

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, July 4, 2024

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, July 4, 2024, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin
	-	J. Lessif
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	H. St. Clair
Secretary-Treasurer	-	A. Karn Sims

The meeting was called to order at 9:35am.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of June 6, 2024, be approved as amended, printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

GENERAL BUSINESS:

Application B24-27-2 for David and Bonnie Hallman has been deferred by the owner request due to some amendments and will be heard at a future meeting date.

CORRESPONDENCE:

1. Correspondence dated Wednesday, July 3, 2024 received from Pete Maurer
RE: Application B24-18-1 (Heidi Faul)

APPLICATIONS FOR CONSENT:

B24-17-8; A24-12-8 – 2742534 Ontario Inc.
(Pt Lt 13, Conc. 1 (Blandford), Pts 3, 4 & 8, 41R9975, City of Woodstock)

Derek Booy, the applicant, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The application proposes to sever a vacant lot with an approximate area of 8,379.3 m² (90,181.2 ft²) to be developed for commercial uses. The proposed retained lot will have an approximate area of 4,613 m² (49,639.5 ft²) and contains Steve's Automotive.

The application is also requesting a variance to the Zoning By-law to permit a minimum lot depth of 74 m (242.8 ft) whereas a minimum frontage of 75 m (246 ft) is required for the proposed retained lands.

The subject lands are described as Part Lot 13, Concession 1 (Blandford). The lands are located on the south-east corner of Devonshire Avenue and Griffin Way. The subject lands are currently municipally addressed as 462 and 478 Griffin Way.

No comments of concern were received from any members of the public.

Planning Staff recommend approval of the application subject to the conditions noted in the report.

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

No comments were received from the Committee members.

B24-17-8

Moved by: A. Tenhove
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 the 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 recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

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

A24-12-8

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

'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 the City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B24-28-8; A24-08-8 – Oxford Builders Inc.
(Pt Lt 16 s/s Fifth Ave, Plan 86, City of Woodstock)

George Geerlinks, the owner, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The application for consent proposes to sever a parcel having a frontage of 10 m (32.8 ft), average depth of 40.2 m (131.9 ft), and area of 404.5 m² (4,354 ft²) and retain a parcel with the same dimensions to create two lots for a proposed single-detached dwelling on each lot.

The application is also requesting variances to the Zoning By-law to permit a minimum lot frontage of 10 m (32.8 ft) whereas a minimum frontage of 12 m (39.4 ft) is required for both the proposed severed and retained lands.

The subject lands front on the south side of Fifth Avenue, between Innes Place and Mill Street, and are legally described as Plan 86, Part Lot 16, in the City of Woodstock, known municipally as 240 Fifth Avenue.

No comments of concern were received from the public.

Planning Staff reviewed the application and recommended approval subject to the noted conditions.

G. Geerlinks had no comments or questions and understood and accepted all noted conditions.

No comments or concerns were given from the Committee members.

B24-28-8

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

'Granted'

CONDITIONS:

1. The Owner(s) 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 Severance Agreement shall be registered on first title by the Owner, to the satisfaction of the City of Woodstock.
2. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
3. The Owner(s) shall remove all accessory structures on the severed parcel to the satisfaction of the City of Woodstock Building Department.
4. The Owner(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands to the satisfaction of the City of Woodstock.
5. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities, if required.
6. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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.

A24-08-8

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

'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 the City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B24-19-4 – Debbie Bleeker
(Pt Lt 20-21, Conc. 1 (Dereham), Township of South-West Oxford)

Debbie Bleeker, the owner, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The purpose of this application is to facilitate an agricultural lot addition whereby an area, approximately 6.4 ha (16 ac) in size, of vacant agricultural (cash cropping) lands will be severed and conveyed to the agricultural lot to the immediate west. The lands to be enlarged are approximately 24.2 ha (60 ac) in size and contain an existing single-detached dwelling, a shop, a barn and a number of agricultural buildings and structures. The lands to be retained are approximately 58.7 ha (145 ac) in size and contain an existing single-detached dwelling, an accessory structure, a barn and a number of agricultural buildings and structures. No new development is proposed as a result of this application and both the lands to be retained and the lands to be enlarged have direct access onto Union Road.

The subject land is described as Lot 21, Conc. 1 (Dereham), is located on the south side of Union Road, between Salford Road and Plank Line, and is municipally known as 403582 Union Road, Township of South-West Oxford.

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

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

D. Bleeker had no comments or concerns and understood and accepted all noted conditions.

In response to J. Lessif, H. St. Clair noted that no new development is proposed at this time and they are just looking to establish a minor boundary adjustment to increase the lot area for the enlarged lot shown in green on Plate 2. The intent of the drainage reapportionment is because they are adjusting the size of the parcel of land so the lot to be enlarged will essentially be paying more for the drain.

