

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, February 8, 2024

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, February 8, 2024, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin
	-	J. Lessif
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove - <i>absent</i>
	-	C. van Haastert
Senior Planner	-	H. St. Clair
Administrative Assistant	-	S. Buchanan

The meeting was called to order at 9:33am.

DECLARATION OF CONFLICT OF INTEREST:

Doug Matheson declared conflict of interest for Application B23-76-5 (Matheson & Sample).

APPROVAL OF MINUTES:

Moved by: J. Lessif
Seconded by: L. Martin

"The Minutes of the Meeting of January 18, 2024, be approved as amended, printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated Monday, February 5, 2024 received from Ian Matheson
RE: Application B23-76-5 (Douglas Matheson & Karen Sample)
2. Correspondence dated Friday, February 2, 2024 received from Victoria DiMarco
RE: Application B23-80-6 (Cheri Parks & James Harvey)
3. Correspondence dated Wednesday, February 7, 2024 received from Mark Burke
RE: Application B23-80-6 (Cheri Parks & James Harvey)
4. Correspondence dated Wednesday February 7, 2024 received from Karen Sample
RE: Application B23-76-5 (Douglas Matheson & Karen Sample)

APPLICATIONS FOR CONSENT:

B23-76-5 – Douglas Matheson & Karen Sample

(Pt Lt 22, Conc. 2 (West Zorra), Township of Zorra)

D. Matheson left the room due to conflict of interest declaration.

Karen Sample, owner, was present to speak to the application.
John Langlois, solicitor, was present to speak to the application.

J. Langlois, indicated that he had a package that he would like to have distributed to the Committee members.

H. St. Clair advised that late correspondence was received this morning from the owner indicating some proposed changes to the application. She recommended that the application be deferred to allow for Planning staff and the Committee to have a chance to review these proposed changes.

Committee members D. Paron, L. Martin, J. Lessif and G. Brumby commented that they are supportive of a deferral recommendation in order to receive feedback from the Planning department and to be able to hear the entire presentation at once.

J. Langlois accepted the deferral and requested for the application to be brought to the next meeting.

H. St. Clair indicated it would be brought back to another meeting as soon as possible.

A motion was brought forth to defer the application for up to 90 days.

B23-76-5

Moved by: J. Lessif
Seconded by: D. Paron

'Deferred'

CARRIED.

B23-77-5 – Gerbert Jongerden & Verna Lester
(Pts 1-8, 41R2958, Township of Zorra)

Joshua Jongerden, family member representing the owner, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of this application is to create one (1) new residential infill lot within the Village of Harrington, Township of Zorra. The application proposes to sever an area of approximately 1.41 ha (3.51 ac), with approximately 91 m (300 ft) of frontage along Victoria Street, while retaining an area of approximately 1.93 ha (4.75 ac). The lands to be severed are currently vacant, while the lands to be retained contain an existing single-detached dwelling and an accessory structure. It is proposed that a single-detached dwelling will be established on the lot to be severed. No changes are proposed for the lot to be retained at this time.

The subject lands are described as Part Lots 1-10, Registered Plan No. 87, are located on the south side of Road 96, with frontage on Victoria Street, are between Albert Street and 33rd Line, and are municipally known as 963694 Road 96, Harrington, Township of Zorra.

Surrounding land uses to the east, south and west are predominantly Residential and are a variety of lot sizes and configurations. Lands to the immediate north are owned by the Upper Thames River Conservation Authority which do form part of the Wildwood Conservation Area. Significant Natural Heritage features do exist on the subject lands and around the property and these have been evaluated through an Environmental Impact Study and submitted and reviewed by the Upper Thames River Conservation Authority.

Planning Staff are overall satisfied that the proposal is consistent with the Official Plan and the Provincial Policy Statement and that the lot to be severed is sufficiently large enough to support the required services.

The Upper Thames River Conservation Authority has reviewed the Environmental Impact Study and no concerns were raised. Any future development approvals will be required from the Conservation Authority.

Planning Staff recommend a condition be included that the lot to be severed be rezoned to facilitate the proposed development with a site-specific provision to ensure that the suitable area for development is located away from the natural heritage area. No rezoning would be required for the retained land.

