

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, November 3, 2022

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and virtually on Thursday, November 3, 2022 at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	R. Jull
	-	J. Lessif
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

*"The Minutes of the Meeting of October 6, 2022, be approved as printed and circulated."*

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence received from T. Wodzicki dated November 2, 2022  
RE: Application B22-63-8 (Broccolini Oxford Road Limited Partnership)

APPLICATIONS FOR CONSENT:

B22-63-8 – Broccolini Oxford Road Limited Partnership  
(Part Lots 11 & 12, Concession 1 (East Oxford))

Chris Pidgeon, the applicant's agent, was in attendance virtually to speak to the application.

The consent application seeks to sever a parcel with a frontage of 220.3 m (722.8 ft), depth of 302.22 m (991.5 ft), area of 32.7 ha (80.8 ac), and retain a lot with a frontage of 319.2 m (1047 ft), depth of 215.9 m (705 ft), and area of 18.6 ha (45.98 ac) for the creation of a new industrial lot.

R. Versteegen reviewed the staff Planning Report, he indicated that the purpose of the application is to create an industrial lot, and retain the existing woodlot. The applicant has also requested easements over the northern portion of the lot for drainage, stormwater and access purposes. He advised that the subject property is designated Traditional Industrial in the County Official Plan and zoned Development in the City of Woodstock Zoning By-law. A zone change has been applied for to rezone subject lands to a Special General Industrial Zone (M3-sp) and Environmental Protection Zone (EP1). He noted that the surrounding land uses include industrial, and agricultural lands to the east. He advised the Committee that in Planning Staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County Official Plan. No comments were raised as a result of the agency circulation. A letter of concern was received from the landowners of a surrounding property noting concerns regarding infrastructure and general concerns. Toni Wodzicki, the applicant, provided a letter which addressed discussions that were had with the City. R. Versteegen noted that the letter states general concerns that should not impact the Committee's consideration of the severance application. City of Woodstock Council passed a resolution in support of the consent application. Accordingly, Planning staff are recommending approval of the application subject to eight attached conditions.

C. Pidgeon that the applicant is aware of the sanitary capacities. He also advised the Committee that the woodlot now will be held in private ownership instead of being transferred to the City. In discussion with the County it was advised to keep the woodlot and zone it for environmental protection and allow it to be used as a public amenity space to preserve the woodlot. C. Pidgeon has no questions or concerns with the Staff Planning report.

G. Brumby asked C. Pidgeon why the ceiling and square footage of the building was so large. C. Pidgeon advised that the potential tenant for the building requires cold storage and a large racking system, thus the higher building height. The industry proposed is newer and the building configuration is particular to this industry.

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

*'Granted'*

CONDITIONS:

1. The Owner provides confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.
3. The Owner will be required to enter into a severance agreement for the severed parcel with the City of Woodstock. The agreement will be registered on first title by the owner.
4. The Owner shall submit a recent survey to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.
5. The Owner shall provide any required private servicing, drainage, SWM, and access easements. Such easements, as required, shall be registered between the severed and retained lots and shall be provided to the City for review and approval.
6. The Owner shall agree in writing that at time of future Site Plan Approval; a functional servicing report (FSR) shall undertaken by the Owner's engineering consultant, to the satisfaction of the County & City. The FSR shall identify any constraints of the existing water distribution system, wastewater collection system (including the Woodstock Wastewater Treatment Plant) and storm drainage/stormwater management. Based in the results of the FSR, the Owner shall be responsible for costs associated with upgrading/constructing infrastructure required to accommodate this development.

7. The Owner shall agree in writing that at time of future Site Plan Approval; an easement shall be provided to the County, at no cost to the County and free of encumbrances, for installation of future watermain and extension of the municipal water distribution system.
8. The Owner shall agree in writing that the above noted requirements will be made known to future Owners of the lands during future land transactions.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

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B22-47-4 – Leslie & Almeda Charlton  
(Part of Lot 28, Concession 1 (Dereham))

Daria Koscinski, the agent for Thames Talbot Land Trust (TTLT), was in attendance to speak to the application.

The Application for Consent proposes to sever approximately 12.14 ha (30 acres) of natural heritage lands land with Environmental Protection Overlay 1 for conservation purposes to be transferred to Thames Talbot Land Trust. The lot to be retained will comprise of approximately 8.5 ha (21 acres) and contains a single detached dwelling. Associated applications for Official Plan Amendment and Zone Change are being considered by local Council and County council, respectively, and are directly related to the subject consent application.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated Agricultural Reserve in the County Official Plan and zoned General Agricultural (A2) in the Township of South-West Oxford Zoning By-law. An Official Plan Amendment has been approved by County Council to redesignate the severed parcel to be used for Conservation and Environmental purposes and would enable the proposed consent. A zone change has also been requested to rezone the severed parcel to Open Space (OS) to reflect its new uses. In Planning Staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, and is in keeping with the County Official Plan policies. No comments or concerns were received as a result of the agency and public circulation and notification. Accordingly, Planning staff are recommending approval of the application subject to the attached conditions.

