

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, January 18, 2024

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, January 18, 2024, at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin
	-	J. Lessif – <i>attended virtually</i>
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove
	-	C. van Haastert
Manager of Development Planning	-	E. Gilbert
Secretary-Treasurer	-	A. Karn Sims

The meeting was called to order at 9:30am.

ELECTION OF CHAIR:

Nominations for the position of Chair were invited.

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

“That Gordon Brumby be nominated for the position of Chair of the County of Oxford Land Division Committee for the year 2024.”

CARRIED.

G. Brumby accepted the nomination.

Moved by: A. Tenhove
Seconded by: L. Martin

“That the nominations for the position of Chair of the County of Oxford Land Division Committee for the year 2024 be closed.”

CARRIED.

G. Brumby was declared Chair of the County of Oxford Land Division Committee for the year 2024.

ELECTION OF VICE-CHAIR:

Nominations for the position of Vice-Chair were invited.

“That Arend Tenhove be nominated for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2024.”

CARRIED.

A. Tenhove accepted the nomination.

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

“That the nominations for the position of Vice-Chair of the County of Oxford Land Division Committee for the year 2024 be closed.”

CARRIED.

A. Tenhove was declared Vice-Chair of the County of Oxford Land Division Committee for the year 2024.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of December 7, 2023, be approved as amended, printed and circulated.”

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

None.

APPLICATIONS FOR CONSENT:

B23-67-8 – Dubois’ Fine Cars Inc.
(Lt 17-18, Pt Lt 19, Plan 573, Pt 2 & 3, 41R3131, City of Woodstock)

John Dubois, the owner, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The application for consent proposes to add lands from 1276 Dundas Street to 1268 Dundas Street as a boundary adjustment. The lands to be severed have an approximate area of 4,710.6 m² (1.16 ac). The lands to be retained have an approximate area of 6,731.6 m² (1.7 ac). The lands to be enlarged have an approximate area of 1,207.6 m² (0.3 ac).

The subject lands front on the south side of Dundas Street, laying between Lansdowne Ave and Houser’s Lane, and are legally described as Plan 753, Lot 16, known municipally as 1268 Dundas Street, Woodstock.

Planning Staff do not have concerns with the proposed boundary adjustment. The applicant has submitted a zone change application concurrently to ensure that the final enlarged lot will have a consistent zoning. That zoning application is scheduled to go to the City of Woodstock in February 2024.

Planning staff support the application and recommend approval.

J. Dubois had no concerns or questions. He understood and accepted the noted conditions.

The Committee did not have any questions or comments.

B23-67-8

Moved by: A. Tenhove
Seconded by: L. Martin

'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 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.
4. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City regarding the installation of services and drainage facilities.
5. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B23-54-8 – The Villages of Sally Creek
(Pt Lt 13, Conc. 1 (Blandford), Pts 1-7, 41R8377, City of Woodstock)

Stephen Cornwell, the applicant, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of the application is to establish an easement over an 8 m (26.2 ft) wide strip of land on the southern boundary of the subject property for servicing and access for the surrounding benefitting lands. Establishing the easement will facilitate the future development of the benefitting lands. The easement is approximately 905.6 m² (9,748.1 ft²) in area and is currently vacant. The benefitting lands are approximately 13 ha (32.2 ac) in area and are also vacant. The subject property is approximately 1.4 ha (3.4 ac) and is currently vacant.

The subject lands are described as Part Lot 13, Parts 1-7, Concession 1, formerly in the Township of Blandford, in the City of Woodstock. The lands are located on the west side of Bond's Corner Road north of Dundas Street.

The applicant doesn't have a particular use in mind for the subject lands at this time, however this easement will allow for additional flexibility and provide appropriate access to the benefitting lands over the subject lands which were created by consent in December of 2022.

Planning Staff have no concerns with the application at this time. It is noted that it is a condition that the proposed easement agreements will have to be reviewed and approved by the City of Woodstock. Planning Staff recommended that the application be approved with the noted conditions.

S. Cornwell had no questions or concerns and accepted all noted conditions.

In response to D. Paron, E. Gilbert noted that the proposed condition number two states that the City of Woodstock advise the Secretary-Treasurer that all requirements and City financial services and otherwise have been complied with.

B23-54-8

Moved by: L. Martin
Seconded by: A. Tenhove

'Granted'

CONDITIONS:

1. The proposed easement be registered in favour of lands municipally known as Concession 1, Part Lot 13, Parts 1-7, Plan 41R8377, to the satisfaction of the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City, financial, services 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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B23-75-4 – 2213772 Ontario Inc.
(Pt Lt 5-6, Conc. 4 (West Oxford), Pt 1 & 3, 41R6480, Township of South-West Oxford)

Dennis McCutchen, owner, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of this application is to create one (1) new agricultural lot, and to retain a lot for similar purposes. The application proposes to sever an area of approximately 33.1 ha (82 ac) with direct frontage on Trillium Line, while retaining an area of approximately 33.1 ha (82 ac) with frontage on Sweaburg Road. The lot proposed to be severed is currently vacant and is under Agricultural (cash cropping) production. The lot proposed to be retained contains an existing single-detached dwelling, a drive shed and other accessory agricultural buildings and structures. No new development is proposed as a result of this application.

