

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

VIRTUAL HEARING

Thursday, May 5, 2022

The Oxford County Land Division Committee met virtually via livestream on Thursday, May 5, 2022 at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	R. Jull
	-	J. Lessif - <i>absent at 12:02 p.m.</i>
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove
	-	C. van Haastert - <i>absent</i>
Senior Planner	-	A. Hächler
Secretary-Treasurer	-	A. Hartley

The meeting was called to order at 9:33 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of April 7, 2022, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated May 2, 2022 received from Harry Weide
RE: Application B19-105-3; A19-20-3 (Brad & Kellie Deming)
2. Correspondence dated May 2, 2022 received from David Sullivan
RE: Application B22-02-1 & B22-03-1 (2825085 Ontario Inc.)
3. Correspondence dated May 2, 2022 received from Cathy Dezell
RE: Application B22-02-1 & B22-03-1 (2825085 Ontario Inc.)
4. Correspondence dated May 2, 2022 received from Huron Grain Processing Inc.
RE: Application B21-106-6 (Sifton Properties Ltd.)
5. Correspondence dated May 2, 2022 received from Judy Leuszler
RE: Application B22-02-1 & B22-03-1 (2825085 Ontario Inc.)
6. Correspondence dated May 3, 2022 received from Howard Haggith
RE: Application B21-123-3 (Corwic Farms Ltd.)
7. Correspondence dated May 3, 2022 received from Brandy and Clifford Tipping
RE: Application B21-121-5 (Peter Vaianisi)

APPLICATIONS FOR CONSENT:

B21-121-5 – Peter Vaianisi

(Part Lot 30, Concession 2, and Part of Lot 4, Plan 41R-8372 (West Nissouri), Township of Zorra)

Brandon Steckley, the applicant and Peter Vaianisi were present to speak to the application.

The purpose of the application for Consent is to facilitate a residential lot addition. The lot to be severed will cover an area of approximately 5,746 m² (1.42 ac) is vacant, and is to be added to the lands to the immediate north. The lot to be enlarged is approximately 8,090 m² (2 ac) in area, and contains an existing single-detached dwelling and shed. The lot to be retained is will be cover an area of approximately 11.03 ha (27.2 ac) is vacant and used for agricultural purposes.

A. Hächler reviewed the staff Planning Report. She explained that the purpose of the application is so that an accessory structure can be constructed on the subject lands once enlarged. She indicated that the subject lands are designated as Settlement and Agricultural Reserve in the County Official Plan. The lot to be severed and retained are zoned as Special Limited Agricultural Zone (A1-9) to recognize reduced lot size and frontage. The lot to be enlarged is zoned Residential Type 1 Zone, the lot to be severed will require a zone change to recognize the new use once added to the lot to be enlarged. She noted that surrounding land uses include residential within the settlement and agricultural uses. She advised the Committee that there is a portion of a significant woodlot located on the subject lands, however Upper Thames Regional Conservation Authority had no objection to the application and noted that any future development would be subject to an environmental study and Hydro-G study to determine where the proposed structure could be located. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County's Official Plan policies. No other concerns were raised during agency circulation. One letter of concern was received and circulated to the Committee for their consideration. Accordingly, Planning staff are in support of the application, subject to a number of conditions.

B. Steckley and P. Vaianisi understood and accepted all conditions contained within the staff Planning Report.

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately rezoned.
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 Zorra.
4. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B21-122-8 – Hacienda Leasing Inc.

(Part of Lot 23, Plan 573, Parts 13, 29 & 30, Plan 41R-9971, City of Woodstock)

Chris Dubois, the owner's agent, was present to speak to the application.

The purpose of the application for consent is to facilitate a lot addition for a property containing an existing car dealership. The lot to be severed is approximately 0.77 ha (1.92 ac) in area and is currently vacant. The lot to be retained is approximately 1.3 ha (3.2 ac) in area and contains storage units and a warehouse. The lot to be enlarged is approximately 0.36 ha (0.9 ac) in area and contains an existing car dealership.

