

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

VIRTUAL HEARING

Thursday, August 6, 2020

The Oxford County Land Division Committee met virtually via livestream on Thursday, August 6, 2020 at 9:30 a.m. with the following individuals:

Chair	-	G. Brumby
	-	R. Jull
	-	J. Lessif - Absent
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	L. Taschner

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

DECLARATIONS OF CONFLICT OF INTEREST:

None

APPROVAL OF MINUTES:

Moved by: A. Tenhove  
Seconded by: P. Rigby

*"The Minutes of the Meeting of July 2, 2020, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

Correspondence dated July 29, 2020, was received from Jeffrey Pickering regarding Application B20-06-5 (Betty Ann Pickering).

A letter of concern dated July 29, 2020, was received from Jennifer Rupert regarding Application B19-80-6 (Bentum Family Homes Inc.)

A letter of concern dated July 30, 2020 was received from Ed Greengrass regarding Application B19-80-6 (Bentum Family Homes Inc.)

Correspondence in support of the severance dated July 30, 2020 was received from Stan & Susan Hazen regarding Application B20-09-5 (John MacMillan).

A letter of objection dated August 1, 2020 was received from Sandra DesRoches regarding Application B19-80-6 (Bentum Family Homes Inc.).

A letter of objection dated August 3, 2020 was received from N. Jack Love regarding Application B19-80-6 (Bentum Family Homes Inc.).

Correspondence in support of the severance dated August 5, 2020 was received from Bruce Barnim regarding Application B19-105-3; A19-20-3 (Brad & Kellie Deming).

Correspondence in support of the severance application dated August 5, 2020 was received from Brad Deming regarding Application B19-105-3; A19-20-3 (Brad & Kellie Deming).

APPLICATIONS FOR CONSENT:

B19-74-8 – Robert C. Kennedy (Part Lot 1, s/s Peel Street & Part Lot 1, n/s Lawrason Street, Plan 189, City of Woodstock)

No one was in attendance to speak to the application.

The purpose of the application is to create a vacant residential lot. The lot to be severed comprises approximately 432.7 m<sup>2</sup> (4,657.7 ft<sup>2</sup>) and is currently vacant. The lot to be retained comprises approximately 539.6 m<sup>2</sup> (5,808.4 ft<sup>2</sup>) and contains an existing single detached dwelling. A single-detached dwelling is proposed to be constructed on the lot to be severed.

R. Versteegen reviewed the staff Planning Report. He indicated that the application proposes the creation of a new residential lot for a single-detached dwelling. In planning staff's opinion, the application is consistent with the 2020 Provincial Policy Statement and complies with the Official Plan policies. The subject property is zoned Residential Type 2 (R2) and is predominately surrounded by single detached dwellings as well as a semi-detached dwelling. No objections or concerns were received as a result of the agency circulation, and no comments were received as a result of the public notification to the neighbours. Woodstock City Council passed a resolution in favour of the application at its Council meeting on July 9, 2020. Planning staff is in support of the application.

C. Van Haastert questioned whether there will be sufficient parking for each lot. R. Versteegen indicated that the applicant is required to provide the necessary parking spaces required by the Zoning By-law.

In response to G. Brumby, R. Versteegen confirmed that the application meets all the zoning requirements.

Moved by: P. Rigby  
Seconded by: D. Paron

*"Granted"*

CONDITIONS:

1. The Owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by the owner.
2. The Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford Public Works Department, regarding the installation of services and drainage facilities.
3. 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 relocate the services or obtain private easements over the severed and/or retained lots, to the satisfaction of the City of Woodstock.
4. The Owner shall provide a recent survey of the lots to be severed and retained, confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.

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5. If required, the Owner shall remove all accessory buildings/structures on the lot to be severed, to the satisfaction of the City of Woodstock.
  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 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 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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B20-12-7 to B20-14-7 – Jacob Hiebert & John Peters (Lot 86, Plan 41M-139, Town of Tillsonburg)

Jacob Hiebert was in attendance to speak to the application. He stated that he had no concern and concurred with the findings and suggested conditions in the staff Planning Report.

