

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, July 7, 2022

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario and virtually via livestream, on Thursday, July 7, 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: A. Tenhove
Seconded by: J. Lessif

"The Minutes of the Meeting of June 2, 2022, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated June 29, 2022 received from Jay Hoogkamp
RE: Application B22-28-4 (Jack & Dawn Lussier)
2. Correspondence dated June 30, 2022 received from Elaine Bridgett
RE: Application B22-24-3 (Insurvest Holdings Ltd.)
3. Correspondence dated July 2, 2022 received from Tanya Goebels
RE: Application B22-24-3 (Insurvest Holdings Ltd.)
4. Correspondence dated July 3, 2022 received from Mike Balch
RE: Application B22-15-8 (Gary & Lisa MacKinnon)

APPLICATIONS FOR CONSENT:

B22-25-7; A22-04-7 & B22-26-7; A22-05-7 – Jacob Hiebert
(Part of Block 86, Plan 41M-139, Parts 1, 2 & 3 of 41R-10084, Town of Tillsonburg)

Trevor Benjamins, the owner's agent, was in attendance to speak to the application.

The proposed consent applications have been requested to facilitate the severance of two existing semi-detached dwellings into separately conveyable lots (4 total). The proposed lot to be severed through B22-25-7 will have a frontage of 11.22 m (36.8 ft), depth of 36.15 m (118.6 ft.), and an approximate lot area of 405.8 m² (4,368 ft²), while the lot to be retained will have a frontage of 7.92 m (26 ft.), an a lot area of approximately 286.5 m² (3083.9 ft²). The proposed lots to be severed and retained through B22-26-7 will have frontages of 7.92 m (26 ft.), depths of 36.15 m (118.6 ft.), and an approximate lot area of 286.5 m² (3083.9 ft²).

Relief has also been proposed to permit the following reduced minimum lot areas:

- reduce the minimum lot area from 450 m² (4,843.8 ft²) to 405.8 m² (4,367 ft²) for the lot to be severed by application B22-25-7;
- reduce the minimum lot area from 315 m² (3,390 ft²) to 286.5 m² (3,083 ft²) for the lands to be retained via application B22-25-7; and
- reduce the minimum lot area from 315 m² (3,390 ft²) to 286.5 m² (3,083 ft²) for the lands to be severed and retained resulting from application B22-26-7.

R. Versteegen reviewed the staff Planning Report. He outlined the specifics of each application. A number of minor variance requests have been submitted to enable the proposed severances. He noted that the subject properties are designated Low Density Residential in the County Official Plan and are zoned Low Density Residential Type 2 Zone (R2) in the Town of Tillsonburg Zoning By-law. He advised that in Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement, are in keeping with the County's Official Plan policies with respect to the creation of residential in-fill lots and are appropriately zoned aside from the requested minor variance. No comments or concerns were raised during agency or public circulation. Accordingly, Planning staff are in support of the consent applications, subject to the recommended conditions.

T. Benjamins requested that the condition requiring the utility pedestal relocation on B22-26-7 be removed or changed. He noted that relocating the existing utility pedestal would result in the entry to the building being reduced significantly. R. Versteegen is of the opinion that the Committee maintain the condition and allow the Town of Tillsonburg to determine whether how the condition would be implemented at their discretion.

B22-25-7

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

'Granted'

CONDITIONS:

1. The Owner shall restore the Trillium Avenue right-of-way, inclusive of asphalt, concrete curb, gutter, and sidewalk, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
2. 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.

3. 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 from the public respecting this application.

A22-04-7

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
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 Tillsonburg Zoning By-law No. 3295.

B22-26-7

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

'Granted'

CONDITIONS:

1. The Owner shall restore the Trillium Avenue right-of-way, inclusive of asphalt, concrete curb, gutter, and sidewalk, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
2. The Owner shall relocate the existing utility pedestal within the private driveway of the lot to be severed to the satisfaction of the Town Building Services Department.

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 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.

A22-05-7

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
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 Tillsonburg Zoning By-law No. 3295.

CARRIED.

