

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

VIRTUAL HEARING

Thursday, January 13, 2022

The Oxford County Land Division Committee met virtually via livestream on Thursday, January 13, 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 - <i>absent</i>
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

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

ELECTION OF CHAIR:

Nominations for the position of Chair were invited.

Moved by: A. Tenhove  
Seconded by: J. Lessif

*"That Gordon Brumby be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2022"*

CARRIED.

Gordon Brumby accepted the nomination.

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

*"That the nominations for the position of Chair of the County of Oxford Land Division Committee for the year 2022 be closed."*

CARRIED.

Gordon Brumby was declared Chair of the County of Oxford Land Division Committee for the year 2022.

ELECTION OF VICE-CHAIR:

Nominations for the position of Vice-Chair were invited.

Moved by: R. Jull  
Seconded by: G. Brumby

*"That Arend Tenhove be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2022."*

CARRIED.

Arend Tenhove accepted the nomination.

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

*“That the nominations for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2022 be closed.”*

CARRIED.

Arend Tenhove was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2022.

APPROVAL OF MINUTES:

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

*“The Minutes of the Meeting of December 2, 2021, be approved as printed and circulated.”*

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

V21-01-4 – Leonard Stere

(Part Lot 11, Concession 5 (Dereham) Township of South-West Oxford)

Thomas Henderson, the owners' solicitor, was in attendance to present the application. He indicated that his clients are seeking a Validation of Title. He stated that he concurred with the findings and suggested conditions in the staff Planning Report.

The applicant is proposing to obtain a 'validation of title' for the subject lands under Section 57 of the Planning Act, which allows the County Land Division Committee to validate the title of a property that has been conveyed without completing the 'normal' consent process.

The lands were previously owned by Bruce and Thelma Harvey. The Harvey's received consent to sever the entire parcel into three separate parcels. At the time of consent the Harvey's were unaware that they owned a 4 ft strip of land behind the parcels and therefore transferred the parcels with incorrect dimensions. The reference plan completed at the time of consent noted the depth of the lots were 134 ft, where in reality, the depth of the lots are 138 ft. This issue came to light when the surveyor for the subdivision being developed behind the subject property noted the discrepancy. The subject lands were conveyed to Leonard Stere without consent in 1978. The 4 ft strip of land behind the property to the west also owned by the Harvey's was not conveyed at the time and remains in the ownership of the Harvey's.

The request for validation of title is required so that the property is no longer in contravention of the Planning Act. Without the validation Mr. Stere is unable to convey or mortgage the property.

R. Versteegen reviewed the staff Planning Report and advised the committee that the request for validation is appropriate and that staff recommend approval of the request.

In response to A. Tenhove, T. Henderson explained that the applicant is required to validate the ownership to the land that he was originally entitled to when it was conveyed to him.

In response to G. Brumby, R. Versteegen noted that although the configuration is odd, this is a historical issue that needs to be addressed, and that if the neighbours would like to purchase the

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4 ft strip behind their property they can do so after the ownership is validated. R. Versteegen noted that staff have reviewed the request and agree that the validation is required.

Moved by: A. Tenhove  
Seconded by: J. Lessif

*'Granted'*

CONDITION:

1. 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.

REASONS:

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

CARRIED.

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B21-72-8; A21-22-2 – 12692881 Canada Inc.  
(Part Lots 34 & 46, Plan 77, and Part 3, 41R-5399, City of Woodstock)

The purpose of the application for consent is to create a residential lot to construct a single detached dwelling. The lot to be severed is to be approximately 1,126.38 m<sup>2</sup> (12,124.6 ft<sup>2</sup>) in area and contains a portion of a single detached dwelling. The lot to be retained is to be approximately 1,126.38 m<sup>2</sup> (12,124.6 ft<sup>2</sup>) in area, contains a portion of a single detached dwelling and an accessory structure. The existing single detached dwelling is proposed to be removed and a single detached dwelling will be constructed on each of the lots in question.