A. Hächler reviewed the staff Planning Report. She indicated that the subject lands currently have a split designation with the lot to be severed and retained being designated as Traditional Industrial and the lot to be enlarged being Service Commercial, she explained to the Committee that a condition of the severance will be to have the lot to be severed redesignated through an Official Plan Amendment so that it conforms to the policies once added to the lot to be enlarged. She also indicated that the lot to be severed is zoned as General Industrial (M3) and the lot to be enlarged is zoned as Highway Commercial (C4-18) and that a zone change application will be required to recognize the new use of the lot to be severed. She stated that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, and will require further development applications to ensure conformity with the County Official Plan and appropriate zoning. A condition of severance has been included for site plan approval as it is noted that the applicant is currently using the lot to be severed as a parking area without obtaining a permit for same. A building report has been requested to ensure that spatial separation and fire exposure protection are maintained between the existing building on the lot to be retained and the new lot line for the lot to be severed. No other concerns were raised during agency circulation and no comments were received during public notification. Accordingly, she advised that Planning staff are in support of the application subject to a number of conditions.

C. Dubois has no questions or concerns and concurred with the staff Planning Report.

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.

2. The owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
3. The owner shall provide a building report prepared by an architect or professional engineer outlining the requirements from the Ontario Building Code for the spatial separation and exposure protection for the building adjacent to the proposed property line. The report will indicate the limiting distance, area of unprotected openings and required construction of exposing building faces of the existing building located on the retained lot adjacent to the new interior property line to the satisfaction of the City of Woodstock Building Department.
4. The parcel intended to be severed and conveyed to the abutting landowner to the immediate north be appropriately redesignated to 'Service Commercial' from its current 'Traditional Industrial' designation, and further, that the lands be appropriately zoned and further, that the owner obtain site plan approval, to be registered on the title of the property, to the satisfaction of the City of Woodstock and the County of Oxford.
5. The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
6. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City regarding the installation of services and drainage facilities.
7. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B21-123-3 – Corwic Farms Ltd.

(Part Lots 4-6, Concession 4 (North Norwich), Township of Norwich)

Jason Goor and Brandon Flewwelling, the applicant's agents, were present to speak to the application

The purpose of the application for consent is to facilitate an institutional lot addition to the lands located at 43 Main Street East in the Village of Norwich, occupied by the campus of the Netherlands Reformed Congregation. Specifically, it is proposed that 6.5 ha (16 ac) of vacant land will be severed from the southwest corner of the subject lands and added to the lands to the immediate west located at 43 Main Street East. The lot to be retained is in agricultural production and contains an existing single detached dwelling, accessory to the farm and once severed the lot to be retained will be approximately 119.6 ha (295.5 ac) in size and will continue to be used for agricultural purposes (cash crops).

The lot to be enlarged is approximately 11.1 ha (27.4 ac) in size and contains a number of institutional buildings including a church, a school and a long-term care facility, as well as a number of residential dwellings. A new school and parsonage associated with the lot to be enlarged is proposed for the lot to be severed.

A. Hächler reviewed the staff Planning Report. She indicated that the subject lands have already gone through an Official Plan Amendment and are now designated Major Institutional within a Serviced Village. A zone change has also been approved for the lot to be severed and the lands are now zoned as Special Institutional Zone (1-6H) in the Township of Norwich Zoning By-law. A holding provision has been applied to the zoning to ensure adequate municipal services are available prior to any development. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. She noted that the applicant will need to apply to the Township to remove the holding provision once adequate services are available. No comments or concerns were raised during agency circulation. A letter of concern was received and circulated to the Committee from a neighbouring land owner citing concerns over loss of agricultural land. Accordingly, Planning staff are supportive of the application subject to the recommended conditions.

B. Flewwelling had no questions or concerns and concurred with the staff Planning Report.

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

'Granted'

CONDITIONS:

1. If required, a drainage 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 Norwich.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate 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. If required, a road widening of 3 m (9.8 ft) along the frontage of Oxford Road 18 from both the severed and retained lands be dedicated to the County of Oxford, free of all costs, liens, easements and other encumbrances, to the satisfaction of the County of Oxford Public Works Department.
4. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

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4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-02-1 & B22-03-1 – 2825085 Ontario Inc.

(Lots 5-7, Plan 104 and Part Lot 13, Concession 6 (Blenheim), Township of Blandford-Blenheim)

Cindy Elliot, a neighbouring landowner, was present in person to speak to the application.

Olivia Dyerowicz and Andrea MacKinnon, a neighbouring landowners, and Scott Patterson, the applicant's agent, were present via online.