B22-05-8, B22-08-8 & B22-09-8 – Stephen Hartley
(Part 1, 41R-8868 in the City of Woodstock)

The applicant is proposing to create 3 lots for single detached dwellings and retain a residential lot for similar purposes. The lots to be severed are currently vacant. The lot to be retained currently contains a single detached dwelling that will remain.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated as Low Density Residential in the Official Plan and are zoned Residential Type 1 (R1) in the City of Woodstock's Zoning By-law. Each of the lots to be severed will require full municipal services and have access onto Hawthorne Avenue. R. Versteegen advised the Committee that in Planning staff's opinion the consent applications are consistent with the 2020 Provincial Policy Statement are in keeping with the County of Oxford Official Plan policies with respect to the

creation of residential infill lots and are appropriately zoned. No comments or concerns were raised during agency and public consultation. Accordingly, Planning staff recommend approval of the consent applications subject to the attached conditions.

B22-05-8

Moved by: C. van Hasstert
Seconded by: D. Paron

CONDITIONS:

1. The certificate for Application B22-08-8 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B22-05-8.
2. The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
3. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford regarding the installation of services and drainage facilities.
4. The Owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock. The agreement will be registered on first title by the owner.
5. The Owner shall submit a reference plan, identifying the proposed severed lots with separate Parts to identify three separate 1-foot reserves (i.e., splitting up the existing 1-foot reserve, Part 2 on 41R-8868), to the satisfaction of the City of Woodstock.
6. The Owner shall provide confirmation that any private services (water well, cistern, septic system, etc.) have been properly decommissioned and abandoned in accordance with Ontario Water Resources Act, RSO 1990 (Ontario Regulation No. 903) and to the satisfaction of the City of Woodstock.
7. The Owner shall provide a conceptual grading/servicing plan for the retained and severed lots to identify how drainage concerns will be addressed. The plan shall show all existing and proposed grading/services on the property, to the satisfaction of the City of Woodstock and the County of Oxford.
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 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.

B22-08-8

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

'Granted'

CONDITIONS:

1. The certificate for Application B22-09-8 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B22-08-8.
2. The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
3. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford regarding the installation of services and drainage facilities.
4. The Owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock. The agreement will be registered on first title by the owner.
5. The Owner shall submit a reference plan, identifying the proposed severed lots with separate Parts to identify three separate 1-foot reserves (i.e., splitting up the existing 1-foot reserve, Part 2 on 41R-8868), to the satisfaction of the City of Woodstock.
6. The Owner shall provide confirmation that any private services (water well, cistern, septic system, etc.) have been properly decommissioned and abandoned in accordance with Ontario Water Resources Act, RSO 1990 (Ontario Regulation No. 903) and to the satisfaction of the City of Woodstock.
7. The Owner shall provide a conceptual grading/servicing plan for the retained and severed lots to identify how drainage concerns will be addressed. The plan shall show all existing and proposed grading/services on the property, to the satisfaction of the City of Woodstock and the County of Oxford.
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 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.

B22-09-8

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

'Granted'

CONDITIONS:

1. The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford regarding the installation of services and drainage facilities.
3. The Owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock. The agreement will be registered on first title by the owner.
4. The Owner shall submit a reference plan, identifying the proposed severed lots with separate Parts to identify three separate 1-foot reserves (i.e., splitting up the existing 1-foot reserve, Part 2 on 41R-8868), to the satisfaction of the City of Woodstock.
5. The Owner shall provide confirmation that any private services (water well, cistern, septic system, etc.) have been properly decommissioned and abandoned in accordance with Ontario Water Resources Act, RSO 1990 (Ontario Regulation No. 903) and to the satisfaction of the City of Woodstock.
6. The Owner shall provide a conceptual grading/servicing plan for the retained and severed lots to identify how drainage concerns will be addressed. The plan shall show all existing and proposed grading/services on the property, to the satisfaction of the City of Woodstock and the County of Oxford.
7. The Owner shall agree, in writing to dedicate a 6 m widening along the 11th Line, a sight triangle (3 m x 3 m) in the northwest corner of the severed lot and a 0.3 m reserve along the 11th Line to the County of Oxford, free and clear of all liens, easements and other encumbrances.
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 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.

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

CARRIED.

B22-12-8: A22-02-8 – Alice Lowes
(Part 1, 41R-7600, in the City of Woodstock)

Robert Yates, the owner's agent, was present to speak to the application.

The purpose of the application for consent is to create a residential lot to construct a single detached dwelling and to retain a lot for the same purpose. The lot to be severed is approximately 1,509 m² (13,551 ft²) in area and is currently vacant. The lot to be retained is approximately 641 m² (6,913 ft²) in area and is currently vacant.