The subject lands are described as Lot 6, Conc. 4 (West Oxford), are located on the south side of Sweaburg Road between Trillium Line and Dodge Line, and are municipally known as 484696 Sweaburg Road, Township of South-West Oxford.

Planning Staff recommend that the application be approved subject to the noted conditions.

D. McCutchen had no questions or concerns and agreed to the noted conditions.

No comments or concerns were received from the Committee.

B23-75-4

Moved by: C. van Haastert
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the Owner's expense, to the satisfaction of the Township of South-West Oxford.
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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B23-66-7; A23-19-7 – Gijsbert & Johanna Kok
(Lt 543, Plan 500, Town of Tillsonburg)

Nathan Kok, applicant, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of the Application for Consent is to facilitate the severance of a vacant lot for residential purposes and to retain a lot containing an

existing two-storey dwelling and detached garage. The proposed lot to be severed has a lot area of 564.5 m² (6,076.22 ft²), and the proposed lot to be retained has an area of 664.3 m² (7,150.46 ft²).

The applicant has also applied for minor variances to the minimum required lot depth for the proposed severed and retained lands, and the minimum required rear yard depth for the lands to be retained. The applicants are requesting to reduce the minimum required lot depth of 32 m (105 ft) to 26.8 m (87.9 ft) for the proposed severed and retained lands, and to reduce the minimum required rear yard depth of 12 m (39.4 ft) to 2.3 m (7.54 ft).

The subject lands are described as Lot 543, Plan 500; Tillsonburg. The subject lands are located on the southwest corner of Delevan Crescent and Lisgar Avenue and known municipally as 57 Lisgar Avenue.

Planning Staff have reviewed the application and determined it is consistent with the residential infill policies of the Official Plan. The Conservation Authority indicated they have no concerns with the proposal. Additionally, Tillsonburg Town Council reviewed the application and adopted a resolution supporting the proposed lot. Planning Staff are of the opinion that the minor variances requested still provide a sufficient building envelope on the lot to be severed and the reduced rear yard depth for the existing house is appropriate. Planning Staff recommend approval subject to the noted conditions.

N. Kok had no comments or concerns, and they accepted all the noted conditions.

No comments or concerns were raised by the Committee.

B23-66-7

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

'Granted'

CONDITIONS:

1. The owners shall agree to submit an updated survey to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.
2. The owners shall remove the shed from the lot to be severed, to the satisfaction of the Town of Tillsonburg.
3. The owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
4. The owners shall consult with Canada Post regarding relocating the community mailbox on Delevan Crescent. The owners shall be responsible for all costs associated with relocating the mailbox. The new location of the community mailbox shall be submitted to the Town for review and comment to ensure it does not interfere with any future plans the Town may have for the road allowance. The Owner must agree in writing to satisfy the requirements of Canada Post and provide the Town with written confirmation from Canada Post that all requirements have been satisfied.
5. The owners shall agree to submit a preliminary lot grading plan, including services for the lot to be severed to the satisfaction of the Town of Tillsonburg Engineering Services Department.
6. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Tillsonburg, regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being completed in the Town's right-of-way will require an Encroachment Permit and the owner shall agree that a representative of the developer's consultant be on-site for any work being completed in the Town's right

of way. The owner shall submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town's design standards.

7. The owners shall provide an Oxford County Connection application to the Town of Tillsonburg Engineering Services Department prior to construction.
8. The owner shall agree to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water and sanitary sewer services, to the satisfaction of the County including payment of all outstanding fees regarding the same. To this regard, the lot to be severed must be independently serviced (water/sanitary), and if any/all services crossing the proposed property line should be disconnected, it is done to the satisfaction of the County of Oxford Public Works Department.
9. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.
10. 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.

A23-19-7

Moved by: A. Tenhove
Seconded by: L. Martin

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
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 Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

B23-68-3; A23-20-3 – Marvin & Annalisa Heikoop
(Lt 453 & 459, Plan 745, Township of Norwich)

Brandon Veldjesgraaf & Marvin Heikoop, owners, were present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The applications have been requested to facilitate the creation of a residential building lot in the Village of Norwich. It is proposed that the lot to be severed will be approximately 594.3 m² (26,397 ft²) in size and have 19.8 m (65 ft) of frontage along Victoria Street. The lot to be severed currently contains a detached garage, garden shed, above-ground pool and deck structure that are all proposed to be removed and a new single-detached dwelling is proposed to be constructed.