The purpose of the Applications for Consent are to create 3 residential infill lots within the Town of Town of Tillsonburg that will front onto the south side of Trillium Drive, and north side of Woodland Crescent, and on the west side of Quarter Town Line.

The proposed lot to be severed through B20-12-7 is to cover an area of approximately 692.3 m<sup>2</sup> (7,451.8 ft<sup>2</sup>), the lot to be severed by B20-13-7 is to cover an area of approximately 620.5 m<sup>2</sup> (6,679 ft<sup>2</sup>), and the lot to be severed by B20-14-7 is to cover an area of approximately 651.7 m<sup>2</sup> (7,014.8 ft<sup>2</sup>). The proposed lot to be retained is to cover an area of approximately 573 m<sup>2</sup> (6,167.7 ft<sup>2</sup>). The lots to be severed and lot to be retained are currently vacant. Single detached dwellings are proposed to be constructed on the lots created by applications B20-13-7 and B20-14-7, and semi-detached dwellings are proposed to be constructed on the lot created by B20-12-7 and the lot to be retained.

R. Versteegen reviewed the staff Planning Report. He stated that the owners wish to create three residential lots, for a combination of single detached dwellings and semi-detached dwellings. The subject property is currently vacant. A zone change application has also been submitted with the severances to change the zoning from Neighbourhood Commercial (NC) to special Residential Type 2 (R2-special). In planning staff's opinion, the applications are consistent with the 2020 Provincial Policy Statement and comply with the Official Plan policies. There is predominantly a mix of dwelling types in the immediate area including single detached, semi-detached, townhouse condominiums, along with a future residential development block. No objections or concerns were received as a result of the agency circulation, and no comments were received as a result of the public notification to the neighbours. Tillsonburg council passed a resolution in support of the consent applications at its Council meeting of June 8, 2020.

B20-12-7

Moved by: C. Van Haastert  
Seconded by: P. Rigby

*"Granted"*

CONDITIONS:

1. The lot to be severed and lot to be retained be appropriately zoned.
2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.
3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.
4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.
5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
6. The owners shall provide confirmation that the overall run-off coefficients (for the lands to be severed and retained will be acceptable with the proposed increased lot coverage, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
7. The owners shall provide confirmation that the proposed sightlines for the reduced exterior side yard will meet the TAC Guidelines, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
8. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.
9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
10. 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 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.

B20-13-7

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

*"Granted"*

CONDITIONS:

1. The lot to be severed and lot to be retained be appropriately zoned.
2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.
3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.
4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.
5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
6. The owners shall provide confirmation that the overall run-off coefficients (for the lands to be severed and retained will be acceptable with the proposed increased lot coverage, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
7. The owners shall provide confirmation that the proposed sightlines for the reduced exterior side yard will meet the TAC Guidelines, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
8. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.
9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
10. 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 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.

B20-14-7

Moved by: C. Van Haastert  
Seconded by: R. Jull

*"Granted"*

CONDITIONS:

1. The lot to be severed and lot to be retained be appropriately zoned.
2. The Oxford County Public Works Department advise the Secretary-Treasurer of the Oxford County Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water and sewer services to the subject property has been complied with, to the satisfaction of the County Public Works Department.
3. The owners shall provide proof that the lots have been serviced with municipal water services, municipal sanitary sewers, and municipal storm sewers, to the satisfaction of the Town of Tillsonburg Building Department.
4. The owners shall obtain new civic addresses for the lots to be severed and retained, to the satisfaction of the Town of Tillsonburg Building Department.
5. The owners shall provide a preliminary lot grading plan, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
6. The owners shall provide confirmation that the overall run-off coefficients (for the lands to be severed and retained will be acceptable with the proposed increased lot coverage, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
7. The owners shall make payment for cash-in-lieu of parkland, to the satisfaction of the Town of Tillsonburg.
8. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
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 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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B20-17-8 – Tru-Built Construction Inc. (Part Lot 49, Plan 77, City of Woodstock)

Mark Burke was in attendance to present the application. He stated that he concurred with the findings and suggested conditions of the staff Planning Report.