A minor variance is required from Section 6.3.13.2, Table 6.3.13.2 – Zone Provisions, to reduce the minimum required lot frontage of the lots to be severed and retained from 15 m (49.2 ft) to 6 m (19.6 ft) for the lot to be severed and from 15 m (49.2 ft) to 14 m (45.9 ft) for the lot to be retained.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated Low Density Residential in the Official Plan and currently have a Special Residential Type 1 Zone (R1-sp) in the City's Zoning By-law. R. Versteegen advised the Committee that these lands were previously intended to be an extension of Frederick Street, however it was determined that this could not occur and were determined surplus and sold to the current owner. He indicated that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan policies and are appropriately zoned aside from the requested minor variances. No comments or concerns were raised during agency and public circulation. The City of Woodstock council passed a resolution in support of the application. He advised that Planning staff recommend support of the consent application subject to the recommended conditions, and the request for minor variances as they are appropriate.

R. Yates asked for clarification regarding the condition indicating that an interior sprinkler system needed to be installed. He noted that the subject property is within 100 m from a fire hydrant and was not sure why this condition was included. G. Brumby noted that this is a standard condition for backyard infill properties and imposed by the Fire Chief. He advised that the applicant can raise these concerns with the City to determine whether the condition must be addressed or could be waived. G. Brumby also advised that the road widening condition is also a standard condition on most severance applications.

In response to R. Jull, R. Versteegen noted that the owner is responsible for hiring an arborist to prepare tree inventory report to the satisfaction of the Parks Department.

Moved by: D. Paron
Seconded by: R. Jull

'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, to the satisfaction of the City of Woodstock.
2. The owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.

3. The owner shall satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
4. The owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
5. Any existing structures on the severed and retained lands be removed to the satisfaction of the City of Woodstock.
6. The owner shall submit a Tree inventory and Compensation plan and agree, in writing to plant trees or provide cash in-lieu for the planting of trees, to the satisfaction of the City of Woodstock.
7. The owner shall agree, in writing, to obtain site plan approval for the lot to be severed prior to the issuance of a building permit, to the satisfaction of the City of Woodstock.
8. The owner shall agree, in writing, to dedicate a 3 m road widening along Pittock Park Road for the lots to be severed and retained, free of all costs and encumbrances, to the City of Woodstock at first charge.
9. The owner submit a conceptual servicing and grading plan for the lots to be severed and retained, to the satisfaction of the City of Woodstock.
10. 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.
11. 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 from the public respecting this application.

A22-02-8

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.

3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B22-24-3 – Insurvest Holding Ltd.

(Part Lot 1, Concession 5 (North Norwich), Township of Norwich)

Nathan Kok, the owner's agent, was present to speak to the application as was Tanya Goebels, a neighbouring landowner who was also in attendance to speak to the application.

The proposed consent application has been requested to facilitate a lot addition to an existing non-farm industrial bakery in the Township of Norwich. It is proposed that approximately 3.79 ha (9.36 ac) containing a recently constructed warehouse building will be severed from the subject lands and added to the lands to the immediate east. The lot to be enlarged is 1.9 ha (4.7 ac) in size and contains an existing industrial bakery facility and a private well and septic system. It is proposed that the lot to be retained will be 27.8 ha (68.73 ac) in size and is currently vacant and in agricultural production.

R. Versteegen reviewed the staff Planning Report. He outlined the details of the application and advised that the subject lands are designated as Agricultural Reserve in the County Official Plan. He also noted that the lot to be severed has a Special General Agricultural Zone (A2-37), the lot to be retained is zoned General Agricultural Zone (A2) and the lot to be enlarged has a Special Restricted Industrial Zone (MR-8). He noted that in Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, and is also in keeping with the County Official Plan policies with respect to lot additions in the Agricultural Reserve area. A zone change will be required for the lot to be severed to match the zoning on the lot to be enlarged. R. Versteegen mentioned that the bakery has been in operation since the 1980's and the lot addition is allowed due to the bakery operation being an established permitted use. No comments were raised during agency circulation. Accordingly, Planning staff are recommending approval of the application for consent subject to the attached conditions.

