

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, September 7, 2023

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, September 7, 2023, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin - <i>absent</i>
	-	J. Lessif
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove
	-	C. van Haastert - <i>absent</i>
Senior Planner	-	H. St. Clair
Secretary-Treasurer	-	A. Hartley

The meeting was called to order at 9:37 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: J. Lessif  
Seconded by: D. Matheson

*"The Minutes of the Meeting of August 3, 2023, be approved as amended, printed and circulated."*

*- correction: R. Jull, P. Rigby replace with L. Martin, D. Matheson*

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated September 4, 2023, received from Scott Johnson  
RE: Application B23-25-8; A23-04-8 (David Redford & Justin Byers)
2. Correspondence dated September 6, 2023, received from Township of East Zorra-Tavistock  
RE: Application B23-35-2 (Donald McKay)
3. Correspondence dated September 6, 2023, received from Township of East Zorra-Tavistock  
RE: Application B23-45-2 (Brenda Leslie)

APPLICATIONS FOR CONSENT:

V23-01-8 – PICI Investments Inc.  
(Part Lot 7, Parts 1-5, Block D, Plan 76, City of Woodstock)

H. St. Clair reviewed the staff Planning Report. She indicated that the request is for validation of title under Section 57 of the Planning Act. The subject lands contain an existing street level commercial use with upper residential. The request is needed to validate the title that has been

conveyed in contravention of the Planning Act which would fix any previous contraventions or questionable title clouds. In this instance, 491 Dundas was acquired and placed in the same name on title and the two properties inadvertently merged on title. The owner sold one portion of the lands without knowing that the properties had merged on title, and no legitimate severance had been granted.

Staff have reviewed the application and agree that the application is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan, and is appropriately zoned. Title Validation applications are not subject to appeal, and no comments were received as a result of the agency circulation. It is planning staff's opinion that the application can be supported under the Planning Act.

No comments or questions were raised by the Committee.

Moved by: J. Lessif  
Seconded by: D. Matheson

*'Granted'*

CONDITION:

1. The Clerk, or designate of, the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City, financial, services and otherwise, have been complied with.

REASONS:

1. The application for validation of title is consistent with the 2020 Provincial Policy Statement.
2. The application for validation of title complies with the policies of the Oxford County 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.

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B23-24-8; A23-03-8 – Oxford Builders Inc.  
(Part Lot 4, S/S Water St, Plan 36, City of Woodstock)

George Geerlinks, the owner, was present to speak to the application.

The application for consent proposes to sever a parcel having a frontage of 8.5 m (27.9 ft), average depth of 40.7 m (133.5 ft), and area of 346 m<sup>2</sup> (3,723.9 ft<sup>2</sup>) for the creation of a new residential lot for a proposed single detached dwelling. The lot to be retained will have a frontage of 14.6 m (48.1 ft), average depth of 40.7 m (133.5 ft), and area of 575.8 m<sup>2</sup> (6,198.1 ft<sup>2</sup>), and is proposed for a semi-detached dwelling.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated as Low Density Residential in the County Official Plan and zoned Residential Type 2 (R2) in the City of Woodstock Zoning By-law. She advised that the application provides for appropriate intensification and street-oriented infill and accommodates an appropriate amount of off-street parking. Minor variances have been requested to recognize a reduced lot frontage for the lot to be severed and retained and a reduced lot area for the lot to be retained. In Planning staff's opinion, the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan and the subject lands are appropriately zoned. No comments or concerns

were raised as a result of the agency and public circulation. City of Woodstock Council considered this application at their meeting of August 10, 2023, and passed a resolution in support of the application. Planning staff recommend approval of the consent application and note that the minor variances requested are appropriate.

G. Geerlinks had no questions or concerns and accepted the conditions contained within the report.

In response to G. Brumby, G. Geerlinks advised that he does intend to sever the semi-detached dwellings further once constructed.

B23-24-8

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

*'Granted'*

CONDITIONS:

1. The Owner(s) 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 Severance Agreement shall be registered on first title by the Owner, to the satisfaction of the City of Woodstock.
2. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
3. The Owner(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and vice 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 City of Woodstock.
4. The Owner(s) shall agree to remove all structures on the severed and retained lands to the satisfaction of the City of Woodstock Building Department.
5. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities, if required.
6. The Owner(s) shall obtain a letter provided by the Clerk or designate, of the City of Woodstock advising the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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.