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

The Township of Zorra did request that cash in lieu of parkland be included as a condition. The Upper Thames River Conservation Authority did comment that any new development would require a permit from their office.

Planning staff are supportive of the proposal subject to conditions outlined in the staff report.

J. Jongerden noted that they look forward to preserving the natural heritage environment on the property. They understood and accepted the noted conditions.

No comments or concerns were given from the Committee members.

B23-77-5

Moved by: L. Martin
Seconded by: D. Matheson

'Granted'

CONDITIONS:

1. That the applicant provide cash in lieu of parkland, to the satisfaction of the Township of Zorra.
2. That the lot to be severed be appropriately zoned.
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.

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

CARRIED.

B23-80-6 – Cheri Parks & James Harvey

(Lt 29, Pt Lt 15-17, 27-28, Blk D, Plan 95, Town of Ingersoll)

Mark Burke, the agent, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The application for consent proposes the creation of one new residential building lot in the Town of Ingersoll. It is proposed that the lot to be severed, which is currently vacant, will be 0.38 ha (40,904.2 ft²) in size, with approximately 16.5 m (54.1 ft) of frontage on Cambridge Street and an approximate depth of 103 m (338 ft). One new single detached dwelling and a detached residential accessory structure is proposed for the lot to be severed.

It is proposed that the lot to be retained will be 900 m² (9,687.8 ft²) in size, with approximately 18.4 m (60.3 ft) of frontage on Cambridge Street and an approximate depth of 41 m (134.5 ft). The lot to be retained contains an existing single detached dwelling (built in approximately 1971) and a detached residential accessory structure approximately 59 m² (635 ft²) in size.

The subject lands are located on the north side of Cambridge Street, lying between Mutual Street and George Street and are municipally known as 75 Cambridge Street in the Town of Ingersoll.

Planning Staff are overall satisfied that the proposal is consistent with the Official Plan and the Provincial Policy Statement.

Comments received from the circulated agencies indicated no objections.

One comment was received from a neighbouring property owner outlining concerns with respect to privacy, but overall Planning staff are of the opinion that there is sufficient opportunity to locate a new dwelling on the lot to be severed and that the proposal complies with the direction of the Provincial Policy Statement and the Official Plan.

Planning Staff are supportive of the application subject to the noted conditions.

M. Burke commented that this application will allow the current owners to stay in their home, create a new lot, and has lots of space for the use of natural features and trees for privacy for all parties involved. He noted that he understood and accepted all noted conditions.

In response to J. Lessif, M. Burke advised that the location of the new dwelling has not been determined yet however he would imagine that the middle/central area would likely be most logical spot.

In response to G. Brumby, M. Burke noted that the neighbour's property has lots of space to enhance their own privacy and that the owners of the new dwelling would likely create their own privacy as well.

In response to J. Lessif, M. Burke advised that the lot could be severed again on the north side, however the primary objective of the owners currently is to develop it as a single lot.

In response to D. Paron, M. Burke advised that they have contemplated all different uses for the lot and taken into account the desires of the individuals involved but are aware that the zoning does not restrict them to a single detached dwelling. He noted that they have not had a chance to speak with the neighbours in regard to the application proposal.

In response to J. Lessif, H. St. Clair noted that when we receive comments from public we field as many questions as we can. In this particular case the neighbour asked for building plans and stated their concerns for the proposal with respect to privacy. Their comments were then forwarded to

the Committee. We do not follow up with them beyond that. M. Burke noted that they are happy to speak to the neighbours moving forward.

G. Brumby recommended that they talk with the neighbours.

J. Lessif requested that the Committee be advised of the staff responses back to comments received and that the Committee members get a copy of that correspondence and for it to be copied into the minutes.