Two letters of concern were received from neighbouring landowners. R. Versteegen read aloud the letters for the Committee's consideration. T. Goebels presented in Council Chambers her concerns. She noted that the previous application for zone change was to permit to the warehouse construction, this was approved because it was conveyed that the use of the warehouse had direct relation to the agricultural uses on the remainder of the lands. Ms. Goebels noted that it is deceiving that they are now adding land to the existing operation and is worried that the applicant will attempt to build additional buildings on the lot to be retained similar to what they have done with the lot to be severed. Ms. Goebels cited concerns over garbage blowing into neighbours lawns, transport and employee parking issues, and increased traffic in the area. Ms. Goebels also voiced concerns that the industrial operation will continue to grow and if this is the case it should be relocated into an industrial area.

N. Kok presented in Council Chambers in response to the concerns and the application. Mr. Kok thanked Ms. Goebels for her concerns. He advised that the original plan would have placed the warehouse building to the south of the existing operation closer to the residential parcels. Township of Norwich staff however asked the owners to relocate the building to the east of the facility and to provide direct access onto Norwich Road. Mr. Kok advised the Committee that the building is three quarters complete and once completed the truck traffic will be diverted onto the property due to increased parking and turn around space. He noted that Township of Norwich has advised that additional expansion into the agricultural lands would not be supported or approved. Mr. Kok indicated that the parking lot has been lined to address some dust concerns and that he will discuss with the owner about planting some additional trees to decrease light and garbage pollution.

In response to G. Brumby, Mr. Kok advised that he is acting as the agent for the owner and is not an employee of the owner.

In response to the D. Paron, Mr. Kok advised that the construction should be completed within 2 months.

In response to J. Lessif, R. Versteegen mentioned that industrial uses are typically directed to industrial areas however in this circumstance the bakery is a long established use that is recognized in the Zoning By-law. R. Versteegen noted that if the lands were currently and the uses were not permitted consideration of the lot addition might be different.

R. Versteegen responded to G. Brumby to explain that the previous zone change was allowed as the warehouse building was accessory to the bakery operation. While Planning staff had recommended refusal of the zone change application Township Council approved the zone change.

Mr. Kok responded to G. Brumby and noted that the additional parking is currently gravel but will one day be upgraded to fully asphalt.

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

'Granted'

CONDITIONS:

1. The parcel to be severed be appropriately zoned.
2. The parcel to be severed by conveyed to the abutting land owner to the immediate east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The existing eastern-most entrance on Norwich Road (Oxford Road 18) on the lot to be enlarged be removed, to the satisfaction of the County of Oxford Public Works Department.
4. 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.
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. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-15-8 – Gary & Lisa Mackinnon
(Lot 17, Plan 1621 (South-West Oxford), in the City of Woodstock)

Robert Yates, the owner's agent, was in attendance to speak to the application.

The purpose of the application for consent is for a lot addition that is intended to be incorporated into a residential plan of subdivision (SB 21-13-8). The lot to be severed is approximately 2,425.5 m² (26,108.7 ft²) in area and is currently vacant. The lot to be retained is 5,751.9 m² (61,914.9 ft²) in area and contains a single detached dwelling, carport and in-ground pool. The dwelling and accessory uses on the retained lands will remain. The lot to be enlarged is approximately 79.1 ac (32 ha) in area and is currently subject to applications for Official Plan Amendment, Draft Plan of Subdivision Approval and Zone Change to facilitate a residential plan of subdivision.

R. Versteegen reviewed the staff Planning Report. He indicated that the lot addition is designated as Future Urban Growth in the Official Plan and is zoned Residential Existing (RE) in the City of Woodstock Zoning By-law. R. Versteegen provided historical context on the lands and indicated that the subject lands used to be within the Township of South-West Oxford, but have recently been brought into the City and that a secondary planning exercise by the City of Woodstock has recently commenced for the entirety of the lands brought into the City. He advised that in Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County of Oxford Official Plan policies. No concerns were raised during agency circulation. One letter of concern was received from a neighbouring land owner. R. Versteegen read aloud the letter and addressed the questions contained therein.

R. Yates had concerns regarding the condition imposed wherein the lot to be retained may be required to hook into municipal servicing. R. Versteegen clarified that the condition does state 'if required' and that the wording of the condition states that the owner shall agree in writing to connect to servicing when available.