R. Versteegen reviewed the staff Planning Report and explained that the property is designated as Low Density Residential in the County Official Plan, and is zoned Residential Type 1 (R1) in the City's Zoning By-law. A minor variance has been requested to recognize the intended reduced frontage of the properties. He noted that the surrounding area consists of Southside Park to the east and other residential lots surrounding, primarily single-detached dwellings. He advised that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan policies, and is appropriately zoned. No comments or concerns were received as a result of agency circulation, and no comments were received during public notification. The City of Woodstock council also passed a resolution in support of the application. Accordingly, Planning staff recommend approval of the consent, subject to a number of conditions and are also supportable of the requested minor variance.

In response to G. Brumby, R. Versteegen explained that 11.5 m is not an uncommon frontage, and speculated that the lot configuration appears irregular due to the depth of the lots.

B21-72-8

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

*'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 and County of Oxford, 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. The existing dwelling and accessory structure on the subject lands be removed to the satisfaction of the City of Woodstock.
6. The owner shall dedicate a 3 m (9.8 ft) road widening along the frontage of the lot to be severed and the lot to be retained to the City of Woodstock, free of all costs and encumbrances, to the satisfaction of the City of Woodstock.
7. The owner shall agree in writing to provide tree protection and compensation 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 one year, 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.

A21-22-2

Moved by: A. Tenhove  
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.

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B21-77-8; A21-24-8 & B21-78-8 – Norman & Anna Garreau  
(Lots 19 & 20, Plan 189 and Part 5, 41R-7733, City of Woodstock)

Norman Garreau, the owner, David Aylwin and Tyler Spanjer, the applicants were in attendance to speak to the application

The purpose of the Applications for Consent is to sever two street fronting townhouse units into separately conveyable parcels and retain a unit for similar purposes. The lot to be severed by B21-77-8 is to be approximately 406 m<sup>2</sup> (4,370.2 ft<sup>2</sup>) in area and contains a street fronting townhouse unit and a small garden shed. The lot to be severed by B21-78-8 is to be approximately 264.5 m<sup>2</sup> (2,847.1 ft<sup>2</sup>) in area and contains a street fronting townhouse unit. The lot to be retained is to be approximately 375.2 m<sup>2</sup> (4,038.7 ft<sup>2</sup>) in area and contains a street fronting townhouse unit.

The applicant has also requested a minor variance from Section 8.2, Table 8.2 – Zone Provisions, to increase the maximum lot coverage from 40% to 47% for the lot to be severed via B21-78-8.

R. Versteegen reviewed the staff planning report, he indicated that the subject property is designated as Low Density Residential in the County Official Plan, and is currently zoned Residential Type 3 (R3) in the City's Zoning By-law. A minor variance is requested to recognize increased lot coverage for the middle lot. In Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement, comply with the County Official Plan policies and are appropriately zoned aside from the requested minor variance. No comments were received during agency circulation and no concerns were received from public notification. Accordingly, Planning staff recommend approval of the consents, subject to a number of conditions and are also supportable of the requested minor variance.

D. Paron asked the applicants if the tenants would be disrupted due to construction of separate services. The applicants noted that all the units were vacant.

N. Garreau stated that he concurred with the staff Planning Report and accepted the recommended conditions.

B21-77-8

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

*'Granted'*

CONDITIONS:

1. The certificate for Application B21-77-8 be issued and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-78-8.
2. If required, the Owner shall enter into a Severance Agreement with the City of Woodstock as set forth in 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.
3. The Owner shall provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots to the satisfaction of the

City of Woodstock Engineering Department. Services cannot traverse the adjoining lots and any conflicts must be re-directed or easements created. Any proposed easements shall be reviewed by the City.

