

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

Thursday, May 4, 2017

The Oxford County Land Division Committee met in the Council Chamber, County Administration Building, Woodstock, Ontario, on Thursday, May 4, 2017 at 9:00 a.m. with the following individuals:

- G. Brumby
  - H. Elliott
  - B. George
  - M. Hacon
  - R. Jull
  - T. Rock
  - A. Tenhove
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- Senior Planner - R. Versteegen
  - Secretary-Treasurer - L. Taschner

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of April 6, 2017, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

T. Rock suggested that during the introduction of the application, the owner/applicant/agent simply introduce themselves, followed by the Planner's review of the application and staff report.

CORRESPONDENCE:

Correspondence dated April 28, 2017, was received from Ronald & Winifred Hilderley regarding Application B16-41-2 (Joanne Christensen).

Correspondence dated May 3, 2017 was received from the Council of the Township of East Zorra-Tavistock regarding Application B16-41-2 (Joanne Christensen).

Correspondence dated May 3, 2017 was received from the Council of the Township of East Zorra-Tavistock regarding Application B16-45-2; A16-14-2 (Alver Farms Limited).

Correspondence dated May 3, 2017 was received from the Council of the Township of East Zorra-Tavistock regarding Application B17-13-2 (Tom & Linda Fulton).

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APPLICATIONS FOR CONSENT:

B17-10-5 – David G. Clendinning (Part Lots 26 & 27, Conc. 12, Township of East Zorra-Tavistock, formerly Township of East Zorra)

David Clendinning, together with his solicitor, Tom Henderson, of Nesbitt Coulter.

The purpose of the Application for Consent is for an agricultural lot addition. The lot to be severed will cover an area of approximately 60.7 ha (150 ac), contains no buildings or structures and is in agricultural production. It is proposed that the severed lot will be added to the adjacent agricultural lot to the immediate north which covers an area of approximately 182.1 ha (450 ac), and contains farm buildings and an accessory single detached dwelling. The lot to be retained will be approximately 0.77 ha (1.9 ac) in area, and contains a single detached dwelling and a detached garage that is currently under construction.

R. Versteegen briefly reviewed the staff Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement (PPS), and complies with the Official Plan policies. He pointed out that a re-zoning will be required to re-zone the retained lot from A2 to RR to recognize the proposed residential use. The retained lot contains a house and a garage currently under construction. The application meets the Point System in the Official Plan, accumulating +8 points. No concerns or objections were received as a result of the notification to the neighbours. He explained that the current garage under construction will be 6.0 m high. The Zoning requires 5.0 m. This will be addressed in the zoning by-law amendment.

D. Clendinning stated that he concurred with the findings and suggested conditions of the staff Planning Report.

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

*"Granted"*

CONDITIONS

1. The lot to be retained be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east and be consolidated with said owners' existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. Drainage re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of Zorra
4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.
2. The application for consent is in keeping with the policies of the County of Oxford Official Plan.

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

CARRIED.

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B17-13-2 – Tom & Linda Fulton (Part Lot 31, Plan 1617, Township of East Zorra-Tavistock, formerly Township of Township of East Zorra, in the Village of Tavistock)

Tom & Linda Fulton were in attendance to present their application. They reviewed the late correspondence dated May 3, 2017 received from the Council of the Township of East Zorra-Tavistock. L. Fulton explained that she and her husband purchased the lot at 200 Main Street and applied to sever the lot in 2015. They propose to construct a house on the previous severed lot and wish to make the lot larger. Their intent is to sever approximately 16 feet from the previous retained lot and add it to the severed lot.

The application for consent proposes a lot addition between two existing residential lots (200 & 206 William Street South). The applicants propose to sever a vacant parcel of land covering an area of approximately 297.3 m<sup>2</sup> (3200 ft<sup>2</sup>) and add it to the adjacent residential lot to the immediate south. The lot to be enlarged covers an area of approximately 1114.8 sq. m (12,000) and contains a residential dwelling under construction. The lot to be retained will cover an area of approximately 1040.5 m<sup>2</sup> (11200 ft<sup>2</sup>) and is currently vacant. The property was subject of a previous consent application (B15-09-2).

R. Versteegen reviewed the staff Planning Report. He indicated that the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law. No concerns or objections were raised as a result of the agency circulation. Planning staff supports the application. R. Versteegen reviewed the once a severance always a severance provisions.

L. Fulton stated that she had no questions and indicated that she concurred with the findings and suggested conditions of the staff Planning Report.