B23-80-6

Moved by: C. van Haastert
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 retained have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance, to the satisfaction of the County of Oxford Public Works Department.
2. If required, the Owner shall submit a grading plan, prepared by a Professional Engineer or Ontario Land Surveyor, to confirm drainage run-off for the proposed severed lot, to the satisfaction of the Town of Ingersoll. The said plan shall also show existing elevations, swales and overland stormwater drainage patterns.
3. If required, 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.
4. The owner shall provide the payment of cash-in-lieu of parkland for the creation of the new lot.
5. If required, the Owner shall provide survey plans for both the lot to be severed and the lot to be retained, prepared by an Ontario Land Surveyor, confirming the dimensions of the proposed lots. Confirmation of the required parking spaces for the lot to be retained shall also be provided, to the satisfaction of the Town of Ingersoll Building Department.
6. If required, 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.
7. 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.
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.

B23-81-6 – Paul Mifsud & Susan Carscadden-Mifsud
(Lt 11 & Pt Lt 10, 259, Blk 88, Plan 279, Town of Ingersoll)

Paul Mifsud & Susan Carscadden-Mifsud, the owners, were present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The application for consent proposes the creation of one new residential building lot in the Town of Ingersoll. It is proposed that the lot to be severed will be 1,124.6 m² (12,105.9 ft²) in size with 12 m (39.4 ft) of frontage on John Street and an average depth of 68.3 m (224.1 ft). The lot to be severed is currently vacant and one new single detached dwelling is proposed for the severed lands. The rear portion of the severed lot contains lands that are regulated by the Upper Thames River Conservation Authority.

It is proposed that the lot to be retained will be 749.7 m² (8,070 ft²) in size with 18.2 m (60 ft) of frontage on John Street and a depth of 40.9 m (134.5 ft). The lot to be retained contains an existing duplex dwelling and a small residential accessory structure.

The subject lands are located on the west side of John Street, lying north of Bell Street and are municipally known as 185 John Street in the Town of Ingersoll.

The applicants did provide a slope stability study which has been reviewed by the Conservation Authority.

No new development is proposed for the retained parcel.

Planning Staff are generally satisfied that the application is consistent with the Provincial Policy Statement and the Official Plan.

The rear portion of the property is traversed by murphy drain and is regulated by Conservation Authority. Planning staff are satisfied that the proposal can be considered acceptable in this instance. The Conservation Authority has reviewed the application and the slope stability study and they are satisfied that there is sufficient developable area for the proposal.

The Oxford County Public Works department did comment that the owner will be responsible for installation of water and sanitary services. The Town of Ingersoll Engineering department commented that a plan of survey will be required to ensure no negative impacts to adjacent land owners. The Town of Ingersoll did request that cash in lieu of parkland be included as a condition. One call was received from a neighbouring property owner with questions regarding the proposed dwelling location on the lot to be severed.

Planning Staff are recommending that the proposal be supported subject to the list of conditions outlined in the staff report.

S. Carscadden-Mifsud had no comments or concerns. She did request an explanation for the cash in lieu of parkland condition to which H. St. Clair advised that it is a fee that the municipality can apply when lands are created through the consent process. It is a percentage based on the assessed value of the property. She understood and accepted all conditions.

The Committee had no questions or concerns.

B23-81-6

Moved by: D. Paron
Seconded by: L. Martin

'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 and completion of appropriate forms prior to the completion of the severance, to the satisfaction of the County of Oxford Public Works Department.
2. If required, the Owner shall submit a grading plan, prepared by a Professional Engineer or Ontario Land Surveyor, to confirm drainage run-off for the proposed severed lot, to the satisfaction of the Town of Ingersoll. The said plan shall also show existing elevations, swales and overland stormwater drainage patterns.
3. The Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll, regarding the installation of services and drainage facilities.
4. If required, the Owner shall provide survey plans for both the lot to be severed and the lot to be retained, prepared by an Ontario Land Surveyor, confirming the dimensions of the proposed lots, to the satisfaction of the Town of Ingersoll Building Department.
5. The owner shall provide the payment of cash-in-lieu of parkland for the creation of the new lot.
6. If required, 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.
7. 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.
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. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B23-82-1 – Ficzero & Sons Ltd.
(Pt Lt 13-14, Conc. 1 (Blenheim), Township of Blandford-Blenheim)

H. St. Clair reviewed the staff Planning Report. The Severance Application has been requested to facilitate the creation of a new residential lot. The lot to be severed comprises approximately 1.7 ha

(4.3 ac), is in agricultural production, and is currently vacant of any buildings or structures. The lot to be retained comprises approximately 22.2 ha (55 ac), is in agricultural production, and is currently vacant of any buildings or structures.

