

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, December 1, 2022

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and via livestream on Thursday, December 1, 2022, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	R. Jull
	-	J. Lessif
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: J. Lessif
Seconded by: R. Jull

"The Minutes of the Meeting of November 3, 2022, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

V22-01-1 – Sharon Laird
(Lots 3 & 4, Plan 65, Township of Blandford-Blenheim)

Tom Henderson was in attendance virtually to speak to the application.

The applicant's solicitor is of the opinion that lands identified as the 'Subject Lands Conveyed in 1993 Without Consent' on Plate 4 were initially transferred in 1993 to Gary and Sharon Laird without the benefit of a consent under the Planning Act. The conveyance should have been subject to a Severance Application that would have been considered by the Oxford County Land Division Committee for approval and the applicant's solicitor has identified this as a contravention of the Planning Act.

R. Versteegen reviewed the staff Planning Report. He indicated that it appears the lot was created by way of error in 1993, without the benefit of consent. He noted that the request must be considered as per the standard review requirements of a consent application. The existing dwelling received a building permit from the Township that enabled its construction. The surrounding area is primarily single-detached dwellings. It is Planning staff's opinion that the application is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County of Oxford Official Plan Policies. While the lot does not meet the current zoning provisions, it is considered to be legal non-conforming. Further, in Planning staff's opinion the validation request is supportable.

T. Henderson explained further for the Committee that this is not a request to ask for forgiveness but it was overlooked at the time due to processing of information and older documentation. The subdivision plan that would have created the lot was deregistered and when the lot was transferred the by-law was overlooked.

In response to J. Lessif, T. Henderson explained that this was brought forward as a result of looking into estate and probate planning. The property needed to be converted into the Land Registry system and was caught during this process.

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

'Granted'

CONDITIONS

1. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.

CARRIED.

B22-48-6 – Sifton Properties Ltd.
(Part Lot 19, Concession 1 (West Oxford), Town of Ingersoll)

Lindsay Clark was present for the applicant, and Harry Froussios was present for a neighbouring landowner.

The Application for Consent proposes to create a vacant lot for commercial purposes and retain a vacant lot for future development purposes. The lot to be severed is to be approximately 3.38 ha (8.4 ac.) in area with frontage onto Clarke Road E. and Hollingshead Road while the lot to be retained is to be approximately 1.39 ha (3.4 ac.) in area and have frontage onto Hollingshead Road and Harris Street. Both the lots to be severed and retained are currently vacant.

R. Versteegen that the Committee had previously deferred this application from their October meeting so that the applicant could address comments raised by Planning staff. R. Versteegen reviewed the staff Planning Report and updated the Committee on the changes that have been brought forward. He indicated that the applicant has amended the application to reflect that the lot to be severed is to be used for commercial purposes while the lot to be retained is also to be used for the same purposes. Plate 3 (Applicant's Sketch) has been updated to reflect this change to the application. R. Versteegen briefly reviewed the proposal for the Committee, citing that the lands are designated Service Commercial with special policies in the County of Oxford Official Plan, and zoned Special Highway Commercial Zone in the Town of Ingersoll Zoning By-law. The application is supportable from Planning staff's perspective as it will no longer fragment commercial lands, which was in part to be developed for other purposes. He noted that the amended application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County of Oxford Official Plan Policies, and is zoned appropriately. Agency comments were supportive of the application. A concern letter was received from H. Froussios, the agent for Huron Commodities

was raised for the Committee's consideration. Accordingly, Planning staff are in support of the application and recommend approval.

L. Clark had no question or concerns and thanked staff for bringing the supplementary report forward. L. Clark concurred with the staff Planning Report and agreed with the conditions.

H. Froussios indicated support for the amended application and requested that condition number 2 be completed through easement via Planning Act consent.

R. Jull asked whether the access will be large enough to maneuver vehicles and traffic. L. Clark noted that the detailed design would be worked out through site plan application and that the drawing is just a concept plan at this current stage, engineered drawings will be submitted and reviewed by the Town. R. Versteegen noted that he shared the drawings with Public Works and they did not advise of any issues with the concept and also concurred that through the detailed design stage (site plan approval), that matters such as vehicular access would be reviewed by the Town of Ingersoll staff.

