

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, December 5, 2024

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, December 5, 2024, at 9:30 a.m. with the following individuals:

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

The meeting was called to order at 10:33am.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of November 7, 2024, be approved as amended, printed and circulated.”

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B24-76-2 - PeopleCare Inc.
(Lt 66, Plan 307, East Zorra-Tavistock)

Kathryn Ritsma was present online to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of this application is to facilitate a boundary adjustment whereby an area approximately 217.5 m² (2,341.1 ft²) in size is to be severed

and conveyed to the existing lot located to the immediate west (municipally addressed as 113 Hope Street West). The proposed lot to be retained will comprise approximately 693.9 m² (6,887.8 ft²) in size and would contain an existing single-detached dwelling and an accessory building. No new development is proposed for the subject lands at this time.

The subject lands are described as Lot 66, Part Lot 68, Plan 307. The lands are located on the south side of Hope Street West, west of William Street South, and are municipally addressed as 107 Hope Street West.

It is noted that the shed located on the lot to be severed will need to be relocated in order to meet the required 1.2 m interior side yard setback for accessory buildings from the internal lot lines. Similarly, a shed exists on the retained lands that would also be required to either be removed or relocated to comply with this 1.2 m setback and a condition to this effect has been included as a recommended condition for the Committee's consideration.

One additional condition has been added to the recommendation post-publishing of the Staff Report to require the severed lands to be physically consolidated with the lot to be enlarged to ensure that the approval of the severance will not result in the creation of a new lot that does not comply with the zoning regulations.

No comments of concern were received from any of the public agencies or neighbouring property owners.

Overall Staff are satisfied that the request for Consent is appropriate from a Planning perspective and can be supported subject to the recommended conditions.

K. Ritsma, understood and accepted the noted conditions including the additional condition mentioned during the meeting. K. Ritsma noted that this application is to correct a past error which will give the driveway access from PeopleCare's property to the abutting landowner.

No comments or concerns were received from the Committee.

B24-76-2

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting lands 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.
2. 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 East Zorra-Tavistock.
3. If required, the Owners shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.
4. The accessory buildings shown on the lot to be severed and the lot to be retained on Plate 3 of Report CP 2024-370 shall be either removed or relocated to comply with the Township Zoning By-law, to the satisfaction of the Township.
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 of East Zorra Tavistock, 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 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 2024 Provincial Planning 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.

B24-67-3 – Hendrik & Andrea Scholten

(Lt 6, Plan 41M152, save & except Pt 1, 41R8232, Township of Norwich)

Hendrik & Derk Scholten, the owners, were present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The application has been requested to facilitate a lot addition to add amenity space onto an existing residential parcel in the Village of Otterville. It is proposed that the lot to be severed will be approximately 300 m² (3,229.1 ft²) in size. The lot to be severed is currently vacant and is proposed to be added to the parcel to the immediate west. The lot to be enlarged is currently 1,716.36 m² (18,474.75 ft²) in size and has frontage onto Church Street. The lot to be enlarged contains an existing single-detached dwelling with attached garage.

It is proposed that the lot to be retained will be approximately 1.6 ha (3.95 ac) in size, and contains a single-detached dwelling, detached garage, garden shed, pool and pool house. No new development is proposed on the lot to be retained at this time.

The subject lands are described as Lot 6, Plan 41M-152, save & except Part 1, 41R-8232, Township of Norwich. The subject lands are located on the east side of Church Street lying between Main Street West and Milldale Road and municipally known as 219 Church Street, Village of Otterville.

No comments of concern were received from any of the public agencies or neighbouring property owners circulated.

It is noted that the lot to be enlarged is a whole of a lot on a registered plan of subdivision which essentially means that a minor change to the configuration of the enlarged lot is required in order to accommodate the proposed lot addition. Staff are therefore recommending that as a condition of approval, a 1 ft by 1 ft square be removed from the enlarged lot which will alter the configuration of the enlarged lot slightly so that it will be able to accommodate the proposed consolidation.

Overall Planning Staff are supportive of the application and recommend approval subject to the noted conditions.

D. Scholten had no questions or concerns and understood and accepted all noted conditions.

In response to D. Paron, H. St. Clair noted that the lots to the immediate south appear to be similar size and configuration with the lot to be enlarged in this instance, which would likely result in them

being undersized as well. Those lots may have been created through a plan of subdivision and subject to the zoning provisions at that time. As they stand now, they would likely be considered legal non-complying. Planning Staff are satisfied that increasing the lot area in this instance is overall a benefit for those enlarged lands.

The Committee had no further comments or concerns.