It is proposed that the lot to be retained will be approximately 600.5 m² (6,463.7 ft²) in size with 20 m (65.6 ft) of frontage along Albert Street. The lot to be retained currently contains a single-detached dwelling.

The application for minor variance proposes to vary Section 11.2 – Rear Yard Setback, of the lot to be retained from the permitted 7.5 m (24.6 ft) to 3 m (9.8 ft) to recognize the reduced setback from the existing dwelling as a result of the new lot line between the properties.

The subject land is described as Lots 453 & 459, Plan 745, Township of Norwich. The subject lands are located on the east side of Albert Street lying between North Street East and Brock Street East, and are municipally known as 32 ½ Albert Street, Village of Norwich.

Planning Staff are of the opinion that the proposed uses are appropriate, and it complies with the Official Plan policies. The requested minor variance will recognize the new rear yard depth of the existing dwelling on the retained lands and the new lot line. Planning Staff do not have concerns with this as there is still sufficient amenity area on the property. Planning Staff recommended approval subject to noted conditions.

B. Veldjesgraaf had no questions or concerns and accepted the noted conditions.

In response to A. Tenhove, E. Gilbert advised that the requested conditions from Township staff are a departure from what has been typically required for a single residential infill lot. With respect to the Stormwater Management Brief, he does not believe the Township would be able to require that through the building permit process. A single detached dwelling would be exempt from site plan control so there is no other mechanism for the Township to require that similar to the Traffic Impact Brief.

In response to L. Martin, E. Gilbert advised that site plan approval does not apply to single detached dwellings or other residential proposals if there are 10 units or less.

G. Brumby commented that he sees some of the conditions here that would be more expected for a subdivision not single lots.

In response to D. Paron, E. Gilbert noted that the Township indicated there are no records of building permits for buildings upon the subject lands for both the severed and retained lots. He also noted that that isn't uncommon for the age of the building. In his opinion the items that couldn't be covered off by the building permit are the Stormwater Management Brief and the Traffic Impact Brief. The spatial separation calculation will be required through the building permit and is directly related to the new lot line. The Committee can use their discretion when implementing conditions.

In response to G. Brumby, E. Gilbert noted that the comments requiring the storm water management brief and traffic impact study were provided by the CAO at the Township of Norwich and the comments are included as an attachment to the report.

In response to G. Brumby, E. Gilbert noted that yes he would expect that this is something that the Committee can expect from them moving forward which is different from other Townships and what they have seen in the past.

B23-68-3

A motion was put forward from A. Tenhove to approve the application with the removal of condition #6, which was seconded by D. Matheson. Comments on the motion were received by L. Martin who indicated that he supports the application but not the motion on the floor.

E. Gilbert noted that the condition was requested by the CAO but that we haven't seen it requested before on a single residential infill lot.

D. Paron requested that Planning Staff provide the Committee members with guidelines for this circumstance for the future.

The motion was defeated.

A second motion was presented for approval with the noted conditions.

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

'Granted'

CONDITIONS:

1. The Owner agrees to satisfy all requirements, financial and otherwise, of the County Public Works Department, regarding the installation of water and sanitary services, to the satisfaction of the County of Oxford.
2. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, and confirm compliance with the relevant provisions of the Zoning By-law for both the severed and retained lands, to the satisfaction of the Township of Norwich.
3. 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.
4. The Owner shall prepare an overall site grading, drainage and servicing plan for both the proposed severed and retained lots, to the satisfaction of the Township of Norwich and that the construction of private drainage connections for both parcels be constructed to the satisfaction of the Township.
5. The Owner shall obtain an Entrance Permit for the severed lands and otherwise confirm the parking area on the retained lands complies with the Township Zoning By-law prior to the completion of the consent, to the satisfaction of the Township of Norwich.
6. The Owner shall prepare and submit for review a stormwater management brief, geotechnical report and traffic impact brief, to the satisfaction of the Township of Norwich.
7. The Owner shall prepare and submit information prepared by a qualified person, satisfactory to the Township of Norwich, demonstrating that the exposed building face abutting the new lot line created by Consent File B23-68-3 complies with relevant spatial separation requirements of the Ontario Building Code
8. The existing accessory buildings on the lot to be severed be removed, subject to Building Permits for Demolition, to the satisfaction of the Township of Norwich.
9. If required, the Owner shall enter into a Severance Agreement with the Township of Norwich, to the satisfaction of the Township Chief Administrative Officer.
10. 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.

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

A23-20-3

Moved by: L. Martin
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 the Township of Norwich Zoning By-law No. 07-2003-Z.

CARRIED.

On the motion of A. Tenhove the Committee meeting adjourned at 10:14 am.

"Original Signed by"

CHAIRPERSON