In response to J. Lessif, D. Bleeker noted that she owns the parcel to the west and someone else owns the parcel on the east.

In response to G. Brumby, D. Bleeker advised that this Consent is for the purposes of ease of land use as it is easier to farm with straight boundaries.

In response to A. Tenhove, H. St. Clair that 'A2-48' zoning was recently established when the Town of Ingersoll expanded their boundary to Union Road. The Township and the County of Oxford wanted to make sure that the property owners at this location were not impacted with respect to their existing barn so that site specific provision to the MDS calculation treats any barn development as a Type A land use rather than a Type B so its treated as a regular agricultural land use for the purpose of determining those setbacks.

B24-19-4

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed and conveyed to the abutting landowner to the immediate east be consolidated with the existing property. Any additional transactions with regard to the severed parcel must comply with Sections 50 (3) and (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. The lot to be severed and merged with the parcel to the immediate west be rezoned to the satisfaction of the Township of South-West Oxford.
3. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the Owner's expense, to the satisfaction of the Township of South-West Oxford.
4. 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.
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 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.

B24-18-1 – Heidi Faul

(Lt 1 & 2 S of Powell St, Pt Lt 5 W of Matheson St, Blk C, Plan 199, Pt 1, 41R4752, Township of Blandford-Blenheim)

Shain Arnott, was present to speak to the application.

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 735.4 m² (7,915.7 ft²) and would have frontage on Powell Street. The lot to be retained comprises approximately 703.5 m² (7,572.4 ft²) and would have frontage on Matheson Street. A single detached dwelling and an accessory building currently exist on the subject lands and both will be removed.

In addition to Severance Application B24-18-1, a Zone Change Application (ZN1-24-03) has also been received by the Township of Blandford-Blenheim. The Zone Change Application proposes to rezone the subject lands from 'Residential Type 1 Zone (R1)' to 'Residential Type 2 Zone (R2)' and 'Special Residential Type 2 Zone (R2-sp)' to facilitate a future residential use. A semi-detached dwelling is proposed to be located on each of the lot to be severed and the lot to be retained. Special provisions are requested to permit a reduced minimum frontage and lot area.

The subject lands are described as Lots 1-2 & Part Lot 5, Block C, Plan 199, Part 1, 41R4752. The lands are located on the southwest corner of the Powell Street and Matheson Street intersection. The subject lands are municipally addressed as 36 Matheson Street.

One comment of concern was received from the public outlining concerns with respect to the future variances that would be required to facilitate the future subdivision of these lands for those proposed semi-detached dwellings. Particularly these concerns indicated issues with respect to the reduced area for parking which may lead to on-street parking and road safety issues. It is noted that these variances will be considered by the Township of Blandford-Blenheim as a part of a future public meeting for that Zone Change but Planning Staff are generally satisfied that the requested reductions can be considered minor and appropriate for the development of the subject lands. The subject lands do currently contain a single detached dwelling and a detached garage which would be removed. Staff recommend that the removal of the structures be included as an additional condition of the Consent.

Planning Staff recommend approval of the application subject to the noted conditions.

S. Arnott had no comments or concerns and understood and accepted all noted conditions.

In response to A. Tenhove, H. St. Clair noted that there were two typos on the Public Notice with respect to the labelling of the street from Maitland Street to Matheson Street and one noting an incorrect zoning type of R3-sp to R2-sp.

B24-18-1

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

'Granted'

CONDITIONS:

1. That all buildings and structures on the lot to be retained and the lot to be severed be removed, to the satisfaction of the Township Chief Building Official.
2. The lot to be retained and the lot to be severed be appropriately zoned.
3. If required, the owners enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.
4. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of Blandford-Blenheim.
5. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all requirements, financial and otherwise, of the County of Oxford with respect to provision of water and sewer services to the subject property have been complied with.
6. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
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 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. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B24-25-1 – Roy & Lori Fox

(Pt Lt 1-4, Blk J, Plan 104, Pt 4, 41R1246, Township of Blandford-Blenheim)

Roy Fox, the owner, was present to speak to the application.

H. St. Clair reviewed the staff Planning Report. The Application for Severance is to create one (1) new residential lot. The lot to be severed by B24-25-1 will be approximately 694.3 m² (7,474.3 ft²) in area and currently contains an accessory building, which would be removed. The lot to be retained would be approximately 1,567.3 m² (16,870.5 ft²) in size and currently contains a single detached dwelling in addition to an accessory building. Both structures are proposed to remain on the lot to be retained.

The subject lands are described as Part Lots 1-4, Block J, Plan 104, Part 4, 41R1246 in the Township of Blandford-Blenheim. The subject lands are located on the northeast corner of the Centre Street and Maitland Street intersection. The subject lands are currently municipally addressed as 23 Maitland Street.

Planning Staff do note that there is a detached shed on the lot to be severed which the applicant has indicated will be removed. Staff are recommending that the removal of the shed also be included as a condition of the Consent that was not outlined in the Staff report.