The purpose of the Applications for Consent is for two boundary adjustments to alter the shape of existing residential lots. The lot to be severed by application B22-02-1 will be approximately 108.8 m² (1,171.1 ft²) in area and is to be added to the lands to the immediate north. The lot to be enlarged is approximately 5,650.8 m² (1.39 ac) and contains an existing single-detached dwelling that is to remain. The lot to be retained will cover an area of approximately 582.5 m² (6,269.9 ft²) and is currently vacant.

Application B22-03-1 proposes to sever a lot comprising of approximately 707.6 m² (7,616.5 ft²). Once severed, the lot to be retained from B22-03-1 would merge with the lot to be retained from B22-02-1. No new development is proposed at this time.

A. Hächler reviewed the staff Planning Report, she advised that the application is for two lot additions and no other development applications have been submitted at this time. She indicated that the subject lands are designated as Low Density Residential and currently zoned Residential Type 1 in the Township of Blandford-Blenheim Zoning By-law. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and appropriately zoned. No comments or concerns were raised during agency circulation. Three letters of concern were received as a result of public notification and three neighbouring landowners were present to object to the application. Accordingly, Planning staff are in support of the applications with a number of conditions attached.

A. Hächler explained to the Committee that the boundary adjustments will allow for flexibility of future development of the site. She noted that due to the lack of current wastewater capacity, building permits may not be issued.

S. Patterson had no questions or concerns and concurred with the staff Planning Report.

C. Elliot, who lives at 88 Oxford Street, presented her concerns to Committee. In summary, she cited concerns over trespassing onto her property, light pollution, disruption and displacement of wildlife and their habitats, and potential destruction to the existing mature trees in the area. C. Elliot mentioned that she hopes that the developer takes into consideration the needs and wants of the surrounding land owners once the site is developed.

G. Brumby noted that the majority of C. Elliot's concerns should be forwarded to her local Member of Parliament to be dealt with if she is having issues with the Township.

O. Dyerowicz provided her concerns as well. She lives at 48 Pinkham Street, across from the subject property. She noted that she has been approached by the owner of property and was advised that her driveway is currently located in a Township owned Right-of-Way and that it may need to be moved if Henry Street is extended. She expressed concerns about the light pollution and potential loss of mature trees as well.

G. Brumby recommended to S. Patterson that he and his client take the neighbours concerns into serious consideration. G. Brumby explained that there will be future development applications made for the subject lands and there will be an opportunity for the neighbours to express their concerns to the local council.

B22-02-1

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. If required, 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 of Blandford-Blenheim.
4. 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.
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 lands are appropriately zoned.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

B22-03-1

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

'Granted'

CONDITIONS:

1. If required, drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of Blandford-Blenheim.
2. The existing accessory buildings/structures on the lot to be retained are to be removed, subject to the necessary permissions from the Building Department, 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 owner shall provide an undertaking from their solicitor, to the satisfaction of the Secretary-Treasurer of the Land Division Committee, indicating that the lot to be retained will be merged on title with the lands to the immediate east and held in the same ownership.
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 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 lands are appropriately zoned.
4. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B22-07-7; A22-01-7 – Brothers Marketing Inc.
(Lot 747, Plan 500, Town of Tillsonburg)

The purpose of the Application for Consent is to facilitate the creation of a new vacant residential lot. The proposed lot to be severed will have an approximate area of 505 m² (5,435 ft²) is currently vacant and a duplex dwelling is proposed to be constructed. The lot to be retained will have an area of 505 m² (5,435 ft²) and contains an existing duplex dwelling.

A. Hächler reviewed the staff Planning Report, she noted that the subject property is designated as Entrepreneurial District and zoned Residential Entrepreneurial Zone with a Holding provision (EC-R (H)) in the Town of Tillsonburg Zoning By-law. A minor variance has been requested to provide relief from the entrepreneurial provisions of the zoning by-law to allow for a reduced lot depth, lot area, and the minimum required rear yard on the existing dwelling on the lot to be retained. A. Hächler explained that a higher density use is allowed within the entrepreneurial district and the proposed development is in keeping with the policies. The Holding provision on the zoning is to ensure that development or redevelopment takes a form compatible with adjacent uses. The Holding provisions can be applied to be removed by Town Council and a site plan approval may be required. Further, she advised that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and is appropriately zoned. Agency comments were supportive of the application. This application was heard by Town of Tillsonburg Council wherein they provided as resolution to the Land Division Committee not to support the application. Three letters of concerns were received from neighbouring landowners. In summary, their concerns noted the amount of people living in the existing dwelling and the potential for this happening in the proposed dwelling. They also cited concerns over parking. A. Hächler explained that the subject property will allow for adequate parking for the proposed dwelling units. Accordingly, Planning staff recommended approval of the

consent and minor variance applications subject to the attached conditions.

