their own driveway and do not utilize the private driveway as a form of off-street parking. There is room for emergency vehicles to access all the dwellings along the private driveway and the grading is level with the lot to be severed. She noted that a shared driveway with the lot to be retained would increase traffic onto Braemar Sideroad and cause a safety concern with sharing the driveway and vehicular movement. The EIS submitted resulted in the lot to be severed utilizing the private drive access.

R. Walton reviewed the pictures within the presentation for the Committee.

R. Versteegen noted that Planning staff acknowledge the incremental and cumulative impacts on the private roads. The previous severance referenced was much closer to the entrance of Braemar Sideroad than what the current severance is seeking.

In response to J. Lessif, B. Leslie noted that she and her husband own the private driveway. It was included when they purchased 33 acres of agricultural land to the west of the lot to be retained. She advised that all residents along the private driveway share costs for maintenance and repairs on an informal basis.

In response to G. Brumby, the applicant noted that the lot to be retained does not use the private driveway and that the intention behind the severance is to build a house for themselves on the lot to be severed towards the south side of the lot closer to the private road.

R. Versteegen responded to C. van Haastert noting that the County has no concerns regarding the private driveway other than that the turnaround area for emergency vehicles remains a concern.

J. Lessif moved that the application be approved with the revised conditions prepared.

Moved by: J. Lessif
Seconded by: L. Martin

'Granted'

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately zoned.
2. That an access easement be obtained for the lot to be severed over the existing private laneway to the south of the lot to be severed.
3. The owners shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
4. Drainage re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners provide cash-in-lieu of parkland, to the satisfaction of the Township of East Zorra-Tavistock.
6. That the three (3) recommended conditions outlined in the letter from the Upper Thames River Conservation Authority (UTRCA) dated February 10th, 2023 and attached to Staff Report CP 2023-111, be fulfilled to the satisfaction of the UTRCA and/or the County.
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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-82-6 – Joe Coady and Diane Nofle
(Legal Description)

John Shewan was in attendance to speak to the application.

The consent application proposes a residential lot addition to the property to the immediate southwest (139 Metcalfe Street) to increase the amount of amenity space on the said residential lot. The parcel to be severed is to be approximately 203 m² (2,185.6 ft²) in area, while the lot to be retained is to be approximately 1,585.5 m² (17,081.9 ft²) in area. The lot to be enlarged is approximately 612.14 m² (6,589 ft²) in area.

The parcel to be severed is currently vacant, while the proposed retained lot and lot to be enlarged each contain a single detached dwelling and an attached garage. No new development is proposed as a result of the application.

R. Versteegen reviewed the staff Planning Report he indicated that the subject lands are designated Low Density Residential in the County Official Plan and zoned Residential Type 2 (R2)

in the Town of Ingersoll Zoning By-law. The surrounding land uses include single-detached dwellings on a variety of lot shapes and configurations. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and zoned appropriately. No comments or concerns were raised as a result of the agency and public notification. Accordingly, Planning staff recommend approval of the consent application subject to the five attached conditions.

J. Shewan understood and accepted all conditions contained within the staff Planning Report.

Moved by: L. Martin
Seconded by: C. van Haastert

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate southwest, 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, the Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll, regarding the installation of services and drainage facilities.
3. The Owner shall provide confirmation of the location of any 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 Town of Ingersoll.
4. The Owner shall submit a recent survey to confirm lot sizes, building sizes and setbacks as well as the location of services connections, 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-80-7 – Charlie and Marianne Sofalvi
(Lot 138, and Part of Lot 139, Plan 500, Town of Tillsonburg)

No one was in attendance to speak to the application.

The Application for Consent seeks to sever a lot from the subject lands which have a frontage of 39 m (127.95 ft), depth of 45.26 m (148.45 ft), and an approximate area of 1765 m² (18,998.3 ft²). The parcel to be retained will have a frontage of 23.77 m (78 ft), depth of 45.26 m (148.5 ft), and area of 1090 m² (11,732 ft²). The parcel to be severed will have a frontage of 15.24 m (50 ft), depth of 45.26 m (148.5 ft), and area of 689 m² (7416 ft²). The land to be severed from the subject lands is currently vacant. The lands to be retained contain one (1) residential dwelling, one (1) detached garage, and one (1) shed.

R. Versteegen reviewed the staff Planning Report he indicated that the subject lands are designated Low Density Residential in the County Official Plan and zoned Low Density Residential Type 1 Zone (R1) in the Town of Tillsonburg Zoning Bylaw. A consent application was previously approved and had lapsed in 2013. The surrounding land uses include single-detached dwellings. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No comments or concerns were raised as a result of the public and agency circulation. Accordingly, Planning staff recommend approval of the application subject to the attached seven conditions.

Moved by: D. Paron
Seconded by: D. Matheson

'Granted'

CONDITIONS:

1. The owners shall provide 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 must be created. Any proposed easements shall be reviewed by the Town of Tillsonburg and Tillsonburg Hydro Inc.
2. The owners shall agree, in writing, to satisfy all the requirements of the Town of Tillsonburg, financial and otherwise, regarding the installation services and drainage facilities, to the satisfaction of the Town of Tillsonburg.
3. Both the retained and severed lot must be serviced independently (water, sanitary), and any/all services crossing the proposed property line shall be disconnected to the satisfaction of the County of Oxford Public Works Department.
4. The owners shall submit an updated survey to confirm lot sizes and building setbacks to the satisfaction of the Town of Tillsonburg.
5. The owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
6. The owners shall agree, in writing, to satisfy all the financial requirements of the County of Oxford regarding the installation of sanitary and water services, to the satisfaction of the county of Oxford Public Works Department.
7. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

B22-90-7 – Christian Devlin and Pamela Brandon
(Part of Block D, Parts 1 & 2, Plan M-53 and 41R-10097, Town of Tillsonburg)

Christian Devlin was present online to speak to the application.

The Application for Consent seeks to sever a parcel of land from the subject lands to the adjacent property. The land to be conveyed has a frontage of 1.52 m (4.98 ft), approximate depth of 44.8 m (146.9 ft), and an area of 52.7 m² (567 ft²). Once merged, the parcel to be conveyed and the lot to be enlarged will result in a residential lot of approximately 828.4 m² (8916 ft²) in area.

The subject lands currently have a frontage of 19.55 m (64.14 ft) and front onto the North side of Clear Valley Drive, between Jackson Court and Hickory Lane. The parcel to be retained will have a frontage of 18.03 m (59.15 ft). The land to be severed is currently vacant. The lands to be retained contain one (1) detached residential dwelling and one (1) shed.

R. Versteegen reviewed the staff Planning Report. He indicated that the purpose of the application is for a minor boundary adjustment. The subject lands are designated Low Density Residential in the County Official Plan and zoned Low Density Residential Type 1 Zone (R1) in the Town of Tillsonburg Zoning Bylaw. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No comments or concerns were raised as a result of the agency and public notification. Planning staff are recommending approval of the application subject to the three conditions.

C. Devlin had no comments or questions and accepted the conditions.

Moved by: C. van Haastert
Seconded by: J. Lessif

'Granted'

CONDITIONS:

1. The Owner(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands to the satisfaction of the Town of Tillsonburg. Any service relocation required due to a severance is at the cost of the property owner.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

3. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg 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 two years of the mailing of this Notice of Decision. If all conditions are not met within two years, 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 two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 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.

On the motion of J. Lessif, the Committee meeting adjourned at 11:02 a.m.

"Original Signed by"

CHAIRPERSON