No comments or concerns were received from the public.

Planning Staff recommended approval subject to the conditions noted in the report and the additional condition regarding to the removal of the existing structures on the severed lot to ensure that the severed lot will not have a standalone detached residential accessory use on it.

R. Fox had no comments or concerns and understood and accepted all noted conditions.

In response to D. Paron, R. Fox noted that all the trees are Township trees and he maintains them.

In response to D. Paron, H. St. Clair noted that there were no comments received from the Township with respect to any replanting of the trees.

In response to G. Brumby, R. Fox noted that he is aware of the outstanding sewer bill and that he understood that the connections were free and that there was no fee, however a few years later they let him know that they would have to pay for the extra lot if you were going to have it. At the time he had not severed the lot so he had the connection put in just in case of future developments and so they had to waive that \$25.00 per month fee.

No further comments or questions were expressed by the Committee.

B24-25-1

Moved by: D. Matheson

Seconded by: A. Tenhove

'Granted'

CONDITIONS:

1. If required, all buildings and structures on the lot to be severed be removed, to the satisfaction of the Township Chief Building Official.
2. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of 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.
4. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all requirements, financial and otherwise, of the County of Oxford with respect to provision of water and sewer services to the subject property 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.

B24-26-3; A24-07-3 – Van Der Kooi Dairy Farms Inc.
(Pt Lt 20-21, Conc. 8 (South Norwich), Township of Norwich)

Andre Van Der Kooi, the owner, was present to speak to the application.
Ushdeep Sandhu, the solicitor, was present online to speak to the application.

H. St. Clair reviewed the staff Planning Report. The applications have been requested to facilitate the creation of a residential lot in the Village of Springford. It is proposed that the lot to be severed will be approximately 2,600 m² (27,986.17 ft²) in size and have 35 m (114.85 ft) of frontage onto Main Steet E. The lot to be severed currently contains an existing single-detached dwelling with attached garage, and private septic service. The applicant is proposing a new driveway on the lot to be severed so that access is wholly contained on the property. A zone change application will be required to recognize the new use of the property if approved.

It is proposed that the lot to be retained will be approximately 56 ha (138.3 ac) in size, and contains an existing barn which houses horses. No development is proposed on the lot to be retained at this time.

The associated minor variance has been requested to recognize a reduced interior side yard setback for the lot to be retained from the required 25 m (82 ft) to 20.9 m (68.5 ft) from the existing barn to the newly proposed lot line.

The subject lands are described as Part of Lots 20-21, Concession 8 (South Norwich), Township of Norwich. The subject lands are located on the north side of Main Street East lying between West St N and Middletown Line and are municipally known as 490 Main Street East in the Village of Springford.

Overall Planning staff are satisfied that the proposal is appropriate and recommend approval subject to the conditions noted in the Staff report.

U. Sandhu had no questions or concerns and understood and accepted all noted conditions.

In response to C. Van Haastert, A. Van Der Kooi noted that the driveway is on the retained lot.

In response to L. Martin, H. St. Clair noted that the requested lot area will allow for a consistent rear lot line to a number of rear lots that have already been severed off of the subject lands so that there is an even rear yard. The applicants are unable to move any closer to the west to expand that severed lot any wider.

In response to D. Paron, H. St. Clair noted that the variance would apply to the retained lands only to reduce that setback between the barn and the new lot line whereas the rezoning would apply to the severed lot to recognize the new land use as residential and to recognize the reduced lot area.

In response to G. Brumby, H. St. Clair noted that there will an access from the main street to the farm. A. Van Der Kooi also noted that a driveway was put in when the house was built and the entrance to the field was on the east side, but entering in the centre makes more logical sense and keep the road less busy.

There were no further comments or concerns from the Committee.

B24-26-3

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

L. Martin made a comment on the motion that they need to be leery of granting undersized lots.

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. If required, a drainage reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of Norwich.
3. If required, the applicant enter into a severance agreement with the Township of Norwich, to the satisfaction of the Township of Norwich.
4. The applicant is required to obtain an Entrance Permit for the lot to be severed and further, be designed in accordance with the County of Oxford Guidelines For Entrances to the County Road System, to the satisfaction of the County of Oxford Public Works Department.

5. The County of Oxford Public Works Department advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to the provision of water service to the lot to be severed have been complied with. This condition can be cleared by payment for the required services prior to the completion of the severance, to the satisfaction of the County of Oxford Public Works Department.
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. The Land Division Committee did not receive any comments from the public respecting this application.

A24-07-3

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

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Norwich Zoning By-law No.07-2003-Z.
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 the Township of Norwich Zoning By-law No.07-2003-Z.

CARRIED.

On the motion of J. Lessif the Land Division Committee meeting adjourned at 10:45am.

"Original Signed by"

CHAIRPERSON