J. Lessif posed concerns regarding the parking as well, noting that the proposal allows for the minimum required parking, however the letter from the Town Council indicates that there needs to be four parking spaces provided. A. Hächler stated that Planning staff are satisfied with the proposal and feel as though parking can be adequately provided. She also noted that no concerns were provided during agency circulation regarding the property size or any parking limitations.

J. Lessif asked about when letters are received by the Planning department that are not within the purview of the Land Division Committee, are they forwarded to the Town to be dealt with or considered. G. Brumby responded noting that they are directed to the Town's attention and if those individuals speak at the meeting raise concerns, they are directed to the Town as well.

In response to G. Brumby, D. Paron provided more information regarding the Town's decision not to support the application. She noted that they discussed parking and that the Chief Building Official would not issue a building permit if there was not adequate parking. D. Paron provided that the biggest concern raised by the Town was the lack of defense provided by the owner or their agent.

A. Tenhove mentioned that the lot dimensions are tight and do not appeal to allow for the parking or easement required.

P. Rigby provided a personal observation from his site visit. He noted that when he drove down Valleyview Lane it was a very narrow street and was blocked by a dump truck from one entrance and a delivery truck from the other. It was not easy to navigate down the Lane and he indicated that building and having additional residents on this street will create more congestion. From his visit he noted that there are no properties that face onto Valleyview from the same side as the subject lands. J. Lessif echoed P. Rigby's comments and was surprised that the Fire Department did not comment on emergency access and potential of traffic blocking the street.

R. Jull mentioned that if the Town is not in favour of the application the Committee should not go against their recommendation.

B22-07-7

'Not Granted'

REASONS:

1. The application for consent is not consistent with the 2020 Provincial Policy Statement.
2. The application for consent does not comply 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 deny the application.

A22-01-7

'Not Granted'

REASONS:

1. The variance requested is not a minor variance from the provisions of the Town of Tillsonburg Zoning By-law 3295.
2. The variance requested is not desirable for the appropriate development or use of the land, building or structure.

3. The variance requested is not in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is not in keeping with the general intent and purpose of Town of Tillsonburg Zoning By-law 3295.

CARRIED.

B21-106-6 – Sifton Properties Ltd.
(Block 66, Plan 41M-309, Town of Ingersoll)

Devon Posthumus, the applicant, Adam VanderLoo and Harry Froussios, the agent for the neighbouring landowner were present to speak to the application.

The purpose of the Application for Consent is for a lot addition. The lot to be severed is to be approximately 0.18 ha (0.45 ac) in area and is to be added to the lands to the immediate north. The lot to be retained is to be approximately 0.3 ha (0.74 ac) in area, and a place of worship is proposed to be constructed on the subject property. The lot to be enlarged is currently approximately 1.08 ha (2.67 ac) in area, and is intended to be developed for multi-unit residential purposes. The newly configured lot to be 1.26 ha (3.1 ac.) in area.

A. Hächler reviewed the staff Planning Report, she noted that the purpose of the lot addition is for the newly configured lot to have a higher density use. An Official Plan Amendment and Zone Change are currently submitted and being considered for the lot to be severed and enlarged. The lot to be retained has already received approval in principle for an Official Plan Amendment and Zone Change. The subject lands are currently designated as Service Commercial in the County Official Plan. The lot to be retained is currently zoned Highway Commercial and the lot to be enlarged is zoned Special Residential Type 3 with Holding Provisions. In Planning staff's opinion, if the applications for Official Plan Amendment and Zone Change are approved, the consent application is supportable. The application currently generally conforms with the County Official Plan. No comments were raised during agency circulation. A letter was received from the planning consultant acting for Huron Grain Processing Inc., a neighbouring landowner requesting deferral of the consent application due to the ongoing Noise Study and Official Plan Amendments. They noted that the consent should not be granted until it is known if the property can be used and developed as proposed. Accordingly, Planning staff are supportive of the consent application subject to the attached conditions.