In response to G. Brumby, L. Clark noted that Sifton will be selling the southern property to a commercial developer and the retained parcel will remain with Sifton.

C. Van Haastert moved to approve the application with condition 2 amended to include that the easement is to be established by way of Planning Act consent.

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

'Granted'

CONDITIONS:

1. 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.
2. That the owner agree in writing to enter into a joint use and maintenance agreement established through an easement for the purposes of shared services, parking and access between the retained and severed lands. This matter is to be completed prior to the approval of any site plan application on either the severed or retained lands, to the satisfaction of the Town of Ingersoll.
3. The Owner provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or addressed through the shared easement.
4. 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.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

3. The subject property is appropriately zoned.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-52-5 – Phillip Belore

(Part Lot 25, North of Commissioner Street, Plan 39, Township of Zorra)

Robert Belore was present to speak to the application.

The purpose of this application is to sever an area of approximately 430 m² (4,628 ft²) while retaining an area approximately 460 m² (4,951 ft²) in size, for the purpose of separating a semi-detached dwelling (currently under construction) into separately conveyable residential lots. The lot proposed to be severed and the lot to be retained each have approximately 10 m (32.8 ft) of frontage on Commissioner Street, and have approximately 50 m (164 ft) of depth. Each semi-detached dwelling unit is approximately 139 m² (1,496 ft²) in size and each provides an attached garage and covered porch.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated Low Density Residential within a Serviced Village identified in the County Official Plan, and have a 'Special Residential Type 2 Zone' in the Township of Zorra Zoning By-law. The site specific zoning was previously established with the view that the lands would be severed in the future. He noted that Plate 2 attached to the report do not reflect the current building that is under construction. In Planning staff's opinion that consent application is consistent with the 2020 Provincial Policy Statement, is in keeping with the Official Plan policies, and is zoned appropriately. No comments or concerns were raised as a result of the agency and public circulation. Accordingly, Planning staff are recommending approval of the application subject to the three attached conditions.

R. Belore had no questions or concerns and concurred with the staff Planning Report.

Move by: J. Lessif
Seconded by: R. Jull

'Granted'

CONDITIONS:

1. 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 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.
2. The owner provide cash-in-lieu of parkland, 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 and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall

be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B22-53-5; A22-13-5 - Cody & Rachelle Masson
(Lot 11, Concession 3, Township of Zorra)

Cody Masson was present to speak to the application.

The purpose of this application is to create a vacant residential lot, approximately 2,400 m² (25,834 ft²) in area, while retaining a lot, approximately 2,800 m² (30,139 ft²) for the same purpose. The subject lands contain an existing single-detached dwelling and a shed. The requested minor variance seeks relief from the minimum lot area requirement and proposes a lot area of 2,400 m² (25,834 ft²) rather than the required 2,800 m² (30,139 ft²) as well as reduced lot frontage of 31.3 m (102.6 ft) rather than the required 35 m (114.8 ft), and reduced lot depth of 64.4 m (211.2 ft) rather than the required 80 m (262.4 ft).

R. Versteegen reviewed the staff Planning Report he indicated that the subject property is designated as Rural Cluster in the County Official Plan and zoned Rural Residential in the Township of Zorra Zoning By-law. Surrounding land uses include single-detached dwellings, agricultural lands and a cemetery to the north-east of the property. Minor variances have been requested to accommodate the severance. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned, aside from the requested minor variances. No comments or concerns were received as a result of the agency and public consultation. Accordingly, Planning staff are supportive of the application and indicate that the minor variance requests are appropriate.

C. Masson had no questions or concerns and concurred with the staff Planning Report.

C. Van Haastert inquired whether there is any setbacks required from the cemetery. R. Versteegen noted that there are no setbacks required and that the Chief Building Official.