In addition to Severance Application B23-82-1, a Zone Change Application (ZN1-23-18) has also been received by Oxford County and the Township of Blandford-Blenheim. The Zone Change Application proposes to rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Residential Type 1 Zone (R1)' in order to facilitate a future residential use.

The subject lands are described as the Part Lot 13, Concession 1 (Blenheim). The lands are located on the south side of Township Road 2, lying between Gobles Road and Main Street North. The subject lands are currently not municipally addressed.

While further reduction to an existing undersized agricultural parcel is not typically considered to be consistent with the Policy direction, Planning staff are generally satisfied that in this instance it is appropriate given that the lot is located within the village boundary and is intended for non-farm development.

Planning staff are recommending that the lot to be severed be rezoned to R1 as a condition of approval to facilitate future residential development.

The Oxford County Public Works department indicated that a condition should be included that requires the owner to satisfy all requirements of the County with respect to water installation and services. Staff are also recommending that a drainage assessment reapportionment be included as a condition of approval.

Planning Staff recommended approval subject to the recommended conditions.

In response to G. Brumby, H. St. Clair indicated that it is the lot to be severed that falls into the settlement boundary. In response to G. Brumby she also noted that it is up to the municipality to assign the municipal address but perhaps no request was made for this property which could be why it doesn't have one currently.

B23-82-1

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. If required, a drainage assessment reapportionment shall be undertaken, pursuant to The Drainage Act, R.S.O. 1990, to the satisfaction of the Township of Blandford Blenheim.
3. If required, the owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford Blenheim.
4. The County of Oxford Department of Public Works advises the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements with respect to provision of water services to the lot to be severed have been complied with.
5. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of Blandford Blenheim, financial, services and otherwise, have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of

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

REASONS:

1. The application for consent is consistent with the 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.

B22-79-8 – 1904968 Ontario Ltd. & 2657086 Ontario Ltd.

(Pt Lts 15-18, Plan 1600, Pt 5, 41R8748 & Pt Lt 19, Plan 1600, Pt 3, 41R8447, Pt 1, 41R8104, City of Woodstock)

David Barnard and Ravi Patel, agent and owner, were online to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of the Consent Application is to establish an easement over Part 1 on Plan 41R8104 in favour of 510 Norwich Avenue for stormwater management, and an easement over Part 1 on Plan 41R8104 in favour of 510 Norwich Avenue and 527 Lampman Place for access and maintenance to sanitary infrastructure.

The subject lands are described Part Lot 19, Plan 1600, Part 3 Plan 41R8447, Part 1 41R8104, Part Lt 15-18, Plan 1600, Part 5 and 6 41R8748. The lands are located on the east side of Lampman Place, lying between Rideau Road and Juliana Drive. The subject lands are currently municipally addressed 499 and 527 Lampman Place.

The purpose is to establish an easement for servicing purposes. It is proposed a 13 m (43 ft) wide easement be established over the southerly portion of the subject lands for existing stormwater management infrastructure that was previously installed to service the property to the immediate west. The easement will also provide access to the sanitary infrastructure which is to be shared by the subject lands which are also currently under construction for the development of a hotel and conference centre with the lands located at 510 Norwich Ave.

Planning staff reviewed the proposal as well as a proposed site plan for the subject lands and are satisfied that the proposal is acceptable from a Planning perspective. The proposed easement will allow for the efficient use of the subject lands and the lands benefitting from the proposed easement and are therefore of the opinion that it can be given favourable consideration.

D. Barnard and R. Patel had no concerns with the report and accepted the noted conditions.

There were no comments or concerns from the Committee.

B22-79-8

Moved by: L. Martin
Seconded by: J. Lessif

'Granted'

CONDITIONS:

1. A draft copy of the Easement Agreement be provided to the City of Woodstock, County Public Works and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the Agreement and the said Agreement shall be registered on title.
2. 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.
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 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 10:36 am.

“Original Signed by”

CHAIRPERSON