D. Posthumus is supportive of the staff Planning Report and agreed with the recommended conditions.

H. Froussios, acting as the planning consultant from Huron Grain Processing cited his concerns with the application. He noted that there is a noise concern for a potential residential development being close by. He requested the Committee consider deferring the application until the Noise Study could be completed and the Official Plan Amendments have passed. He mentioned that the County Official Plan tries to protect employment lands and a residential development could cause problems, and would not coincide with the intended uses. The residential development will pose land use incompatibility issues.

D. Posthumus noted that Sifton has been working with Huron Grain to complete the Noise Study and deal with noise mitigation for both properties. Sifton is working with the acoustics company to finish the study and working with designers to develop the residential development to mitigate noise as well.

A. Hächler explained that the lot configuration will not provide any land use planning issues to develop either of the sites. G. Brumby asked whether the Official Plan Amendments or Zone Changes will be able to address the concerns of the neighbouring landowner. A. Hächler noted that the Noise Study is required for the Official Plan Amendment to be passed. H. Froussios noted Planning staff's position and recommendation, however there will still be an impact on the neighbouring lands.

D. Posthumus noted that the concerns cited by Huron Grain can be dealt with through the Official Plan Amendment and Zone Change applications.

A. Tenhove mentioned to the Committee that understanding and reviewing a Noise Study is not within the purview of the Committee and should be left to be addressed through the Official Plan Amendment.

D. Paron also mentioned that if this will be an ongoing issue, there is now two years to satisfy the conditions of the severance which allows the parties to resolve the outstanding problems.

G. Brumby provided a personal observation in that he understood Huron Grain's concern that they want to avoid any complaints being brought forward from the residents of the development about noise and lighting and Huron Grain is trying to protect themselves preemptively.

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50 (3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. A 0.3 m (1 ft.) x 0.3 m (1 ft.) parcel of land from the lot to be enlarged (PIN # 00165-0524) be deeded to the Town of Ingersoll, free of any encumbrances and costs, 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 B21-106-6.
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 provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
5. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.
6. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

4. Comments received from the public were reviewed and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

B19-105-3; A19-20-3 – Brad & Kellie Deming
(Part Lot 7, Concession 6 (North Norwich) Township of Norwich)

Brad Deming was present to speak to the application.

The purpose of the Application for Consent is to create one new agricultural-business lot in the Township of Norwich. It is proposed that the lot to be severed will comprise of approximately 7,316.1 m² (1.8 ac) and contains an existing single detached dwelling, accessory to the current business on the subject lands (a farm drainage and exaction contractor's yard). A new agricultural-related structure is proposed for the lot to be severed. The lot to be retained will also be approximately 7,316.1 m² (1.8 ac) in size and contains an existing agricultural-related building.

A. Hachler reviewed the staff Planning Report. She indicated that this application has been previously deferred by the Committee to allow the applicant to review the application to be supportable. She indicated that the purpose of the application is to create a new Agricultural Business parcel and retain a parcel for similar uses. The new business, that the applicant has provided a proposal and purchase agreement for, will be located on the lot to be retained. The lot to be severed will have a new shop built and will be used as a contractors yard. A minor variance has been requested to reduce the minimum required lot area for an Agricultural Business parcel and a minor variance has been requested for the interior side yard width between the two lots. She indicated that the subject property is currently zoned Special Agricultural Business Zone (AB-9). Further, in Planning staff's opinion the application is compliant with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan, and is appropriately zoned. No comments were raised during agency circulation. A concern letter was received by the immediate neighbour. A. Hachler explained that there is a shared well between the neighbour and the subject property that services the existing dwelling and existing shop. The neighbours are concerned about having more buildings using the shared well. Planning staff have included a condition that the lot to be severed be disconnected from the well and a new well be drilled. Accordingly, staff have recommended approval of the consent application and minor variances subject to the attached conditions.

B. Deming asked if condition 3 could be changed so that the existing dwelling remain connected to the shared well and that a new well be required for the lot to be retained only. There was a lengthy discussion about changing the condition and how to word the condition, however, the Committee and the applicant could not come to an agreement and the condition remained as stated in the Report. B. Deming was satisfied with this.