The purpose of the application for consent is to create a vacant residential lot for a single detached dwelling and retain a lot for similar purposes. Both the lots to be severed and retained are approximately 323 sq. m (3,476.8 sq. ft.). There is a single detached dwelling and detached garage that straddles the proposed property line that will be removed. A new single-detached dwelling is proposed on each lot.

R. Versteegen reviewed the staff Planning Report. He stated that the owner proposes to create a residential building lot. In planning staff's opinion, the application is consistent with the 2020 Provincial Policy Statement and complies with the Official Plan policies. The subject property is currently zoned Residential Type 1 (R1). The owner has submitted a zone change to Residential Type 2 (R2). The subject property is predominately surrounded by single detached and semi-detached dwellings. The existing dwelling on the subject property is to be removed. No objections or concerns were received as a result of the agency circulation, and no comments were received as a result of the public notification to the neighbours. Woodstock Council passed a resolution in favour of the application at its Council meeting on July 9, 2020. Planning staff is in support of the application.

C. Van Haastert questioned the tree on the existing property. In response, R. Versteegen indicated that comments were received from the Parks Department that the owner should take the tree into consideration when building the new home.

In response, M. Burke indicated that the tree is a soft maple and will likely not survive and will need to come down.

Moved by: A. Tenhove  
Seconded by: P. Rigby

*"Granted"*

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. The Owner shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-law No. 5266-76, and amendments thereto. The Agreement will be registered on title by the owner.
3. The existing dwelling and accessory buildings/structures shall be removed, to the satisfaction of the City of Woodstock.
4. The Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford Public Works Department, regarding the installation of services and drainage facilities.
5. 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.
6. The Owner shall provide a recent survey of the lots to be severed and retained, confirming lot sizes and building setbacks, to the satisfaction of the City of Woodstock Engineering Department.
7. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
8. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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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B20-09-5 – John MacMillan (Part Lot 8, Conc. 4; Lot 46, Plan 89, Township of Zorra, formerly North Oxford)

Bob MacMillan was present for the hearing.

L. Taschner read aloud the letter in support of the application received from Stan & Susan Hazen.

The purpose of the Application for Consent is to create a residential building lot. The lot to be severed will cover an area of approximately 2,214 sq. m (23,832.1 sq. ft.) and is currently vacant. The lot to be retained will also cover an area of approximately 2,214 sq. m (23,832.1 sq. ft.), and consists of an existing single detached dwelling and a garden shed. A single detached dwelling is proposed to be constructed on the lot to be severed.

R. Versteegen reviewed the staff Planning Report. He indicated that the application proposes to create a new rural residential lot within a Rural Cluster in Zorra. The subject property is vacant, while the retained lot contains a house and a garden shed. He discussed both the 2020 Provincial Policy Statement and the Official Plan policies and noted that there are limited opportunities permitting rural residential development opportunities on private services. The severed and retained lots are approximately 23,000 sq. ft. in size, whereas the minimum requirement in the Zoning By-law is 30,000 sq. ft. Consequently, both the severed and retained lots are deficient in lot area. He pointed out that the Township Chief Building Official who is responsible for septic systems approval/permit issuances raised concerns as the proposed lot would have insufficient area for a secondary bed should the primary system fail. It is planning staff's recommendation that the application is not consistent with the 2020 Provincial Policy Statement and does not comply with the Official Plan policies. He stated that Planning staff is not in support of the severance.

B. MacMillan stated that he understood the rules. His nephew was proposing to purchase the existing house on the retained lot and his sister was hoping to build on the severed lot. He indicated that he researched the different types of septic systems available.