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

A23-03-8

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

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
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 City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B23-25-8; A23-04-8 – Justin Byers & David Redford  
(Part Lot 2, W/S Powell Street, Plan 48, City of Woodstock)

Justin Byers & David Redford, the owners, were in attendance to speak to the application.

The application for consent proposes to sever a parcel having a frontage of 11.4 m (37.4 ft), average depth of 30.8 m (101.7 ft), and area of 351 m<sup>2</sup> (3,778.1 ft<sup>2</sup>) and retain a lot with the same dimensions to create two lots for a proposed single-detached dwelling on each lot.

The application is also requesting variances to the zoning by-law, including (for each lot):

- A minimum lot area of 351 m<sup>2</sup> (3,778.1 ft<sup>2</sup>) where a minimum lot area of 370 m<sup>2</sup> (3,982.6 ft<sup>2</sup>) is required;
- A minimum lot frontage of 11.4 m (37.4 ft) where a minimum lot frontage of 12 m (39.4 ft) is required; and
- A minimum rear yard depth of 6 m (19.7 ft) where a minimum rear yard depth of 7.5 m (24.6 ft) is required.

H. St. Clair reviewed the staff Planning Report and indicated that the subject property is designated as Low Density Residential, and zoned Residential Type 1 (R1) in the City of Woodstock Zoning By-law. Surrounding land uses include single-detached dwellings on varying lot sizes and configurations. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan policies, and is appropriately zoned aside from the requested minor variances. H. St. Clair advised that the proposed severance would provide for intensification and redevelopment of underutilized lands within a settlement area. She noted that while the lots proposed are smaller than those within the general area, the proposal is considered to be compatible with the surrounding area and will accommodate an appropriate building envelope. No concerns were raised as a result of the agency circulation. H. St. Clair noted that two concern letters were received. H. St. Clair generally summarized the comments noting the concerns regarding aesthetic and continuity of the neighbourhood, narrow shaped dwellings will be a result of the severance as well as a loss of green space, concerns about increased street parking and an additional driveway could cause impacts for snow storage. The construction noise and dust were also cited as a concern and that the size of the lots is not conducive to family living. City of Woodstock Council considered the application at their meeting on August 10, 2023, and passed a resolution in support of the application. Based on Planning staff's review of the

application, the application can be supported, and the minor variances requested are appropriate for the proposed development.

J. Byers understood and accepted the staff Planning Report and the attached conditions.

In response to D. Paron, J. Byers advised that Goodman Homes will be building the houses and that the concept plans include garages. J. Byers commented on the concern letters noting that adequate parking will be provided and the existing house on the subject lands was dilapidated and not in good repair.

In response to G. Brumby, D. Redford advised that they spoke with the neighbours immediately adjacent to the subject lands, however if the concern letters were received ahead of the meeting, they would have had the opportunity to discuss the concerns with those neighbours as well.

B23-25-8

Moved by: D. Paron  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The Owner(s) 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 Severance Agreement shall be registered on first title by the Owner, to the satisfaction of the City of Woodstock.
2. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
3. The Owner(s) shall remove all accessory structures on the severed parcel to the satisfaction of the City of Woodstock Building Department.
4. 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 City of Woodstock.
5. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities, if required.
6. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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. Comments received from the public were reviewed, and where appropriate, were considered

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in the Land Division Committee's decision to approve the application.

A23-04-8

Moved by: D. Paron  
Seconded by: J. Lessif

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
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 City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B23-47-6 – Sifton Properties Ltd.

(Part Lot 19, Concession 1 (West Oxford), Town of Ingersoll)

Lindsay Clark, on behalf of the owner, was present to speak to the application.

The purpose of the application is to create a new commercial parcel within the Town of Ingersoll to be conveyed to separate owners. It is proposed that the lot to be severed will be approximately 1.74 ha (4.3 ac.) in size, with 157.2 m (515.7 ft.) of frontage along Clarke Road E., while the lot to be retained will be approximately 1.61 ha (4 ac.) in size, with approximately 123 m (403.5 ft) of frontage along Clarke Road E. The subject lands are currently vacant. The lands to be severed and retained are to be developed for commercial purposes.