B19-105-3

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

'Granted'

CONDITIONS:

1. The lot to be retained be appropriately rezoned to facilitate the proposed agricultural-related business.
2. A new building for the agricultural-related business be erected on the lot to be severed, in compliance with the provisions of the Township of Norwich Zoning By-law No. 07-2003-Z and the Township of Norwich Site Plan Control By-law No. 15-2012, for the purpose of a farm drainage and excavation contractor's shop.
3. A new private drinking water system be established for the lot to be severed, located wholly on the lot to be severed, in accordance with the Ontario Water Resources Act R.S.O. 1990 (Ontario Regulation No. 903), and that the owners properly disconnect the private well from

the existing dwelling, located on the neighbouring parcel to the subject lands, to the immediate west, in accordance with the aforementioned regulation.

4. If required, 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.
5. If required, the owners enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
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 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 the where appropriate were considered in the Land Division Committee's decision to approve the application.

A19-20-3

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

'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 Township of Norwich Zoning By-law No. 07-2003-Z.

CARRIED.

B21-117-1 – PVW Legacy Inc.

(Part Lot 12, Concession 1 (Blenheim), Township of Blandford-Blenheim)

The purpose of the application for Consent is to sever a lot for residential use. The lot to be severed will be approximately 0.9 ac (3,690 m²) and contains an existing single detached dwelling, which is to remain. The lot to be retained will be approximately 3.6 ha (9.1 ac) in size and contains an existing greenhouse, which is to remain for the time being but eventually demolished.

A. Hächler reviewed the staff Planning Report. She indicated that the subject lands are designated as Village within the Settlement of Princeton. She noted that the subject property is zoned Special Highway Commercial Zone (HC-3) in the Township of Blandford-Blenheim Zoning By-law. She mentioned that a zone change will be required for the lot to be severed to recognize the Residential Type 1 (R1) usage proposed and to allow a text amendment to recognize the reduced minimum lot size and side yard width. Further, she advised that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County Official Plan. No comments or concerns were raised during agency circulation or public notification. Accordingly, Planning staff are supportive of the application subject to the recommended conditions.

In response, to A. Tenhove, A. Hächler noted that the site specific zoning would be amended for the lot size of the lot to be severed, however the zoning on the lot to be retained would allow for a dwelling to be constructed.

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

'Granted'

CONDITIONS:

1. The lot to be severed and the lot to be retained 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 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B22-10-5 – 2487045 Ontario Inc.
(Part Lot 21, Concession 1, Township of Zorra)

Umer Mirza, the owner's agent, was present to speak to the application.

The Application for Consent proposes to create a new lot comprising approximately 8,067 m² (86,832 ft²), with frontage along Banner Road. The lot to be retained would comprise approximately 15,797 m² (170,037 ft²) of commercial land that is proposed to be developed with a commercial plaza and gas station (previously approved through SP5-19-05) with access to both Banner Road and County Road 2 (Dundas Street).

A. Hächler reviewed the staff Planning Report. She indicated that the subject lands were previously approved for consent, however the application lapsed before the conditions could be fulfilled. She noted that the lands are designated Service Commercial within the Settlement of Thamesford. From the previous consent approval a zone change has been completed on the property and it currently has a split zoning of Special Development Zone (D-2) and Special Highway Commercial Zone (HC-9) in the Township of Zorra Zoning By-law. She noted that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan, and is appropriately zoned. No comments or concerns were raised a result of agency circulation or public notification. Accordingly, she indicated that Planning staff support the application for consent subject to a number of conditions.

U. Mirza had no questions or concerns and concurred with the staff Planning Report.

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

'Granted'

CONDITIONS:

1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lot to be severed have been complied with. This condition can be cleared by payment for the required services or entering into a severance agreement with the area municipality which states that no building permit shall be issued until payment is made to the County. In order to clear this condition, a copy of the draft Severance Agreement which addresses the above requirements to the satisfaction of the County of Oxford Public Works Department, must be provided to the Public Works Department.
2. The 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.
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 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.
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On the motion of R. Jull, the Committee meeting adjourned at 12:15 p.m.

“Original Signed by”

CHAIRPERSON