4. The Owner agrees to satisfy all requirements, financial and otherwise, of the City, regarding the installation of services and drainage facilities, to the satisfaction of the City of Woodstock.
5. An access easement shall be registered over the lot to be severed by B21-77-8 (northern lot) in favour of the lot to be severed by B21-78-8 (middle lot) to allow direct access to the rear yard of the middle lot, to the satisfaction of the City. The said easement shall be not less than 1.5 m (4.92 ft) wide and not more than 3 m (9.8 ft) wide and shall be located to the satisfaction of the City. An easement agreement between the owners of the lots to be severed by B21-77-8 and B21-78-9 shall be prepared by the owners and reviewed by the City of Woodstock and said agreement shall be registered on the title of the lands accordingly.
6. The Owner shall submit a recent survey to confirm lot sizes and building location/setbacks to the satisfaction of the City of Woodstock.
7. The Owner shall provide confirmation of fire separations between each dwelling unit as verified by a building code qualified designer, to the satisfaction of the City of Woodstock.
8. The Owner shall confirm the location of the existing shed/structure located at the north end of the subject property, adjacent to Dufferin Street and if necessary, shall remove or otherwise relocate the sail shed/structure to the satisfaction of the City of Woodstock.
9. The Owner shall agree to provide separate and independent wastewater service to each severed and/or retained lot/unit from Cronyn Street, at the Owners expense, 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 Town, financial, services and otherwise, 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 one year, 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.

B21-78-8

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

*'Granted'*

CONDITIONS:

1. The certificate for Application B21-77-8 be issued and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-78-8.
2. If required, the Owner shall enter into a Severance Agreement with the City of Woodstock as set forth in 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.
3. The Owner shall provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots to the satisfaction of the City of Woodstock Engineering Department. Services cannot traverse the adjoining lots and any conflicts must be re-directed or easements created. Any proposed easements shall be reviewed by the City.
4. The Owner agrees to satisfy all requirements, financial and otherwise, of the City, regarding the installation of services and drainage facilities, to the satisfaction of the City of Woodstock.
5. An access easement shall be registered over the lot to be severed by B21-77-8 (northern lot) in favour of the lot to be severed by B21-78-8 (middle lot) to allow direct access to the rear yard of the middle lot, to the satisfaction of the City. The said easement shall be not less than 1.5 m (4.92 ft) wide and not more than 3 m (9.8 ft) wide and shall be located to the satisfaction of the City. An easement agreement between the owners of the lots to be severed by B21-77-8 and B21-78-9 shall be prepared by the owners and reviewed by the City of Woodstock and said agreement shall be registered on the title of the lands accordingly.
6. The Owner shall submit a recent survey to confirm lot sizes and building location/setbacks to the satisfaction of the City of Woodstock.
7. The Owner shall provide confirmation of fire separations between each dwelling unit as verified by a building code qualified designer, to the satisfaction of the City of Woodstock.
8. The Owner shall confirm the location of the existing shed/structure located at the north end of the subject property, adjacent to Dufferin Street and if necessary, shall remove or otherwise relocate the sail shed/structure to the satisfaction of the City of Woodstock.
9. The Owner shall agree to provide separate and independent wastewater service to each severed and/or retained lot/unit from Cronyn Street, at the Owners expense, 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 Town, financial, services and otherwise, 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.

A21-24-8

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

*'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.

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B21-73-4 – Rosewood Acres Inc. & Roos Ostrander Farms Ltd.  
(Lots 16 & 17, Concession 8 (Dereham) Township of South-West Oxford)

Ryan Verhoog, the owner's solicitor, was in attendance to speak to the application.

The purpose of the application for consent is to create an agricultural lot. The lot to be severed will cover an area of approximately 30.35 ha (75 ac), contains a detached garage, shed and accessory dwelling with attached garage. The lot to be retained will cover an area of approximately 55 ha (136 ac) contains a large farm operation with an accessory dwelling and used for agricultural purposes.

R. Versteegen reviewed the staff Planning Report he noted that the subject property is designated as Agricultural Reserve, and is currently zoned General Agricultural (A2) in the Township's Zoning By-law. Both the severed and retained lots have an existing private well and septic system. He indicated that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan policies and is appropriately zoned. No concerns were raised as a result of the agency circulation and no comments or concerns were received from neighbours who were circulated the public notification. Accordingly, Planning staff recommended approval of the application, subject to a number of conditions.

R. Verhoog stated he concurred with the findings and suggested conditions of the staff Planning Report.

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

*'Granted'*

CONDITIONS:

1. 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.



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2. 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.

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B21-74-4 – William, Elizabeth, Marvin & Nancy Lucassen  
(Part Lots 8 & 9, Concession Broken Front (West Oxford) Township of South-West Oxford)

Ryan Burwell, the applicant, was present to speak to the application.