The applicant has also applied to establish an 8.0 m (26.2 ft.) wide easement (total area of 670 m<sup>2</sup> (7,212 ft<sup>2</sup>) on the retained lot in favour of the severed lands for servicing purposes.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated as Service Commercial with site specific policies and zoned Special Highway Commercial Zone (HC-10). She noted that the surrounding land uses include Low Density Residential, Medium Density Residential, service commercial and commercial uses as well as industrial uses to the south. H. St. Clair noted that the proposed application will not negatively impact municipal infrastructure or create fragmentation of a commercial block. Staff are satisfied that the proposal will contain appropriate parking and access through the easement proposed and will not adversely impact development. H. St. Clair noted that staff are supportive of a reciprocal easement between the properties for servicing and to ensure that the parcel will function as one lot as per the zoning provisions. The HC-10 zone stipulates that any lots created within this zone shall be treated as one lot for zoning regulations despite any future severance. No comments or concerns were raised as a result of the public and agency notification. Staff are of the opinion that the application can be supported as it is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan and is appropriately zoned. Staff are also of the opinion that the proposed easement is appropriate.

L. Clark requested that Condition number 3 remove reference to shared parking. As the owner is looking to sell the property separately the shared parking would not be appropriate for the sale and separate ownership. H. St. Clair responded and noted that the zoning would need to be amended to allow for this request and to maintain that sufficient parking could be accommodated on both

parcels separately. Discussion was held as to whether the parking issue could be removed now and brought forward once the property has been sold and site plan approval is required. H. St. Clair noted that if the property did not meet the parking provisions of the by-law, a minor variance would be required. A. Tenhove asked whether this discussion was held beforehand or not, L. Clark noted that the concern was brought to staff's attention the day prior to the meeting and was not able to be resolved in time. L. Clark noted further that requiring parking to be shared can cause tension and issues with future buyers or developers. H. St. Clair advised that a reciprocal easement will avoid the need for future easements and is more practical for the development.

J. Lessif moved that the application be approved with the conditions as presented in the staff Planning Report.

Moved by: J. Lessif  
Seconded by: D. Paron

*'Granted'*

CONDITIONS:

1. That the owner agrees to satisfy all requirements, financial and otherwise, of the County of Oxford, regarding the installation of water & sanitary sewer services, to the satisfaction of the County of Oxford Public Works Department. The owner will be required to connect to the services following Oxford County design guidelines which will be inspected by Oxford County, and it shall also include the payment of any outstanding fees.
2. 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. That the easement be reciprocal over the severed and retained lands for the purpose of a shared services (including access, parking, servicing as well as a private maintenance agreement), to the satisfaction of the Town of Ingersoll.
4. The Owner provides 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 addressed through the shared easement.
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.

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B23-28-4 & B23-29-4 – Thames Talbot Land Trust & Carol Godbout  
(Part Lots 27 & 28, Concession 1 (West Oxford) Township of South-West Oxford)

Daria Koscinski, on behalf of Thames Talbot Land Trust, was present to speak to the application.

Two severance applications have been submitted in order to facilitate two boundary adjustments to alter the shape of the existing Industrially zoned lot and the Agricultural lot owned and operated by the Thames Talbot Land Trust (TTLT). No new development is proposed as a result of these applications, and the applications will result in a 'lot-swap' to adjust the lot lines to better reflect current and historic land use patterns.

H. St. Clair reviewed the staff Planning Report and noted that the proposal is for a minor land swap to reflect a historical encroachment. She noted that the surrounding land uses included primarily agricultural and the Five Point Wetland Complex which is owned and managed by TTLT. Planning staff have reviewed the application against the policy and note that the proposal will not create a new lot and can be considered appropriate. Accordingly, Planning staff recommend approval of the application as it is consistent with the 2020 Provincial Policy Statement, and complies with the County Official Plan policies, each lot to be severed will need to be rezoned to reflect its new use. No comments or concerns were raised as a result of the public and agency circulation. Conditions have been included to reflect a requirement for drainage reapportionment and to rezone each of the parcels. Staff are generally supportive of the application and are recommending approval subject to the attached conditions.