B22-53-5

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

'Granted'

CONDITIONS:

1. The owner provide cash-in-lieu of parkland, to the satisfaction of the Township of Zorra.
2. That the owner satisfy all requirements regarding the potential drain relocation and septic installation to the satisfaction of the Township of Zorra Chief Building Official/Drainage Superintendent.
3. 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.

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 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 respecting this application.

A22-13-5

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

'Granted'

REASONS:

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

CARRIED.

B22-60-4 – 2566546 Ontario Inc.

(Part Lot 10, Concession 4 (Dereham), Township of South-West Oxford)

Nathan Kok was in attendance to speak to the application.

The purpose of this application is to sever an area of approximately 1,425 m² (15,339 ft²) and retain an area of approximately the same dimensions, for the purpose of creating a new residential infill lot, within the Village of Mount Elgin. The lands to be severed have a frontage of approximately 15 m (49.2 ft) and a depth of approximately 98.5 m (323.1 ft), and are currently vacant. The lands to be retained have a frontage of approximately 15.9 m (52.2 ft), a depth of approximately 98.5 m (323.1 ft), and contain a single-detached dwelling and two (2) garden sheds (to be removed). It is proposed that a single-detached dwelling will be constructed on the lot to be severed.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated as Low Density Residential in the County Official Plan and zoned Residential Type 1 in the Township of South-West Oxford Zoning By-law. He noted that the existing dwelling is located closer to the front lot line, however the reduced front yard is considered to be legal non-

complying. In Planning staff's opinion the application is supportable as it is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan policies and appropriately zoned. No comments or concerns were raised as a result of agency circulation and public notification. Accordingly, Planning staff recommend approval of the consent application subject to the three attached conditions.

In response to D. Paron, N. Kok indicated that the lot is not currently connected to services and noted that the existing septic will be removed and both lots will eventually be connected to municipal services.

G. Brumby inquired as to why the lot needed special requirements to be connected to the municipal sanitary service. R. Versteegen responded noted due to the limitations of the Mount Elgin Waste Water Treatment ability to treat and process solids, every new lot within the Village requires the special treatment and installation pump to accommodate this system deficiencies. N. Kok also advised that due to the overall grade of Mount Elgin the pumps are required to pump the sewage up rather than letting it flow down.

Moved by: P. Rigby
Seconded by: J. Lessif

'Granted'

CONDITIONS:

1. 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 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 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.
2. The Owner agrees in writing that any existing wells on the subject lands will be abandoned in accordance with Ontario Regulation 903, to the satisfaction of the County Public Works Department, and that septic fields will be abandoned to the satisfaction of the Township.
3. The Clerk of the Township of South-West Oxford 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 one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B22-68-4 – 2141632 Ontario Inc.

(Part of Lot 10, Parts 1,2,3 & 4, Reference Plan 41R-10322, Township of South-West Oxford)

Steve Bohner and Joe Van Asseldonk were in attendance to speak to the application.

The purpose of the application is to establish an easement over a portion of the subject property (the lot retained via related approved application B21-03-4). Establishing the easement will permit access to the owner of the Agricultural parcel to the immediate north. The easement is approximately 1,395 m² (0.34 ac) in area. The benefiting lands are approximately 40 ha (98.7 ac) in area and are current vacant (used for cash cropping purposes).

R. Versteegen reviewed the staff Planning Report. He indicated that the purpose of the easement is to access an agricultural parcel that was previously severed in the Village. He noted that the surrounding land uses included predominantly agricultural and residential (within the Village). In Planning staff's opinion the application is consistent with the 2020 Provincial Policy statement, and is in keeping with the County Official Plan policies. No comments or concerns were raised as a result of agency circulation or public notification. Accordingly, Planning staff are recommending approval of the easement application.

There were no questions or concerns from the applicants.

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

'Granted'

CONDITIONS:

1. The proposed easement be registered in favour of lands municipally known as 333338 Plank Line, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.
2. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the owner's expense, to the satisfaction of the Township of South-West Oxford.
3. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

On the motion of J. Lessif, the Committee meeting adjourned at 10:37 am.

“Original Signed by”

CHAIRPERSON