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

'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 Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
3. The owner shall grant easements to the appropriate authority for any utilities located on the subject lands.
4. The owner shall agree, in writing, to connect to City of Woodstock water and sanitary sewer for the retained lands to the satisfaction of the City of Woodstock, if required.
5. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and County of Oxford regarding the installation of services and drainage facilities.
6. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirement of the City of Woodstock 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 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.

B22-18-8; A22-03-8 – 2731827 Ontario Inc.

(Part Lot 18, Plan 1654, Part 1 41R-3846, Part 1 41R-4438 and Part 1 41R-6714 in the City of Woodstock)

The purpose of the application for consent is to create an industrial lot and retain an industrial lot. The lot to be severed is approximately 3.6 ha (9 ac) in area and is currently vacant. The lot to be retained is approximately 1.3 ha (3.3 ac) in area and contains an existing industrial building.

A minor variance is required from Section 17.2, Table 17.2 to reduce the minimum lot frontage from 60 m (196.8 ft) to 54.2 m (177.8 ft) for the lot to be severed and to 29.4 m (96.7 ft) for the lot to be retained. A minor variance is also being requested from Section 5.4.2.1, Table 4 to reduce the required number of parking spaces from 109 to 95 for the lot to be retained.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject property was formerly dedicated as the Ridgeway Road allowance and is owned by the City. The subject property is designated as Business Park in the County Official Plan, and is currently zoned Prestige Industrial in the City of Woodstock Zoning By-law. He noted that in Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan policies and is appropriately zoned (aside from the requested minor variances). R. Versteegen noted that the applicants will be required to withdraw their request for a reduction in parking spaces as the Committee cannot grant a minor variance for a building that has not been constructed. No comments or concerns were raised during agency and public circulation. Accordingly, Planning staff recommend approval of the consent application and the minor variance request subject to the recommended conditions.

B22-18-8

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

'Granted'

CONDITIONS:

1. Proof be provided of the consolidation of the severed lands with the lands to the immediate east (PIN 000760248) and south (PINs 000760520 & 000760518), to the satisfaction of the City of Woodstock.

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 Owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
4. The application for minor variance (A22-03-8) be amended to remove the request for a reduction to the required number of parking spaces for the lot to be severed, to the satisfaction of the County of Oxford.
5. The owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
6. The owner shall satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
7. The owner shall provide a registered easement over the severed lot in favour of the retained lot for future storm sewer servicing provisions 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 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 from the public respecting this application.

A22-03-8

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.

3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B22-20-3, B22-21-3 & B22-22-3 – R & G DeWachter Farms Ltd.

(Part Lots 118 & 119, Plan 388 in the Village of Otterville, and Parts 1 & 2, Plan 41R-9178, Township of Norwich)

Daniel Erkelens a neighbouring landowner was present to speak to the application.

The purpose of the applications for consent is to create three new residential building lots in the Village of Otterville, and to retain one lot for agricultural use. It is proposed that the lot to be severed via Consent Application B22-20-3 (Severed Lot 1) will be 3,514.9 m² (0.86 ac) in size, with 35 m (114.9 ft) of frontage on Church Street and an approximate depth of 109 m (359 ft). It is proposed that the lot to be severed via Consent Application B22-21-3 (Severed Lot 2) will be 4,026 m² (0.99 ac) in size, with 35 m (114.9 ft) of frontage of Church Street and an approximate depth of 120 m (394 ft), while the lot to be severed via Consent Application B22-22-3 (Severed Lot 3) will be 4,025 m² (0.99 ac) in size and will have a frontage of 35.7 m (117.2 ft) and an approximate depth of 120 m (394 ft). The lots to be severed are currently vacant and one new single detached dwelling is proposed for each of the lots to be severed.

It is proposed that the lot to be retained will be 11.94 ha (29.5 ac) in size and is currently vacant. The lot to be retained is in agricultural production and a new barn and single detached dwelling, accessory to the farm are proposed for the lot to be retained.

Easements have also been requested over the frontages of Severed Lot 2 and Severed Lot 3 for driveway access to Severed Lot 1, Severed Lot 3 and the Lot to be Retained.