D. Koscinski agreed with the staff Planning Report and accepted the attached conditions.

In response to D. Paron, H. St. Clair deferred to the applicant to advise why there were structures shown on the survey. D. Koscinski noted that the structures are portable containers and have already been removed. The encroachment issues lie with the permanent structure.

B23-28-4

Moved by: D. Matheson  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate 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, 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 South-West Oxford.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of South-West Oxford, 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 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.

B23-29-4

Moved by: D. Matheson  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, 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 South-West Oxford.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of South-West Oxford, 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 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.

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B23-43-2 – Brenda Leslie

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

Brenda Leslie, the owner, and Rob Walton, the owner's agent, were present to speak to the application.

The purpose of the Consent Application is to establish an easement over 844930 Braemar Sideroad, which is a private laneway, for the purpose of access to the lot to be severed via Consent Application B22-95-2. As a condition of the Committee's approval of B22-95-2, an easement was to be established over the private laneway addressed as 844930 Braemar Sideroad.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject application is to request an easement for access to a private road for a previously granted consent application. The existing private drive already services eight other existing lots. As part of the previous consent application the owners are required to establish the easement on the private driveway. At the time of the previous application, Planning staff were requesting that the driveway and easement be established over the lot to be retained, Planning staff remain of the opinion that the access should be over the lot to be retained as the access over the lot to be retained would be more direct for emergency access, snow removal and maintenance. Planning staff are of the opinion that the easement does not comply with the County Official Plan policies. Increasing the number of residences on the private drive could require the municipality to assume maintenance of the private road, as best practice it is advised that the private easement not be granted. No comments or concerns were raised as a result of agency and public circulation. The Township of East Zorra-Tavistock Council considered this application at their meeting of September 6, 2023, and a resolution was received as late correspondence indicating no objection to the application.

R. Walton presented a slideshow with pictures of the subject area. He noted that the private drive has historically served multiple residences. The road itself is well maintained and is owned by Leslie's.

B. Leslie presented that the road has existed for almost 60 years. It has historically served seven homes and the newest lot was added in 2019. This lot was created permission to use the private drive and set back further on the road than the new lot to be created for Leslie's home. Each owner along the road pays for maintenance and agrees who to hire for snow removal and repairs. The Leslie's currently pay taxes and insurance on the road and would like to have their fair use of the lane. As part of the previous severance application, an Environmental Impact Study was conducted and noted that the proposal to use the private lane would not impact the existing trees on the lot to be retained.

In response to D. Paron, R. Walton that there was an easement granted in 2018 through consent.

B. Leslie responded to J. Lessif noting that turnover of owners along the private road has not impacted maintenance or use of the road.

In response to A. Tenhove, B. Leslie advised that the private road is maintained through verbal agreement and all owners work together to agree on cost sharing and hiring of contractors.

Moved by: J. Lessif  
Seconded by: A. Tenhove

*'Granted'*

CONDITIONS:

1. The proposed easement be registered in favour of lands currently municipally known as 844930 Braemar Sideroad, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.
2. 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 East Zorra-Tavistock.
3. If required, the owner 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. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and

otherwise, have been complied with.

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 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.

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B23-18-4 & B23-19-4 – Van Roekel Holsteins Inc. & Ruth Ingham  
(Lots 13 & 14, Concession 1 (West Oxford), Township of South-West Oxford)

Jan Van Roekel & Ruth Ingham were present to speak to the application.

The purpose of this application (B23-18-4) is to sever an area of approximately 0.41 ha (1.02 ac) to be conveyed to the rural residential property to the immediate south. The lands to be severed do not contain any buildings or structures and are primarily comprised of woodlands. The lands to be enlarged contain a single detached dwelling, a detached garage and a private well and septic, and the lands to be retained contain dairy barns, a dwelling accessory to the farm and a shed. No new development is proposed as part of this application.

The purpose of related application (B23-19-4) is to sever an area of approximately 0.38 ha (0.94 ac) to be conveyed to the Agricultural property to the immediate east. The lands to be severed are currently vacant, while the lands to be enlarged contain the structures noted above.