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

*"Not Granted"*

REASONS:

1. The application for consent is not consistent with the 2020 Provincial Policy Statement.
2. The application for consent does not comply with the County Official Plan policies respecting the provisions of private services.

CARRIED.

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B19-105-3; A19-20-3 – Brad & Kellie Deming (Part Lot 7, Conc. 6, Township of Norwich,  
formerly North Norwich)

Brad Deming was in attendance to present his application.

The purpose of the Application for Consent is to create one new agricultural-business lot in the Township of Norwich. It is proposed that the lot to be severed will comprise approximately 6,549.6 m<sup>2</sup> (1.6 ac) and contains an existing single detached dwelling, accessory to the current business on the subject lands (a farm drainage and exaction contractor's yard). A new agricultural-related structure is proposed for the lot to be severed. The lot to be retained will be approximately 8,082.5 m<sup>2</sup> (2 ac) in size and contains an existing agricultural-related building. An accessory single detached dwelling is proposed for the lot to be retained.

Minor Variances have been requested from Section 8.2, for the lot to be severed, to reduce the minimum required lot area for lands zoned 'Agri-Business Zone (AB)' containing a non-residential and residential use from 0.8 ha (2 ac) to 6,549.6 m<sup>2</sup> (1.6 ac) and to reduce the minimum required lot frontage from 45 m (147.6 ft) to 42 m (137.7 ft) in the Township of Norwich Zoning By-law No. 07-2003-Z.

R. Versteegen reviewed the staff Planning Report. He indicated that the application proposes the creation of a new agri-business lot. The lot to be severed currently contains an existing single detached dwelling and the lot to be retained contains an agri-business lot. The owner proposes to construct an agri-business on the severed lot, and to construct a single detached dwelling on the lot to be retained. A minor variance is requested from the lot frontage and lot area provisions for the severed lot and from the interior side yard provision for the retained lot. The lot to the west consists of an existing single detached dwelling and the owner proposes that the existing well situated on that lot will be shared with the lot to be severed. The lot to the west was severed from the subject property in 2014 and was sold as an estate residential lot. It was noted in that application that the lot was to be sold to the owner's son as a business lot.

It is Planning staff's opinion that the application does not meet the 2020 Provincial Policy Statement as the lotting is not appropriate for residential purposes and should be used only for agri-business uses. Additionally, separate wells should service each lot. There is already a dwelling on the subject property which is meant to function as a secondary use. The severance would result in the creation of three lots for the same agri-business use and no justification has been provided to support the creation of another lot for the same purpose. The minor variance is not supportable as it is not minor in nature. Based on this Planning staff recommend that the applications be denied.

B. Deming addressed the planning report's comments. He noted that he proposes to construct a 28 ft x 50 ft (1,400 sq. ft.) building with the capability to add onto the building in the back in the future. The property to the west was severed in 2014 and was sold in 2017. He feels that the severance is justified. There is an excavation company on a 2-acre residential lot in close proximity to this property. He noted that there are a number of agri-businesses in the area situated on smaller lots. He feels the severance will not fragment farmland, and will create more access for farm-related businesses. He suggested that his application meets the 2020 Provincial Policy Statement and that there is a need for a residence on the agri-business lot as it is more difficult sell the agri-business lot without the ability to construction a home on the lot. He would be supplying a lot for a young person to start a business. He stated that he will be leasing the property to Barnim.

R. Versteegen stated that the application is premature, as a lot would be created without the agri-business use. Also there would be no need for a house to be constructed on the retained lot.

D. Paron agreed that the application was premature and wondered if there was any consideration by the owner to request a deferral of the application to allow him to construct the main structure and then bring the application back to the Committee for a decision. In response, B. Deming indicated that the cost to build the structure is \$100,000 and then if the application is denied, he would have problems selling the property.

R. Versteegen stated that deferring the application indefinitely is not appropriate. The best approach may be to deny the application and when the building is constructed, Mr. Deming can return to the Committee with a new application.