The purpose of the application for consent is to create an agricultural lot. The lot to be severed will cover an area of approximately 32.3 ha (79.8 ac), is vacant and used for agricultural purposes. The lot to be retained will cover an area of approximately 35.3 ha (87.2 ac) contains two livestock barns, two sheds, and two accessory dwellings.

R. Versteegen reviewed the staff planning report, he noted that the subject property is designated as Agricultural Reserve in the County Official Plan and is currently zoned General Agricultural (A2) in the Township's Zoning By-law. He indicated that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement and complies with the County Official Plan policies. Planning staff have recommended that a zone change application be submitted to recognize that there are two dwellings on the lot to be retained as a condition of the application's approval. No concerns were raised during agency circulation, and no comments were received during public notification. Accordingly, Planning staff have recommended approval of the application, subject to a number of conditions.

In response to R. Jull, R. Versteegen noted that the lighter colour on Plate 2 located to the rear of the property is most likely indicative of a different type of soil.

R. Burwell has no questions or concerns and concurred with the staff Planning Report.

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

*'Granted'*

CONDITIONS:

1. The lot to be retained be appropriately zoned.
2. 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.

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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.

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B21-76-5 – Cartmale Farms Ltd.

(Part Lot 9, Concession 3 (North Oxford) Township of Zorra)

Payden Shrubbs, the owner's agent, was in attendance to speak to the application.

The purpose of the application for consent is for a residential lot addition. The parcel to be severed will cover an area of approximately 2,296.19 m<sup>2</sup> (24,716 ft<sup>2</sup>), contains a shed, and is to be added to the lands to the immediate south. The lot to be enlarged covers an area of approximately 1,741.93 m<sup>2</sup> (18,750 ft<sup>2</sup>) contains a single-detached dwelling with attached garage and a detached garage. The lot to be retained is approximately 86.6 ha (214 ac) in area, contains a barn and three silos and is used for agricultural production (cash cropping).

R. Versteegen reviewed the staff Planning Report, he indicated that the subject property is designated as Agricultural Reserve in the County Official Plan, and that the parcel to be severed is zoned General Agricultural (A2) while the lot to be enlarged is zoned Rural Residential (RR) in the Township's Zoning By-law. He noted that the purpose of the application is to correct an encroachment of an accessory building on the parcel to be severed. He advised that in the opinion of Planning staff the application is consistent with the 2020 Provincial Policy Statement, and complies with the County Official Plan policies. A zone change will be required to consolidate the new use of the severed parcel and is reflected as a recommended condition of the application's approval. No concerns were raised during agency circulation, and no comments were received during public notification. Accordingly, Planning staff recommend approval of the application, subject to a number of conditions.

P. Shrubbs had no questions or concerns and concurred with the staff Planning Report.

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

*'Granted'*

CONDITIONS:

1. The lot to be severed and the lands being enlarged be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and west, and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division

Committee that all requirements of the Township, financial and otherwise, have been complied with.

4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

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B21-79-2 – Faircrest Farms Ltd.

(Part Lot 5, Concession 10 (East Zorra) Township of East Zorra-Tavistock)

Paul Barron, the owner's agent, and Amanda Shinniman and Shayne Paulini were present to speak to the application.

The purpose of the application for consent is for residential lot addition for the purpose of relocating a septic system. The lot to be severed will cover an area of approximately 0.18 ha (0.45 ac), is vacant, and is to be added to the lands to the immediate northeast. The lot to be enlarged covers an area of approximately 0.22 ha (0.54 ac) and contains a single-detached dwelling with an attached garage. The lot to be retained will cover an area of approximately 49.14 ha (121.4 ac) and contains an existing farming operation.

R. Versteegen reviewed the staff Planning Report, he noted that the subject property is designated as Agricultural Reserve, the lot be severed is currently zoned General Agricultural (A2) and the lot to be enlarged is zoned Rural Residential (RR). The intent of the application is to provide additional area to accommodate a new septic system. Lot additions are allowed in prime agricultural areas when required for technical reasons. Planning staff indicated that the application is consistent with the 2020 Provincial Policy Statement and complies with the County Official Plan policies. The lot to be severed will need to be rezoned to comply with the new uses. No concerns were raised during agency circulation. A letter of concern was received from Valerie Hobbs, a neighbouring landowner. R. Versteegen read aloud the letter for the committee, the letter noted concerns regarding reduction of agricultural land and potentially building a new residence on the property. R. Versteegen noted that the amount of land being severed is minimal and that there is no intent from the owners to build a new residence. R. Versteegen reiterated that the purpose is to replace a failing septic system, and the location provided on the lot to be severed moves the system away from the nearby watercourse. Accordingly, Planning staff recommend approval of the application subject to a number of conditions.