R. Versteegen reviewed the staff Planning Report. He outlined the details of the applications and indicated that the lots to be severed are designated Village Settlement while the lot to be retained is designated Agricultural Reserve. The lots to be severed have a Special Development Zone (D-11) and the lot to be retained is zoned Special General Agricultural Zone (A2-39) and Open Space (OS) in the Township of Norwich Zoning By-law. He noted that the surrounding land uses include single-detached dwellings, and agricultural uses outside of the village limits. He noted that In Planning staff's opinion the applications for consent are consistent with the 2020 Provincial Policy Statement, and are in keeping with the County Official Plan. Zone changes are required for each of the new lots to recognize the new residential uses, as well as reduced lot area of the retained lands. No comments or concerns were raised during agency circulation, and no letters of concerns were received at the time of writing the report. Planning staff recommend approval of the consent applications subject to the attached conditions, as well as the requested Easements as they are appropriate to enable the creation of the lots in question.

D. Erkelens was in attendance virtually and indicated to the Committee that he purchased a residential lot that abuts the subject lands and was advised by his real estate agent that the abutting lands were zoned Open Space. Mr. Erkelens had the option to purchase a lot further down the street that backed onto a green space, when he purchased his current lot he was assured that the farm land would remain as open space. The listing agent advised him that the barn would come down and that houses would not be allowed to be built. Mr. Erkelens advised that he feels deceived that there is now going to be development on these lands when he was advised there wouldn't be. He feels as though the property value will decrease substantially. Mr. Versteegen responded to Mr. Erkelens concerns noting that the D-special zoning reflects that future development make take place at some in the future subject to a specific development application being presented. G. Brumby advised that while sympathizes with Mr. Erkelens, his concerns are outside of the purview of the Committee.

B22-20-3

Moved by: R. Jull
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. An easement for the purpose of driveway access be established over the lot to be severed in favour of the lots to be severed via Consent Applications B22-21-3 & B22-22-3 and the lot to be retained, and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access laneway, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the Township of Norwich.
3. A road widening, along the frontage of the lot to be severed and retained be dedicated to the Township of Norwich, free of all costs and encumbrances, to the satisfaction of the Township of Norwich.
4. The lot to be severed shall be required to connect to municipal water services. All financial requirements of the County of Oxford with respect to the provision and installation of water services must be complied with, to the satisfaction of the County of Oxford Public Works Department. This shall include the owner being responsible for the cost of extending the watermain in addition to the costs of constructing new services from the new watermain, the design of which is to be undertaken by the County of Oxford Public Works Department. And further, the owner will need to pay a deposit or provide a letter of credit (both in the amount of a cost of construction estimate) in order to commence this design and construction process.
5. If required, the applicant enter into a severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.
6. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. Comments received from the public were reviewed, and where appropriate were considered in the Land Division Committee's decision to approve the application.

B22-21-3

Moved by: R. Jull
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The lots to be severed and retained be appropriately zoned.
2. The certificate for Application B22-20-3 be issued, the Transfer registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B22-21-3.
3. A road widening, along the frontage of the lot to be severed and retained be dedicated to the Township of Norwich, free of all costs and encumbrances, to the satisfaction of the Township of Norwich.
4. The lot to be severed shall be required to connect to municipal water services. All financial requirements of the County of Oxford with respect to the provision and installation of water services must be complied with, to the satisfaction of the County of Oxford Public Works Department. This shall include the owner being responsible for the cost of extending the watermain in addition to the costs of constructing new services from the new watermain, the design of which is to be undertaken by the County of Oxford Public Works Department. And further, the owner will need to pay a deposit or provide a letter of credit (both in the amount of a cost of construction estimate) in order to commence this design and construction process.
5. An easement for the purpose of driveway access be established over the lot to be severed in favour of the lots to be severed by Consent Applications B22-22-3 and the lot to be retained, and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access laneway, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the Township of Norwich.
6. If required, the applicant enter into a severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.
7. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, 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 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. Comments received from the public were reviewed, and where appropriate were considered in the Land Division Committee's decision to approve the application.