B. Deming suggested that a deferral may not be the best option for him.

G. Brumby suggested that if the Committee approves the application and the lot is created, it could remain a residential lot and never be used for an agri-business use.

B. Deming requested a deferral of the application.

Moved by: D. Paron  
Seconded by: P. Rigby

*"Deferred"*

REASON:

1. The application is deferred to permit the owners and staff of the Community Planning Office to come to a formal agreement satisfactory to both.

NOT CARRIED.

The Committee discussed the length of time for the deferral and suggested one year.

Moved by: D. Paron  
Seconded by: P. Rigby

*"Deferred"*

REASON:

1. The application is deferred for up to one year, to the August, 2021 meeting of the Land Division Committee to permit the owners and staff of the Community Planning Office to come to a formal agreement satisfactory to both.

CARRIED.

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B19-80-6 – Bentum Family Homes Inc. (Part Lots 7 & 8, Block 48, Plan 279, Town of Ingersoll)

Tim Bentum was in attendance to present the application. Also in attendance were neighbours, Sandra DesRoches and Joshua Sarasua.

L. Taschner read aloud the letters of concern received from Jennifer Rupert, Ed Greengrass, Sandra DeRoches and N. Jack Love.

The purpose of the application for consent is to create a residential infill lot that is to front onto the south side of the Cherry Street, east of the Taylor Street. The proposed lot to be severed and retained will both cover an area of approximately 674.2 m<sup>2</sup> (7,257 ft<sup>2</sup>). Each of the lots is intended to have frontages of 18.49 m (60.74 ft.) and will accommodate a semi-detached dwelling.

R. Versteegen reviewed the staff Planning Report and indicated that the owner proposes to create a residential infill lot. Both the severed and retained lots are currently vacant and the in-ground pool has been filled. The lots will front on Cherry Street, east of Taylor Street. Surrounding land use is residential with single detached dwellings to the east, and townhouses and semi-detached dwellings to the west. The proposal is in keeping with the residential infill designation. The application is consistent with the 2020 Provincial Policy Statement and complies with the Official Plan policies. A zone change application will rezone the property from Residential Type 1 (R1) to Residential Type 2 (R2). No concerns were raised as a result of the agency circulation. Concerns were received from neighbours resulting from the public notification. He indicated that Planning staff is in support of the application. He stated that during construction of the R2 lots on the north side of Cherry Street caused much of the concerns raised by neighbours where considerable run off occurred during storm events during the summer. These lots were also developed by Bentum Family Homes Inc. In regards to parking issues, no building plans or site

plans were provided by the owner, but the applicant is required to provide two parking spaces per lot as required by the Town's Zoning By-law.

T. Bentum stated that he concurred with the findings and suggested conditions in the staff Planning Report.

In response to G. Brumby, R. Versteegen stated that the Committee decides on the division of land and does not police the Zoning By-law.

S. DesRoches indicated that she lives in a duplex dwelling on the north side of Cheery Street and has had problems with water run-off since she moved in. Her property is lower than everyone else's and feels she will have even more water problems.

G. Brumby stated that the Town of Ingersoll should be consulted regarding run-off issues in the area.

S. DesRoches suggested that the lots are too small for the type of housing proposed. She indicated that she has been to the Town and was informed by Town staff that the developer is in violation and she wants to know how he can continue to build there. In response, G. Brumby suggested that be persistent with the Town.

J. Sarasua explained that he purchased a home from Bentum and that likely more flooding will result on his property. He wanted to know what the Town or the County will do to help him.

G. Brumby suggested that he contact the County or Town Public Works Department.

R. Versteegen pointed out that Town now requires grading plans and a grading deposit, whereas in 2017, these were not required. He indicated that he forwarded the neighbour's email comments to Town staff.