D. Koscinski introduced herself to the Committee and noted that she is the Executive Director of TTLT. She noted that their mandate is for land protection and to enable protection of natural lands and stewardship endowment. She agreed with and accepted the staff Planning Report and recommended conditions.

In response to R. Jull, D. Koscinski advised that TTLT owns and manages 23 nature reserves around the area, and that there is site based permits to allow hunting. Hunting usually is allowed if it was permitted with the original use of the lands, it depends on proximity to housing, requests of the property owner or public use within the area.

In response to P. Rigby, D. Koscinski noted that this is TTLT's fourth property within the Five Point Conservation Area. Some of the surrounding properties are also owned by Ontario Heritage Trust.

D. Paron asked whether the parcel will have frontage as it is currently landlocked. D. Koscinski noted that they are in the process of obtaining the Pigram Road allowance to officially have access. However, there is no intention to provide public trails on this property and frontage is not required.

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

*'Granted'*

CONDITIONS:

1. That prior to the certificate being issued for the lands to be severed, OPA No. 288 shall be in full force and effect, to the satisfaction of the County of Oxford.
2. The lots to be severed and retained be appropriately zoned, to the satisfaction of the Township of South-West Oxford.
3. That information sufficient to satisfy the County of Oxford be received indicating that the parcel intended to be severed will be conveyed to the Thames Talbot Land Trust (TTLT), or other similarly purposed and incorporated non-profit organization, for conservation purposes.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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.

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B22-54-4 – Reynold & Tina Jansen

Simona Rasanu, the applicant's agent was present to speak to the application on behalf of the landowners.

The purpose of the application for consent is to facilitate a farm consolidation. The lot to be severed will comprise of approximately 42.3 ha (104.5 ac) and is currently vacant, it is proposed to be added to the abutting farm parcel. The lot to be enlarged will comprise of approximately 40.3 ha (99.5 ac) in area and currently contains a single-detached dwelling and multiple accessory structures. It is proposed that an area of approximately 0.76 ha (1.9 ac) and containing an existing single-detached dwelling and multiple accessory structures be retained for residential purposes.

R. Versteegen reviewed the staff Planning Report, he indicated that the subject lands are designated as Agricultural Reserve in the County Official Plan and zoned General Agricultural Zone (A2) in the Township of South-West Oxford Zoning By-law. He advised that there is an accessory structure located on the lands that, once severed, will be oversized for accessory structures. The applicant has requested to maintain this building for storage however it is almost 4 or 5 times larger than the permitted maximum size. In Planning Staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, and is inkeeping with the County Official Plan. A zone change application will be required for the lot to be retained. No comments or concerns were raised as a result of the agency or public consultation or notification. Planning staff are of the opinion that the accessory structure is to be demolished to be in compliance with the zoning by-law, this has been reflected in the attached conditions. Accordingly, Planning staff are recommending approval of the application subject to the attached conditions.

S. Rasanu agreed with the conditions except for the removal of the accessory structure. She noted that the size of the building should not be the only consideration, the building is proposed to be used as a workshop or hobby space, not for livestock. She provided that this building should be utilized as functioning space rather than be demolished. The building fits into the neighbourhood characteristics and from a planning perspective should remain.

In response to C. van Haastert, R. Versteegen noted that the owners would not be able to house livestock in the accessory building. The Chief Building Official for the Township could issue a Change of Use Permit which would not permit livestock, but accessory buildings should be secondary and subordinate to the residential uses. In this instance the building is much larger and creates the opportunity for the structure to be used for commercial use/storage purposes which is beyond to scope of the property being used for non-farm rural residential purposes.

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

G. Brumby commented on the motion and asked R. Versteegen whether there are any control in place for the demolition to be completed. R. Versteegen responded that this would be handled through the zone change application and through the Township's Building Department.

*'Granted'*

CONDITIONS:

1. The existing bank barn and silo shown on Plates 4 & 5 of Report No. CP2022-399 and identified as "Building (A)" and "Existing Silo" respectively, be demolished to the satisfaction of the Township of South-West Oxford.
2. The lot to be retained be appropriately zoned, to the satisfaction of the Township of South-West Oxford.
3. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south, 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 must be reflected on the certificate.
4. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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.

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On the motion of J. Lessif, the Committee meeting adjourned at 10:15 AM.

*'Original Signed by'*

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CHAIRPERSON