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

*"Granted"*

CONDITIONS

1. 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.
2. A 0.3 m (1 ft.) x 0.3 m (1 ft.) parcel of land from the lot to be enlarged (PIN 00246-0449) be deeded to the Township of East Zorra-Tavistock, free of any encumbrances and costs, and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee prior to the issuance of the certificate for Application B17-13-2.
3. 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. If required, the owner enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
5. If required, the owner shall provide a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the Township of East Zorra-Tavistock.
6. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock have been complied with.

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7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.
2. The application for consent is in keeping 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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B16-41-2 – Joanne Christensen (Part Lot 23, e/s Coleman Street, w/s of Blandford Street, Plan 35, Township of East Zorra-Tavistock, formerly Township of East Zorra, in the Village of Innerkip)

Joanne Christensen, together with her solicitor, Ian Andres, Goodmans LLP, were in attendance. They reviewed the late correspondence dated May 3, 2017, received from the Council of the Township of East Zorra-Tavistock. I. Andres explained the application to the Committee and pointed out that the severed lot contains a large accessory structure, 2 garden sheds and a pool, while the retained lot consists of a house and garage. The zoning has been approved, in principle. He referred to the letter of support received from Ron & Winnifred Hilderley. He stated that the barn was constructed in the 1800's and when Plan 35 was registered on title, it included a portion of the barn at the rear of the property. He indicated that in 1974 the two properties were held in separate ownership, and at the time that Mrs. Christensen purchased the property they merged under one title. J. Christensen's son and partner currently live in the structure on the severed lot. In the 1980's the existing barn was renovated for living space and has continued that way for the past 30 years. No further construction is proposed. The parking issue has now been addressed to the Township's satisfaction. He and his client concur with the findings and suggested conditions of the staff Planning Report.

The purpose of the application for consent is to create one new residential lot in the Village of Innerkip. The lot to be severed will comprise approximately 525.7 m<sup>2</sup> (5,659 ft<sup>2</sup>) in area, with a frontage of approximately 31.7 m (104 ft) along Balsam Street. The lot to be severed contains one large accessory structure, two garden sheds and an in-ground pool. The lot to be retained will be approximately 627.8 m<sup>2</sup> (6,758 ft<sup>2</sup>) in area with a frontage of approximately 20.2 m (66 ft) along Blandford Street and contains an existing single detached dwelling.

R. Versteegen briefly reviewed the staff Planning Report and confirmed that the owner intends to sever a lot for residential purposes with the existing barn to be converted into living space. The application is consistent with the 2014 Provincial Policy Statement (PPS), and complies with the Official Plan policies. The zoning by-law will follow after the severance. He stated that the Township CBO has requested an Engineer's Report confirming the barn for residential use. He pointed out that no objections or concerns were raised as a result of the agency circulation.

In response to R. Jull's enquiry, R. Versteegen explained the calculations used to determine the depth.

In response to A. Tenhove, J. Christensen indicated that the lands located to the immediate east of the barn was at one time uses as a right-of-way to the barn.

R. Versteegen briefly reviewed the lot area requirements in the By-law for the lots.

G. Brumby questioned whether the Township and County were satisfied with the variances requested and with the suitability of the structure being used as a residence. In response, R. Versteegen indicated that the Township has provided a conditional Building Permit to recognize the structure as a residence.

In response to the Committee's enquiry, I. Andres indicated that owner will be required to hook into the municipal services.

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

"Granted"

#### CONDITIONS

1. The lots to be severed and 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.
3. The Township Chief Building Official advise the Secretary-Treasurer that the owner has met the requirements of the Township with respect to the issuance of a conditional building permit for the conversion of the accessory structure on the severed lands for residential use.
4. 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.
5. 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
6. If required, the owner shall provide a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the Township of East Zorra-Tavistock.
7. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock have been complied with.
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 have been complied with.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

#### REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.

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2. The application for consent is in keeping with the policies of the County of Oxford Official Plan.
  3. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

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B16-65-2; A16-14-2 – Alver Farms Limited (Part Lots 11-13, Conc. 10, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Mr. Jonathon Hook together with Kevin Hook were in attendance to present the application. They reviewed the late correspondence dated May 3, 2017, received from the Township of East Zorra-Tavistock Council. J. Hook explained that the reason for the severance is for estate planning purposes.

The application for consent proposes to create an agricultural lot covering an area of approximately 40.5 ha (100 ac), containing a poultry barn. The lot to be retained will be approximately 121 ha (300 ac) in area, is in agricultural production, and contains farm buildings associated with a poultry operation and three accessory single detached dwellings. The owner has also requested a Partial Discharge of Mortgage.

A minor variance is requested from Section 7.2.4, Number of Accessory Dwellings and Garden Suites Per Lot, Township of East Zorra-Tavistock Zoning By-law, to recognize the three existing accessory single-detached dwellings situated on the lot to be retained.