B24-67-3

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

'Granted'

CONDITIONS:

1. A 0.3 m (1 ft.) x 0.3 m (1 ft.) parcel of land from the lot to be enlarged (PIN #00056-0297) be deeded to the Township of Norwich, 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 B24-67-3.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The Clerk of the 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.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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 2024 Provincial Planning 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.

B24-68-5 – Paul Matheson
(Pt Lt 26-27, Conc. 5 (West Zorra), Township of Zorra)

David Green, the applicant, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of this application is to facilitate an agricultural lot addition. It is proposed that an area of approximately 19 ha (47 ac) be severed from

the subject lands and conveyed to the property to the immediate north. The lands to be enlarged are approximately 41 ha (102 ac) in size, contain two (2) single-detached dwellings, barns and a silo, and are comprised of an agricultural (cash cropping and livestock) operation. The lands to be retained will be approximately 60 ha (148 ac) and are comprised of an agricultural operation (cash cropping), contain a single-detached dwelling, accessory structures, barns and a milk house, with significant acreage including lands previously used for aggregate extraction. No new development is proposed as part of this application.

The subject lands are described as Lots 26 & 27, Conc. 5 (West Zorra), are located in the northeast corner of 37th Line and Road 92, and are municipally known as 376580 37th Line, Township of Zorra.

While much of the subject lands are designated as Agricultural Reserve in the Official Plan which does permit boundary adjustments for agricultural purposes, the easterly portion of the retained lands are designated as Open Space. Staff are of the opinion that there will be no interference with this Open Space designation which contains environmental features, and no changes or new development is proposed that would jeopardize the well-being of these natural features on the property or of the aggregate extraction potential for the retained lands. Further the retained lands are identified as an Area of Natural and Scientific Interest (ANSI) due to what's been known as the Brooksdale Glacier Complex which is contained within the existing significant natural heritage feature and within the Upper Thames River Conservation Authority's regulation limit. Planning Staff are satisfied that the entirety of this feature will remain intact and will not be impacted by the subject application in any way.

No objections or concerns were received from any of the agencies circulated.

No comments or concerns were received from the public.

Overall Planning Staff are of the opinion that the proposal is appropriate and can be supported from a Planning perspective subject to the recommended conditions.

D. Green had no questions or concerns and understood and accepted all the noted conditions.

In response to G. Brumby, D. Green noted that this application was put forth as an opportunity to expand their land base for their dairy operations.

The Committee had no further comments or concerns.

B24-68-5

Moved by: D. Paron
Seconded by: A. Tenhove

'Granted'

CONDITIONS:

1. The parcel intended to be severed and conveyed to the abutting landowner to the immediate north be consolidated with the existing property. Any additional transactions with regard to the severed parcel must comply with Sections 50 (3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. 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 Zorra.
3. 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.

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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 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 2024 Provincial Planning 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.

B24-74-7 – Michael Black
(Lt 1165, Plan 500, Town of Tillsonburg)

John Gilvesy, the agent, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of this application is to establish an easement over a 39.1 m² (420.1 ft²) portion of land situated on the north-west corner of the lands known municipally as 44-48 Oxford Street for access purposes for the property known municipally as 18 Harvey Street.

These lands are presently vacant of any structures but are occupied by a gravel laneway presently utilized by 18 Harvey Street. The establishment of the proposed easement will facilitate legal access to the benefiting lands. No new development is proposed as part of this application.

The subject lands are described as Part of Lot 1165, Plan 500, in the Town of Tillsonburg. The site is situated north-east of the intersection of Oxford Street and Harvey Street.

Overall Planning Staff are of the opinion that the proposal will legalize an existing access situation and ensure that a formal access agreement is established to benefit the subject lands that are utilising the easement.

No objections or comments of concern were received from the circulated agencies or the public.

Overall Planning staff are supportive of the proposal and recommend approval subject to the noted conditions which in this instance does include the establishment of an easement agreement to be registered on title to the satisfaction of the Town.

J. Gilvesy had no comments or concerns and understood and accepted the noted conditions.

No questions or comments were received from the Committee.

B24-74-7

Moved by: A. Tenhove
Seconded by: D. Matheson

'Granted'

CONDITIONS:

1. A draft copy of the Easement Agreement between the owners of the lands on which the easement will be established and the owner of the benefitting lands be provided to the Town of Tillsonburg and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the Agreement and the said Agreement shall be registered on title.
2. That the Owner shall satisfy all requirements, financial or otherwise, of the Town regarding the installation of any services and drainage facilities, to the satisfaction of the Town.
3. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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 2024 Provincial Planning Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

On the motion of A. Tenhove the Land Division Committee meeting adjourned at 11:09am.

"Original Signed by"

CHAIRPERSON