H. St. Clair reviewed the staff Planning Report, she indicated that the lands are designated Agricultural Reserve in the County Official Plan and the lot to be severed via application B23-18-4 is zoned General agricultural (A2) and the lot to be severed via application B23-19-4 is zoned Residential Existing Zone (RE) in the Township of South-West Oxford Zoning By-law. She advised that the surrounding land uses are predominantly agricultural. In Planning staff's opinion, the application for consent is consistent with the 2020 Provincial Policy Statement, and complies with the County Official Plan policies, each of the lots to be severed 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. Accordingly, Planning staff are recommending approval of both consent applications.

The owner's understood and accepted the recommendations of the staff Planning Report.

B23-18-4

Moved by: D. Matheson  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The certificate for Application B23-19-4 be issued, the Transfer registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B23-18-4.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
4. If required, 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 South-West Oxford.
5. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of South-West Oxford, 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 Land Division Committee did not receive any comments from the public respecting this application.

B23-19-4

Moved by: D. Matheson  
Seconded by: J. Lessif

*'Granted'*

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate 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 be reflected on the certificate.
3. If required, 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 South-West Oxford.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of South-West Oxford, financial, services and otherwise, have been complied with.

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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 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.

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B23-22-6 – Chuck Louttet  
(Lot 3, Block 43, Plan 279, Town of Ingersoll)

Barb Beattie and Sue Thorton attended as concerned neighbours. The applicant was not present to speak to the application.

The consent application proposes the creation of a residential infill lot by way of severing a semi-detached dwelling currently under construction into separately conveyable lots.

Specifically, the proposed lot to be severed is to be approximately 404.67 m<sup>2</sup> (4,355.8 ft<sup>2</sup>) in area and have a frontage of 10.06 m (33 ft), while the proposed lot to be retained is to be approximately 404.71 m<sup>2</sup> (4,356 ft<sup>2</sup>) in area and have a frontage of 10.06 m (33 ft). Each lot is to contain one half of a semi-detached dwelling.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated as Low Density Residential, and zoned Residential Zone 2 (R2) in Town of Ingersoll Zoning By-law. She noted that the surrounding land uses include Low Density Residential, Medium Density Residential and an apartment building. Planning staff are of the opinion that the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan policies and is appropriately zoned. No comments or concerns were raised as a result of the public and agency circulation. B. Beattie and S. Thorton were provided with their opportunity to speak and noted concerns about a retaining wall and the proximity of the wall to the neighbouring land. H. St. Clair noted that any setbacks or encroachments would require a minor variance and if one has not been granted, they should contact the By-law Officer to enforcement. Accordingly, staff are supportive of the application and are recommending approval.

H. St. Clair reiterated for the neighbours that the property is zoned R2 which allows for a semi-detached dwelling, the required side yard setback is 1.2 m, and the building department will be reviewing the drawings in conjunction with the building permit application.

Moved by: J. Lessif  
Seconded by: D. Matheson

*'Granted'*

CONDITIONS:

1. If required, the owner agrees to satisfy all requirements, financial and otherwise, of the County of Oxford, regarding the installation of water & sanitary sewer services, to the satisfaction of the County of Oxford Public Works Department. The owner will be required

- to connect to the services following Oxford County design guidelines which will be inspected by Oxford County, and it shall also includes the payment of any outstanding fees.
2. 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 Town of Ingersoll.
  3. The Owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the Town of Ingersoll.
  4. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll and the County of Oxford regarding the installation of services and/or drainage facilities.
  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 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.

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B23-35-2 – Donald McKay

(East Half of Part Lot 15, Concession 12 (East Zorra), Township of East Zorra-Tavistock)

Donald McKay was present to speak to the application.