Moved by: A. Tenhove  
Seconded by: R. Jull

*"Granted"*

CONDITIONS:

1. The lot to be severed and lot to be retained be appropriately zoned.
2. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance to the satisfaction of the County of Oxford Public Works Department.
3. 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. This shall include a grading deposit of \$5,000 for the lots to be severed and retained, a geotechnical sign off be obtained confirming the soil conditions in the area of the former in-ground swimming pool, the payment of \$7,945.76 towards a front ending agreement for the oversizing of services along this area of Cherry Street, as well as the payment of cash-in-lieu of parkland (\$649) for the creation of the new lot.
4. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Ingersoll 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 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 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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B20-06-5 – Betty Ann Pickering (Part Lot 18 & Lots 19 & 20, Plan 61, Township of Zorra, formerly East Nissouri)

Jeff Pickering was present to speak to his application.

The purpose of the Application for Consent is to create a non-farm rural residential building lot. The lot to be severed will cover an area of approximately 768.2 sq. m (8,269.1 sq. ft.) and currently contains an existing garage. The lot to be retained will cover an area of approximately 1,436.5 sq. m (15,462.9 sq. ft.), and consists of an existing single detached dwelling and detached garage.

R. Versteegen reviewed the staff Planning Report. He indicated that the property is situated in the Rural Cluster of Lakeside and is zoned Village (V) in the Township's Zoning By-law. The severed lot is serviced by public water, while the retained lot is serviced by public water and private septic services. In Planning staff's opinion, the application is not consistent with the 2020 Provincial Policy Statement and does not comply with the Official Plan policies as the lot is undersized for private services. The proposed lot is approximately ¼ the size of the minimum lot area requirements whereas the severed lot is approximately ½ the size that is required by the By-law. As raised by the Town's CBO, the severed lot is not large enough to accommodate a secondary septic system should the original system fail. He understands that the properties merged in title, however Planning staff are required to review the appropriateness of the application under the existing policy framework. And through this review, he stated that Planning staff are not in support of the application.

J. Pickering indicated that there are private systems available for lots that are less than 9,000 sq. ft. in size. The two lots are to remain as they are today.

G. Brumby stated that the Pickerings are simply trying to re-create the original lot lines.

R. Versteegen read suggested conditions aloud.

J. Pickering stated that he concurred with the conditions.

Moved by: A. Tenhove  
Seconded by: P. Rigby

*"Granted"*

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.

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2. Township of Zorra shall advise the Secretary-Treasurer of the County Land Division Committee that all requirements of the Township with respect to provision of private water and private septic service to the lot to be severed and the lot to be retained have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the Township of Zorra.
  3. If required, the owners enter into a Severance Agreement with the Township of Zorra, to the satisfaction of the Township Chief Administrative Officer.
  4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
  5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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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B19-103-5; A19-18-5 – Estate of Bernice Robinson (Part Lots 29 & 30, Conc. 2, Township of Zorra, formerly West Zorra)

Brett Prekup was present to speak to the application.

The purpose of the Application for Consent is to create an agricultural lot. The lot to be severed will cover an area of approximately 30.4 ha (75 ac), with frontage along Cornelia Street, and will be used for agricultural purposes. The lot to be severed contains a barn, a shed, an accessory single detached dwelling, cropland and woodlands. Access across the creek to the easterly portion of the lot to be severed would be via an existing culvert crossing. The lot to be retained would comprise approximately 35.6 ha (88 ac) of vacant agricultural land, with frontage along Albert Street.

Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot frontage from 100 m (328.1 ft) to 20 m (65.6 ft) for the lots to be severed and retained.

R. Versteegen reviewed the staff Planning Report. He pointed out that a minor variance to reduce the lot frontages of the severed and retained lots has also been requested with the severance. The property is located within the Agricultural Reserve and Environmental Protection area in the Official Plan. The severed lot is serviced with a private well and septic system. No information was provided for the retained lot. The Official Plan policies state that the property should be large enough for flexibility for current and future farm operations. The property is 75 acres in size, with and EP area regulated by the Upper Thames River Conservation Authority. This results in approximately only 40 acres of tillable acreage on the severed lot and 48 acres on the retained lot. He indicated that Planning staff does not support the severance as in Planning staff's opinion it is not consistent with the 2020 Provincial Policy Statement and in keeping with the County of Oxford Official Plan.