R. Versteegen reviewed the staff Report. He explained that a minor variance has been requested with the severance to recognize the three existing single-detached dwellings on the retained lot. He stated that the application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies and conforms to the Township's Zoning By-law. No concerns or objections were raised as a result of the agency circulation. The dwellings have existed since the mid-1980's. He indicated that the minor variance is appropriate. Staff recommends approval of the application.

In response to G. Brumby, the owner indicated that two family members live in two of the houses, while the third house is rented out.

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

*"Granted"*

B16-65-2

CONDITIONS:

1. Drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.
2. The owner 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 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.

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4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A16-14-2

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.

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B17-08-8; A17-02-8 – Woodstock Property Holdings Inc. (Part of Blocks 3 & 4, Plan M-72, City of Woodstock)

Ms. Andrea Sinclair, MHBC Planning, together with Matt Reisner, Vance Construction, were in attendance to present the application. A. Sinclair stated that Ellis Glass proposes to purchase the severed lot. A minor variance is requested from the rear yard provisions for the retained lot and the interior side yard provisions for the severed and retained lots. She indicated that she and her client concur with the findings and suggested conditions of the staff Planning Report.

The application for consent proposes to create an industrial lot that is proposed to cover an area of approximately 0.98 ha (2.43 ac.) and contains an existing industrial building. The lot to be retained is to be approximately 0.51 ha (1.27 ac) in area, and also contains an existing industrial building. No new development is proposed as a result of the consent application. As part of the application, the owner has also applied to establish a mutual easement for servicing and access purposes over the lots to be severed and retained.

Minor Variances have also been requested from the City of Woodstock Zoning By-law No. 8626-10, as follows:

Section	Lot to be Severed		Lot to be Retained	
	Proposed	Required	Proposed	Required
19.2 Table 19.2 – Rear Yard Depth (Min.)			0 m (0 ft.)	7.5 m (24.6 ft.)
19.2 Table 19.2 – Interior Side Yard Width (Min.)	0 m (0 ft.)	3 m (9.8 ft.)		

R. Versteegen reviewed the staff Planning Report and explained that a common wall will be the dividing line between the severed and retained lots. The property is currently zoned M3-5 and will continue to meet the By-law requirements, with the exception of the minor variances requested. The application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. He reviewed the suggested conditions in the staff Report and pointed out that the City of Woodstock requested an additional condition at the request of the CBO.

A. Sinclair stated that she concurred with the inclusion of the additional condition.

A. Tenhove asked whether the only access would be via Bysham Park Drive. In response, A. Sinclair explained that a blanket easement is being requested over the retained lot in favour of the severed lot.

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

*"Granted"*

B17-08-8

CONDITIONS:

1. The owner shall prepare a legal agreement between the severed and retained lands regarding all shared services and access to the satisfaction of the County of Oxford and the City of Woodstock. A draft copy of the reference plan and legal agreement shall be provided to the City of Woodstock, County of Oxford Public Works Department and the Secretary-Treasurer of the Land Division Committee.
2. The agreement shall contain details regarding all cost sharing requirements and maintenance responsibilities, including, but not limited to a common water service and common wastewater services, as well as other issues including billing, customer service and private plumbing connecting the two properties. The agreement shall be registered on title of both the severed and retained lands at the cost of the applicant. The agreement shall also include an acknowledgement that the existing customer on file is responsible for payment of all water and wastewater charges associated with the servicing as well as compliance with the County's Sewer Use By-law. Finally, this agreement shall also include a provision that the agreement is disclosed in any future property transactions.
3. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford Public Works Department, regarding the installation or sharing of services.
4. The owner shall provide a recent survey confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
5. The owner shall provide parking space data which confirms the parking space requirements comply with the City of Woodstock Zoning Bylaw to the satisfaction of the City Woodstock Engineering Department.

6. The owner shall submit a building report prepared by an architect or professional engineer confirming any spatial separation provisions required by the Ontario Building Code for the exterior wall portion and confirm compliance of the existing firewall required from the Ontario Building Code, to the satisfaction of the City of Woodstock.
7. The owner shall confirm that no underground or overhead services serving the retained lot traverse the severed lot and vice versa. Where such services exist, the owner shall re-locate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
8. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

A16-09-8

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 8626-10.

CARRIED.

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B17-19-6; A17-03-6 – Town of Ingersoll (McCarthy Street, Plan 279, Town of Ingersoll)

Daniel Janus, the applicant and prospective purchaser of the subject property was in attendance. Also in attendance was Garnet Tulp, 78 West Street, Chatham ON N7M 2R5. D. Janus explained that he has purchased the property from the Town of Ingersoll, and has a conditional offer subject to approval of the severance. The lot frontage proposed is 24.7 feet. The By-law requires 29.5 feet. He proposes to construct two semi-detached dwellings. He indicated that he originally requested a second minor variance from the lot coverage provisions of the Zoning By-law. He stated that after further calculations, he no longer will need to apply for the minor variance and will be withdrawing it.