The application has been requested to facilitate an agricultural lot addition. The lot to be severed comprises approximately 13.5 ha (33.6 ac), is in agricultural production, and is currently vacant of any buildings or structures. It is proposed that the lot to be severed will be added to the lot to the immediate south. The lot to be enlarged is currently 39.1 ha (96.8 ac) in size, is also in agricultural production, and contains a hog barn. It is proposed that the lot to be retained will be 14 ha (34.6 ac) in size and will contain an existing single detached dwelling, a broiler barn, and accessory buildings.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated as Agricultural Reserve in the County Official Plan and zoned Special General Agricultural Zone (A2-sp) in the Township of East Zorra-Tavistock Zoning By-law. A similar application was made in 2017, however the provisional consent approval lapsed. In Planning staff's opinion, the 2020 Provincial Policy Statement does not permit for an agricultural lot creation when the lot is not sufficient size to maintain agricultural use in the future and to allow for flexibility, therefore the application is not consistent with the 2020 Provincial Policy Statement. The County Official Plan policies also stipulate that the minimum lot size for agricultural parcels, the application does not maintain the intent of the County Official Plan. No comments or concerns were raised as a result of the agency and public circulation. The Township of East Zorra-Tavistock considered the application and passed a resolution at their meeting of September 6, 2023, that was received as

late correspondence. Accordingly, staff are not supportive of the application and recommend denial.

D. McKay noted that he would be acceptable to a condition to rezone the property and to agree to provide the 9 x 9 sight triangle as requested. He noted for the Committee that the application was previously approved in 2017. None of the uses on the subject lands will be changed. He noted that his son is currently occupying the land and would rather pay taxes and a mortgage on the portion of land that he actually needs and uses. This is more economical and feasible for him. He advised that 35 acres would still be used for farming purposes.

In response to G. Brumby, D. McKay advised that the zone change would include site specific provisions to recognize the reduced lot area. H. St. Clair noted that if the application proposed to rezone the lot to an Agricultural-Business there are different policy considerations.

It was requested by D. Matheson that a condition be included to reflect the 13 m setback of 45 min Fire Resistance Rating spatial separation, however it is noted that this condition is not required as the applicant can either provide the setback or fire proof the south wall of the existing agricultural building.

D. McKay agreed with the alternate conditions provided by the Planner.

Moved by: J. Lessif  
Seconded by: A. Tenhove

*'Granted'*

CONDITIONS:

1. The lot to be severed and the lot to be retained be appropriately zoned.
2. The owner 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. A 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.
4. A sight triangle measuring 9 m x 9 m located at the corner of 13th Line and Braemar Sideroad on the lot to be retained be dedicated to the Township of East Zorra-Tavistock, free of all costs and encumbrances, to the satisfaction of the County of Public Works Department.
5. 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.
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.

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CARRIED.

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B23-39-3 – Elizabeth Schell & Steven Longlade  
(Part Lot 15, Concession 4 (East Oxford), Township of Norwich)

Steve Longlade and Elizabeth Schell were present to speak to the application. As well as Chris Lee, the owner of the lot to be enlarged was present in support of the application.

The intent of the application for consent is to facilitate an agricultural lot addition and the retention of a lot containing an existing dwelling for non-farm rural residential purposes. It is proposed that approximately 19.8 ha (49 ac) of agricultural lands, containing one existing agricultural building (to be removed) will be severed from the subject lands and added to the vacant agricultural parcel to the immediate west. The lot to be enlarged is approximately 48.1 ha (119 ac) in size, and once merged, the newly enlarged lot will be approximately 67.9 ha (167.9 ac) in size.

It is proposed that the lot to be retained will be approximately 0.8 ha (2 ac) in size, with approximately 94.6 m (310 ft) of frontage on Old Stage Road. The lot to be retained contains an existing dwelling and a private well and septic and it's proposed that the lot to be retained will be used for non-farm rural residential purposes.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated Agricultural Reserve in the County Official Plan and zoned General Agricultural Zone (A2) in the Township of Norwich Zoning By-law. She noted that the surrounding land uses are predominantly agricultural and non-farm rural residential uses. The house located on the lot to be retained was constructed in 2004. The subject lands were previously created through consent as an undersized agricultural parcel, through this application it was required that the owners establish a farm operation. Planning staff have reviewed the application against the policies and note that the 2020 Provincial Policy Statement does allow for the severance of a residence made surplus, however the policies in the County Official Plan prohibit the severance of an existing dwelling constructed after 1995. No comments or concerns were raised as a result of the public and agency circulation. If approved, the lot to be retained will need to be rezoned to reflect the new use. As the application is prohibited under the policies of the County Official Plan, Planning staff are not recommending approval of the application.