B. Prekup stated that he has been farming his grandmother's property for the past eight years and now wishes to purchase one-half of the farm. Already farm machinery access the retained lot via Albert Street. The severance line divides the woodlot in half between the two lots.

G. Brumby questioned the amount of land that is workable/tillable? In response, R. Versteegen stated that 35 acres is not workable on the severed lot, while 27 acres is not workable on the retained lot, and stated that the By-law does not speak to tillable/workable lands as a zoning provision. He noted that the two lots meet the Zoning By-law minimum requirement for lot area.

In response to a Committee member, B. Prekup indicated that he will be planting corn, wheat and soybeans.

R. Versteegen read aloud the suggested conditions.

B. Prekup stated that he concurred with the suggested conditions.

Moved by: A. Tenhove  
Seconded by; R. Jull

*"Granted"*

B19-103-5

CONDITIONS:

1. If required, drainage reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of Zorra.
2. If required, the owners enter into a Severance Agreement with the Township of Zorra, to the satisfaction of the Township Chief Administrative Officer.
3. The Clerk of the Township of Zorra Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year of the mailing of this Notice of Decision. If all conditions are not met within one year, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within one year, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 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.

A19-18-5

REASONS:

1. The variances requested are minor variance from the provisions of the Township of Zorra Zoning By-law No. 35-99.

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2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
  3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
  4. The variances requested are in keeping with the general intent and purpose of the Township of Zorra Zoning By-law No. 35-99.

CARRIED.

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B20-22-8 – Pete DeVries & Velma J. Taylor-DeVries (Part Lot 38, Plan 273; Part Lot 146C, Plan 293, City of Woodstock)

John Hardy, the applicant and prospective purchaser of the severed lot was present to speak to the application. Also in attendance was Ralph Benedict, OLS.

The purpose of the application for consent is for a residential lot addition. The lot to be severed will cover an area of approximately 385.4 m<sup>2</sup> (4,148.5 ft<sup>2</sup>), is currently vacant and will be added to the residential lot to the immediate north, covering an area of approximately 596.4 m<sup>2</sup> (6,419.8 ft<sup>2</sup>). The lot to be enlarged contains an existing single-detached dwelling with an attached garage.

The purpose of the lot addition is to provide additional outdoor amenity space on the lot to be enlarged and an accessory structure may be constructed. The lot to be retained has a total area of 1,116.6 m<sup>2</sup> (12,019.3 ft<sup>2</sup>) and contains a single detached dwelling and detached garage. The owners have also applied for a Partial Discharge of Mortgage.

R. Versteegen reviewed the staff Planning Report and indicated that the severance is for a residential lot addition to the immediate north. The property is within the Low Density Residential designation on the Land Use Plan. Both the retained and enlarged lots contain single detached dwellings. The severance will create more amenity space for the enlarged lot. It is the opinion of Planning staff that the application is consistent with the 2020 Provincial Policy Statement, complies with the Official Plan policies and conforms to the Zoning By-law provisions. No concerns were received as a result of the agency circulation and no comments or objections were received resulting from the public notification to the neighbours. Planning staff is in support of the application.

J. Hardy and R. Benedict both stated that they concur with the findings and suggested conditions of the staff Planning Report.

Moved by: A. Tenhove  
Seconded by: C. Van Haastert

*"Granted"*

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The Owners shall provide confirmation of the location of any existing overhead or underground services installed to the retained and enlarged lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
3. The Owners shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
4. The Owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.

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

REASONS:

1. The application for consent is consistent with the 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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On the motion of A. Tenhove, the Committee meeting adjourned at 12:25 p.m.

*"Gordon Brumby"*

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CHAIRMAN