The purpose of the application for consent is to create a residential building lot. The lots to be severed and retained will each cover an area of approximately 303.1 sq. m (3262.2 sq. ft.) and are currently vacant. It is proposed that a semi-detached dwelling will be constructed on the lots and the severance will allow each dwelling unit to be separately conveyed.

Variances are requested from Section 7.2, Lot Frontage, to reduce the minimum lot frontage for the lots to be severed and retained from 9.0 m (29.5 ft) to 7.54 m (24.74 ft); and from Section 7.2, Lot Coverage, to increase the maximum lot coverage for both the severed and retained lots from 40% to 45% as required by the Town of Ingersoll Zoning By-law 04-4160.

R. Versteegen reviewed the staff Planning Report. He confirmed that a minor variance from the lot frontage requirements is requested together with the consent, from the 9.0 m to 7.5 m. The property is designated Low Density Residential on the Land Use Plan in the Official Plan. The application is consistent with the 2014 Provincial Policy Statement (PPS) and complies with the Official Plan policies. He explained that the minor variance request from the lot coverage provisions cannot be considered by the Committee as there are no buildings on the property. The owner will need to seek permission from the Town Committee of Adjustment after construction of the building. No comments or concerns were raised as a result of the agency circulation.

D. Janus stated that he concurred with the findings and suggested conditions of the staff Planning Report.

T. Rock suggested that the words 'in writing and final form' be added to the wording of Condition No. 2.

G. Tulp stated that he was owner of 150 Cherry Street, Ingersoll. He noted that he has an issue with the existing driveway as he is of the opinion that it is partially on his property and on the Town's lands. He suggested he has a right of continuance on that portion of the driveway.

R. Versteegen ask Mr. Tulp if he had entered into any type of an easement. In response, G. Tulp stated that the Town never contacted him about the use of the property.

T. Rock stated that this was not an issue the Committee can deal with, and it was up to Mr. Tulp to contact the Town regarding this issue.

B. George explained that because a person looks after a parcel of land or drives over a parcel does not mean he owns it.

D. Janus questioned if the severance is not approved, whether he could still build a house on the lot as it is.

T. Rock suggested that G. Tulp should be speaking with Town officials and seeking legal advice.

G. Brumby indicated that the Committee is dealing with the severance and minor variance from the lot frontage only.

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

*"Granted"*

B17-19-6

CONDITIONS:

1. All financial requirements of the County with respect to the provision of water and wastewater services must be complied with to the satisfaction of the County of Oxford Public Works Department.
2. The owner withdraw, in writing and in final form, the minor variance request for relief from Section 7.2 to increase the maximum lot coverage from 40% to 45%, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.

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3. 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.
  4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2014 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

A17-03-6

VARIANCE GRANTED

Variance is requested from Section 7.2, Lot Frontage, to reduce the minimum lot frontage for the lots to be severed and retained from 9.0 m (29.5 ft) to 7.54 m (24.74 ft) as required by the Town of Ingersoll Zoning By-law 04-4160.

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
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 Town of Ingersoll Zoning By-law No. 04-4160.

CARRIED.

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V17-01-2 – James F. McKay (Part Lot 35, Conc.14, Township of East Zorra-Tavistock, formerly Township of East Zorra)

Tom Henderson, the owner's solicitor, was in attendance to speak to the application.

R. Versteegen reviewed the staff Planning Report. Initially, it was thought that the two parcels touched at a point; however, the two parcels overlapped. One of the parcels was sold, thus creating a contravention in the Planning Act. The owner is now seeking a favourable decision of the Committee to recognize the validity of both parcels as separate entities. The application is consistent with the 2014 Provincial Policy Statement (PPS), complies with the Official Plan policies, and conforms to the Zoning By-law provisions.

T. Henderson stated that he concurred with the findings and suggested conditions of the staff Planning Report. The lands will continue to be used for agricultural purposes. The lands will be converted to Land Titles.

R. Versteegen confirmed that both lots are held in separate ownerships.

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

*"Granted"*

CONDITION:

1. 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.

REASONS:

1. The application for validation of title is consistent with the 2014 Provincial Policy Statement (2014 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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B. George left the proceedings at 11:00 a.m.

On the motion of T. Rock, the Committee meeting adjourned at 11:10 a.m.

*"G. Brumby"*

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CHAIRMAN