B22-22-3

Moved by: R. Jull
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The lot to be severed and retained be appropriately zoned.
2. The certificate for Applications B22-20-3 and B22-21-3 be issued, the Transfers registered, and a copy of the registered Transfers be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B22-22-3.
3. A road widening, along the frontage of the lot to be severed and retained be dedicated to the Township of Norwich, free of all costs and encumbrances, to the satisfaction of the Township of Norwich.
4. The lot to be severed shall be required to connect to municipal water services. All financial requirements of the County of Oxford with respect to the provision and installation of water services must be complied with, to the satisfaction of the County of Oxford Public Works Department. This shall include the owner being responsible for the cost of extending the watermain in addition to the costs of constructing new services from the new watermain, the design of which is to be undertaken by the County of Oxford Public Works Department. And further, the owner will need to pay a deposit or provide a letter of credit (both in the amount of a cost of construction estimate) in order to commence this design and construction process.
5. An easement for the purpose of driveway access be established over the lots to be severed in favour of the lot to retained, and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access laneway, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the Township of Norwich.
6. If required, the applicant enter into a severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.
7. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, 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 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. Comments received from the public were reviewed, and where appropriate were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-28-4 – Jack & Dawn Lussier

(Part Lot 20, Concession 2, Pt 2 & 3, Pt 1, 4, 8 & 10, RP 41R4997, Township of South-West Oxford)

Jack Lussier was present to speak to the application.

The purpose of the Application for Consent is to facilitate the creation of a new residential lot within the Village of Beachville. The applicant is proposing to sever a lot from an existing agricultural parcel. The lands to be severed (approx. 2,800 m² / 30,140 ft²) are intended to facilitate residential infill development on Raglan Street, Beachville.

R. Versteegen reviewed the staff Planning Report. He indicated that the lot to be severed is designated as Settlement while the lot to be retained is designated as Agricultural Reserve in the County Official Plan. The subject lands are currently zoned General Agricultural (A2) however the lot to be severed will need to be rezoned if approved to reflect its new use for residential purposes. He noted that the surrounding land uses include a solar farm, agricultural lands, CN Railway and low density residential in the Village of Beachville. He indicated that in Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement and is in keeping with the County Official Plan policies with respect to the creation of residential infill lots. No concerns were raised during agency circulation. A letter of concern was received from a neighbouring landowner. R. Versteegen read aloud the letter for the Committee's consideration and addressed the concerns in the letter as well. He highlighted CN's comments and the recommended condition included. Accordingly, Planning staff recommend approval of the consent application subject to the recommended conditions.

J. Lussier noted that the Conservation Authority limit is generous and far enough away from the new property line that new development will not impact potential flood lines. Mr. Lussier accepted the recommendation and conditions in the staff Planning Report and had no questions.

D. Paron asked why the concern letter was referencing the zone change application. R. Versteegen noted that the zone change application was submitted at the same time and are being processed simultaneously.

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned, to the satisfaction of the Township of South-West Oxford.
2. The Owners shall enter into a standard Severance Agreement with the Township of South-West Oxford, to the satisfaction of the Township to address the following:
 - i) Registration of the following warning clause in all offers to purchase, agreements of purchase and sale or lease and in the title deed:

"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way." "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the

possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

- ii) Implementation of certain basic mitigation measures in the dwelling design and construction in order to limit potential impacts, including:
 - a. Provision for air-conditioning, allowing occupants to close windows during the warmer months;
 - b. Exterior cladding facing the railway achieving a minimum STC rating of 54 or equivalent, e.g. masonry; and,
 - c. Acoustically upgraded windows facing the railway with appropriate specifications.
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. The owner provide cash-in-lieu of parkland, to the satisfaction of the Township of South-West Oxford.
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. Comments received from the public were reviewed, and where appropriate were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-30-1; A22-06-1 – Marie Gregor

(Pt Lot 18, Concession 1 (Blenheim) in the Township of Blandford-Blenheim)

The Application for Severance is to create one (1) new residential building lot from an existing lot that contains a single detached dwelling. The lot to be severed is proposed to be approximately 2,350.9 m² (25,304.8 ft²) in area. A single detached dwelling is proposed to be constructed on the lot to be severed. The lot to be retained would be approximately 2,596 m² (27,943.1 ft²) in area and it is proposed that the existing single detached dwelling would remain.

In addition to the Severance Application, a variance application has also been submitted to request relief for both the lots to be severed and retained. Specifically, for the lot to be retained, the applicant is requesting to reduce the minimum lot area from 2,800 m² (30,140 ft²) to 2,596 m² (27,943.1 ft²) and the minimum lot depth from 80 m (262.5 ft) to 51 m (167.3 ft). For the lot to be severed, the applicant is requesting to reduce the minimum lot area from 2,800 m² (30,140 ft²) to 2,350.9 m² (25,304.8 ft²) and the minimum lot depth from 80 m (262.5 ft) to 51 m (167.3 ft).