P. Baron also reiterated the purpose of the application and noted that the abutting lands owned by Faircrest Farms were being sold to the applicants to facilitate the replacement of the septic system. He noted that both the septic installer and Upper Thames Conservation Authority agreed that this was the best course of action in the long term.

P. Baron advised that his client has no questions or concerns with the staff Planning Report and concurs with the attached conditions.

D. Paron comments that a replacement permit and contingency area are required to be submitted to the Township and agrees that the lot addition is a best case scenario.

R. Jull asked the applicant how long the system has been failing. S. Paulini indicated that they purchased the house a year and a half ago and noticed that the system was not functioning properly last winter.

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

*'Granted'*

CONDITIONS:

1. The lots to be severed and enlarged be appropriately zoned.
2. 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.
3. 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 East Zorra-Tavistock.
4. If required, the Owners shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township of East Zorra-Tavistock.
5. The owners provide a surveyor's real property report, showing existing structures and the well, to the satisfaction of the Township of East Zorra-Tavistock.
6. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial 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 addressed in the planning report respecting this application.

CARRIED.

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B21-82-6 & B21-83-6 – Bentum Family Homes Inc.  
(Lots 7 & 8, Block 48, Plan 279, Town of Ingersoll)

Tim Bentum was in attendance to speak to the application.

The purpose of the applications for consent are to sever two semi-detached dwellings (currently under construction) into separately conveyable lots. The lot to be severed by application

B21-82-6 will cover an area of approximately 340.95 m<sup>2</sup> (3,670 ft<sup>2</sup>) and the lot to be severed by application B21-83-6 will cover an area of approximately 342.67 m<sup>2</sup> (3,688.5 ft<sup>2</sup>). The lot to be retained by application B21-82-6 will cover an area of approximately 342.67 m<sup>2</sup> (3,688.5 ft<sup>2</sup>) and the lot to be retained by application B21-83-6 will cover an area of approximately 340.95 m<sup>2</sup> (3,670 ft<sup>2</sup>). Each of the lots are to contain one half of a semi-detached dwelling. No new development is proposed as part of the severance applications.

R. Versteegen reviewed the staff Planning Report, he noted that the subject property is designated as Low Density Residential, and is currently zoned Residential Type 2 (R2) in the Ingersoll Zoning By-law. The surrounding land uses include single-detached dwelling, semi-detached dwellings and townhouse units. The subject property received a previous consent to create the existing two lots, to be severed further into separately conveyable parcels. The applications in Planning staff's opinion are consistent with the 2020 Provincial Policy Statement, comply with the County Official Plan policies and are appropriately zoned. A letter of concern was received from a neighbouring landowner and was discussed during the meeting. R. Versteegen advised that the intent of the application from the previous consent to the current applications have not changed. The letter received was from an individual who commented on the previous application heard by the Committee. Accordingly, Planning staff recommend approval of the application, subject to a number of conditions.

T. Bentum had no questions or concerns and concurred with the staff Planning Report.

R. Versteegen noted that previous comments raised by neighbouring property owners revolved around concerns with drainage/storm runoff and also the impact of on-street parking resulting from the new development. R. Versteegen noted that the proposed development satisfactorily addressed the requirement for off-street parking and also that the current consents and previous consent were circulated to the various agencies including Town Engineering and County Public Works and no concerns were raised.

#### B21-82-6

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

*'Granted'*

#### CONDITIONS:

1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance, to the satisfaction of the County of Oxford Public Works Department.
2. 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.
3. If required, the Owner shall provide the payment of cash-in-lieu of parkland for the creation of the new lots to the Town of Ingersoll.
4. 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.
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 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. Comments received from the public were reviewed and addressed in the planning report respecting this application.