S. Longlade advised that the neighbour, Chris, approached the applicants and expressed interest in purchasing the cash cropping portion of their lands. This would be for expansion and succession planning purposes. S. Longlade asked the Committee to consider this application as a boundary adjustment rather than creating a new lot.

C. Lee expressed discontent with the policies and advised that he wants the opportunity to grow his lands.

In response to D. Paron, E. Schell advised that her family has owned the property since the 60's and she bought it from her father in 1989. In 2004, her and her husband built the house. D. Paron asked whether this was a surprise and E. Schell noted that she was not aware of the policy. E. Schel noted that they could sell the entire parcel to someone else, and it may not be used as pure agricultural land. This proposal allows the land to be used for future agricultural practice.

Moved by: J. Lessif  
Seconded by: D. Matheson

*'Granted'*

CONDITIONS:

1. The property to be retained be appropriately rezoned.
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. 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 Norwich.
4. The existing horse barn on the lot to be severed be removed, subject to Building Permits for Demolition, to the satisfaction of the Township of Norwich.
5. The completion of Site Evaluation and confirmation of the septic system location wholly within the boundaries of the lot to be retained and in conformance with the prescribed setbacks of the Ontario Building Code, 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 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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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B23-30-6 – Ingrox Ltd.  
(Lots 1-10 and Block 102, Plan 279, Town of Ingersoll)

Montana Wilson from GRIT Engineering, Evan McHugh from Ingrox were present to speak to the application.

It is proposed that the lot to be severed will be 2,557 m<sup>2</sup> (27,524 ft<sup>2</sup>) in size, with approximately 38.8 m (127.3 ft) of frontage on Mutual Street and a depth of 57.3 m (187.9 ft). The lot to be severed contains an existing industrial building currently utilized for electronic recycling and no further development is proposed for the lot to be severed.

It is proposed that the lot to be retained will be 6,230 m<sup>2</sup> (1.53 ac) in size, with approximately 154.3 m (506.2 ft) of frontage on Carnegie Street and a depth of 42.1 m (139.1 ft). The lot to be retained contains two existing structures that will be removed, and no new development is proposed at this time.

H. St. Clair reviewed the staff Planning Report, she indicated that the subject lands are designated Industrial in the County Official Plan and zoned Restricted Industrial Zone (MR) and are within Regulated Flood and Fill Lines area. She noted that the surrounding land uses include industrial, residential to the north and the Canadian National Railway to the south. The entirety of the lands are regulated by the Upper Thames Regional Conservation Authority. Based on this regulation,

staff have reviewed the proposal and advised that it is not consistent with the 2020 Provincial Policy Statement, does not comply with the County Official Plan policies as it relates to development located within hazardous lands. Under the County Official Plan policies, no alteration to a site within Flood Hazard is permitted, the policies discourage land fragmentation to minimize risks for loss of life and property damage from flooding. UTRCA has provided comments and notes that they are not supportive of the application. Accordingly, staff do not recommend approval of the application.

In response to J. Lessif, the applicant and their agent noted that since 2020 the UTRCA has increased their mapping and regulation limit and increased flood zone limits drastically.

A. Tenhove asked H. St. Clair whether there would be a difference if the application was for residential. H. St. Clair noted that the flood line prohibits any development whether it is residential or industrial. M. Wilson advised that flood mitigation would be required, they are proposing a 32-unit apartment building.

J. Lessif asked whether the application can be deferred to allow the applicants to approach UTRCA to have conversations about flood concerns. M. Wilson advised that letting this portion of the industrial site be sold would open up some funding and capital to allow the applicant to undertake studies for flood mitigation and engineering. A record of site condition would be required and would significantly delay the building of the residential units.

D. Paron noted that the application was to create an industrial parcel not residential. The applicant intends to keep the other portion of the lands and redevelop them.

Moved by:               A. Tenhove  
Seconded by:           J. Lessif

*'Not Granted'*

REASONS:

1. The application for consent is not consistent with the 2020 Provincial Policy Statement with respect to new development within a natural hazard area.
2. The application for consent is not in-keeping with the policies of the County of Oxford Official Plan whereby new development within a regulatory flood plain area is prohibited.
3. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

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On the motion of D. Paron, the Committee meeting adjourned at 11:57 am.

*"Original Signed by"*

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CHAIRPERSON