R. Versteegen reviewed the staff Planning Report. He indicated that the subject property is designated as Rural Cluster in the County Official Plan (located within Gobles) and is currently zoned Rural Residential in the Township of Blandford-Blenheim Zoning By-law. R. Versteegen advised the Committee that in Planning staff's opinion the application is not consistent with the County Official Plan and in particular with the respect to lot creation on lot serviced via private servicing. Further, the subject lands are also not appropriately zoned as the new dimensions would not maintain the minimum required lot area and lot depth to accommodate private service systems and/or areas for a reserve septic bed. The minor variance requests are not appropriate and are substantial reductions to the Zoning By-law and are not supportable from a Planning perspective.

As the property is in close proximity to a CN Railway, there have been special condition recommended from CN if the severance is approved. No concerns were raised as part of the agency or public circulation.

Nonetheless, Planning staff are unable to support this application and recommend not granting the application or minor variances.

In response to J. Lessif, R. Versteegen noted that the applicant has been in discussion with the Planner and was advised of the recommendation before the application was submitted.

In response to D. Paron, R. Versteegen advised that when the County Board of Health had jurisdiction over servicing they reviewed the appropriate lot area required for residential lots on private services and those requirements are reflected in the Township's Zoning By-law.

A. Tenhove commented that the lot size is not out of character with the surrounding lots. R. Versteegen noted that the surrounding lots would have been historically created prior to the current provisions. R. Versteegen mentioned that he is not aware of any system failures in this area.

A. Hartley read aloud the recommended conditions for the Committee's consideration.

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

'Granted'

CONDITIONS:

1. 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 Blandford-Blenheim.
2. The Owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford-Blenheim to address the following:
3. Registration of the following warning clause in all offers to purchase, agreements of purchase and sale or lease and in the title deed:
 - i. *"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."*
 - ii. Implementation of certain basic mitigation measures in the dwelling design and construction in order to limit potential impacts, including:

-
- a. Provision for air-conditioning, allowing occupants to close windows during the warmer months;
 - b. Exterior cladding facing the railway achieving a minimum STC rating of 54 or equivalent, e.g. masonry; and,
 - c. Acoustically upgraded windows facing the railway with appropriate specifications.
4. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.

REASONS:

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

A22-06-1

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Blandford-Blenheim Zoning By-law No. 1360-2022.
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 Blandford-Blenheim Zoning By-law No. 1360-2022.

CARRIED.

B22-31-6 – Brian & Jane Deary
(Part Lot 7 & Lot 8, Block 24, Plan 279, in the Town of Ingersoll)

Brian Deary was in attendance to speak to the application.

The purpose of the Application for Consent is to sever an existing semi-detached dwelling into separately conveyable lots. The lot to be severed is to be approximately 478.3 m² (5,1486 ft²) in area and have a frontage of approximately 11.88 m (39 ft.), while the lot to be retained is to be approximately 404.7 m² (4,356 ft²) in area and have a frontage of approximately 10 m (33 ft.). No new development is proposed as a result of the consent application.

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 2 Zone (R2) in the Town's Zoning By-law. He advised that in Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. No comments or concerns were received as part of agency and public circulation. Accordingly, Planning staff are recommending approval of the consent application subject to the attached conditions.

B. Deary agreed with and accepted all conditions and the recommendation in the staff Planning Report.

B. Deary responded to D. Paron and noted that the semi-detached dwelling was built in the late 1900's and that a new foundation was poured in the 1980's.

Moved by: P. Rigby
Seconded by: R. Jull

'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. The owner shall provide the Town of Ingersoll with a survey of the subject lands showing the existing setbacks and size of the existing structure and any attachments relative to the property line(s), to the satisfaction of the Town of Ingersoll.
3. The owner shall provide a report by a qualified professional that verifies that the fire separation between the severed and retained lots is adequate, to the satisfaction of the Town of Ingersoll. And further, that any building permit(s) required to implement the recommendations of the report are to be obtained from the Town of Ingersoll.
4. The Owner provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
5. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

On the motion of J. Lessif, the Committee meeting adjourned at 11:51 a.m..

"Original Signed by"

CHAIRPERSON