B21-83-6

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

*'Granted'*

CONDITIONS:

1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed 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. 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.
3. If required, the Owner shall provide the payment of cash-in-lieu of parkland for the creation of the new lots to the Town of Ingersoll.
4. 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.
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 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.

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REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. The subject property is appropriately zoned.
4. Comments received from the public were reviewed and addressed in the planning report respecting this application.

CARRIED.

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B21-84-1 – Clayton & Allyson Haight  
(Part Lot 3, Concession 10 (Blenheim), Township of Blandford-Blenheim)

Clayton Haight and Rainer Neufeld, agent for the owners, were in attendance to speak to the application.

The purpose of the application for consent is for a farm consolidation. The lot to be severed will cover an area of approximately 21.3 ha (52.6 ac), contains a silo, and is to be added to the lands to the immediate east. The lot to be enlarged covers an area of approximately 7.3 ha (18.2 ac) and contains a barn and an accessory dwelling. The lot to be retained will cover an area of approximately 0.9 ha (2.4 ac) and contains a single-detached dwelling and garage.

R. Versteegen reviewed the staff planning report he indicated that the subject property is designated as Agricultural Reserve in the County Official Plan. The lot to be severed and retained are zoned General Agricultural (A2) in the Township's Zoning By-law, while the lot to be enlarged is zoned Limited Agricultural Zone (A1). He noted that the surrounding land uses include agricultural, a limited amount of non-farm rural residential lots and also Highway 401 to the south. He also noted that in the opinion of Planning staff the application is consistent with the 2020 Provincial Policy Statement, however it is not in keeping with the County Official Plan policies with respect to the creation of a non-farm rural residential lot, due to an identified sand and gravel resource being located within close proximity to the subject lands. As per the policies in the Official Plan, the proposal accumulates +13 points, which exceeds the +12 point threshold prescribed in the policies. It was noted that the lot to be severed is also larger than the required 0.8 ha (2 ac.) as a well is best suited to be located beyond the normal 0.8 ha (2 ac.) limit detailed in the Official Plan policies, however Planning staff were in agreement with the potential enlarged lot. Again, the proposed consent fails due to the close proximity to the identified sand and gravel resource to the northwest.

R. Versteegen also detailed that the Official Plan policies regarding the creation of non-farm residential lots in agricultural areas is currently under review by Planning staff with a view to replacing the points system with an alternative set of criteria. This review includes the potential removal of the prohibition of new non-farm rural residential lot within proximity of identified aggregate resource area that are subject to a farm consolidation resulting in a surplus non-farm rural residential lot. Nonetheless, it was advised that Planning staff are required to review the current application under the existing policies.

C. Haight wanted to point out that the house is existing and there are existing residential across the road that would be closer to the aggregate resources.

R. Neufeld noted that the increased lot size is in keeping with the policies in place for agricultural lots.

D. Paron asked the owner if the well was failing. C. Haight responded noting that the well is 60 years old and that he does plan on replacing it subject to approval of the severance.

In response to A. Tenhove, R. Versteegen mentioned that the Official Plan review of the agricultural lot creation policies is in the process to be completed. The policies have been drafted and require public consultation and approval by County Council.

In response to D. Paron, R. Versteegen mentioned that the potential interference on the well is

difficult to predict and much will depend upon the operation of a future gravel pit. This will also be subject to the review as part of an application to establish a sand and gravel pit operation in the immediate area, whereby interference to all existing wells is to be avoided by the aggregate operation.

G. Brumby asked the owners whether they wanted to defer the application pending the possible change in the Official Plan policies or whether they'd prefer to have the Committee vote on the current application. The owner agreed to let the Committee vote.

R. Versteegen read aloud the recommended conditions if approved for the Committee and the owner. G. Brumby asked the owner if they accepted the conditions if the application were approved. C. Haight concurred with the conditions.

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

*'Granted'*

CONDITIONS:

1. The lots to be severed, enlarged, and retained be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner 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. 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.
4. 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.
5. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

On the motion of R. Jull the Committee meeting adjourned at 11:17 a.m.

*"G. Brumby"*

CHAIRPERSON