

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, June 1, 2023

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and virtually via livestream on Thursday, June 1, 2023, at 9:00 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	L. Martin - <i>absent</i>
	-	J. Lessif
	-	D. Paron
	-	D. Matheson
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

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

DECLARATION OF CONFLICT OF INTEREST:

C. van Haastert declared conflict of interest for Application B23-05-6 & B23-21-6 (Ingrox Ltd.)

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of May 4, 2023, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

GENERAL BUSINESS:

None.

CORRESPONDENCE:

1. Correspondence was received from Town of Ingersoll dated May 25, 2023
RE: Application B23-05-6 & B23-21-6 (Ingrox Ltd.)

APPLICATIONS FOR CONSENT:

B23-05-6 & B23-21-6 – Ingrox Ltd.
(Part of Lots 3-15, Block S, Plan 95, Town of Ingersoll)

Paul Riley was in attendance to speak to the application.

The intent of the consent applications is to add 2 parcels to the lands to the south (80 Thames

Street N.) to accommodate a future eating establishment. The proposed lot to be severed by B23-05-6 is to be approximately 524 m² (5,640.3 ft²) in area and is to be added to the lands to the immediate south (also owned by the applicant). The retained lands are to be approximately 3,267.2 m² (35,167.8 ft²) in area and contain a portion of a self-storage warehouse facility (that is to remain).

The newly configured lot to be severed by B23-21-6 is to be approximately 934 m² (10,053.5 ft²) and will then be merged with the lands to the immediate south, being 80 Thames Street N. The retained lands are to be approximately 9,861.4 m² (106,147.2 ft²) in area and also contain a portion of a self-storage warehouse facility (that is to remain). The parcels to be severed and enlarged are currently vacant. As part of the of the both consent applications, the owner also proposes to create an easement over the lots to be retained in favour of the newly configured lot for joint access to Carnegie Street. The proposed easement is intended to be approximately 207.27 m² (2,231 ft²) in area.

The subject lands are described as Part Lots 3-15 (Inclusive), Block S, Plan 95, in the Town of Ingersoll. The entirety of the lands are located on the south side of Carnegie Street that extend from Thames Street N. to Mutual Street, and are municipally known as 98 Thames Street N.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated Central Business District & Industrial in the County Official Plan. He noted that surrounding land uses include commercial, residential and that the CN Railway Tracks are located to the south along with institutional uses to the east of the property. Both parcels are currently vacant except for a food truck that is utilizing the lands to be severed by B23-05-6. The subject lands are zoned 'Restricted Industrial Zone (MR)' and will require a zone change to reflect the intended use. In Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement, and are in keeping with the County Official Plan. No comments or concerns were raised as a result of the public and agency circulation. Comments were received late from the Town's engineering consultant, a set of amended conditions has been provided to the Committee to reflect a requirement for road widening and site triangle. Planning staff recommend approval of the consent applications and note that the request for the easement is appropriate. Application B23-05-6 has nine conditions attached and while application B23-21-6 has eight conditions attached for the Committee's consideration.

P. Riley agreed with the recommendation and the amended conditions.

In response to D. Paron, R. Versteegen noted that the existing entrance will be closed, the property will need to have a site plan control application after the consent and zone change application are completed and finalized.

B23-05-6

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. 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.
3. An easement for the purpose of access be established over the lot to be retained in favour of the lot to be severed, and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the Town of Ingersoll.

4. The Owner shall agree to dedicate a daylight corner at the intersection of Thames Street N. and Carnegie Street to the Town of Ingersoll free of all costs and encumbrances, to the satisfaction of the Town of Ingersoll.
5. If required, a road widening along Carnegie Street from the lot to be severed and the lot to be retained be dedicated to the Town of Ingersoll free of all costs and encumbrances, to the satisfaction of the Town of Ingersoll.
6. If required, 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.
7. The Owner shall provide 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.
8. The Owner shall submit a recent survey to confirm lot sizes, building sizes and setbacks as well as the location of services connections, to the satisfaction of the Town of Ingersoll.
9. 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.
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.

B23-21-6

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. 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.
3. An easement for the purpose of access be established over the lot to be retained in favour of the lot to be severed, and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the Town of Ingersoll.

4. The certificate for Application B23-05-6 be issued, the Transfer registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B23-21-6.
5. If required, 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.
6. The Owner shall provide 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.
7. The Owner shall submit a recent survey to confirm lot sizes, building sizes and setbacks as well as the location of services connections, to the satisfaction of the Town of Ingersoll.
8. 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.
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 Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

B23-11-5 – Dylan Belore
(Part of Lot 16 & 17, Plan 39, Township of Zorra)

Thomas Henderson and Jamie Cooper, the applicant's, were present to speak to the application

The purpose of this application is to facilitate a lot addition to the Embro Legion property, whereby an area being approximately 125 m² (1,345 ft²) in size is to be severed from the lands known as 104 Commissioner Street, and are to be added to the Legion property. The lands being retained are approximately 330 m² (3,552 ft²) in size, contain an existing office building. No new development is being proposed as part of this application.

The subject lands are described as Part Lot 16 & 17, Plan 39, Village of Embro (Township of Zorra). The lands are located on the north side of Commissioner Street, east of Huron Street, and are municipally known as 104 Commissioner Street.

R. Versteegen reviewed the staff Planning Report, he indicated that the purpose of the application is to rectify an historical encroachment and ensure that the use is fully contained onto one property. He noted that the surrounding land uses include commercial, residential and institutional. He advised that the subject lands are designated as Village Core in a Serviced Village in the County Official Plan, and zoned Village in the Township of Zorra Zoning By-law. In Planning staff's opinion the application has no policy impacts and it is a minor lot addition, therefore the proposal is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan

and the lands are zoned appropriately. No comments or concerns were raised as a result of the public and agency circulation. Planning staff recommend approval of the consent application subject to the attached conditions.

T. Henderson agrees and accepts the conditions attached to the report.

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

'Granted'

CONDITIONS:

1. The parcel 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 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.

CARRIED.

B23-12-5 – 2180475 Ontario Inc.

(Part of Lot 4, Concession 4 (West Zorra), Township of Zorra)

Tyler Fallowfield, the applicant, was present to speak to the application.

The purpose of this application is to create one (1) new lot for Agri-Business purposes while retaining a lot for the same purpose. Both the lot to be severed and the lot to be retained are approximately 5,610 m² (1.38 ac) in area and each would have approximately 66 m (217 ft) of frontage along 37th Line. The subject property currently contains an existing storage building and it is proposed that the existing building would remain on the lot to be retained, while the lot to be severed is currently vacant and would be used for a landscaping business.

The subject land is described as Pt. Lot 4, Conc. 4, (West Zorra), is located on the west side of 37th Line, south of Road 74, and is municipally referred to as 375235 37th Line, Township of Zorra.

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 'Special Agricultural-

Business Zone (AB-8) in the Township of Zorra Zoning By-law. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and are appropriately zoned. No comments or concerns were raised as a result of the public and agency circulation. Accordingly, Planning staff recommend approval of the consent application subject to three attached conditions.

T. Fallowfield had no questions or concerns regarding the report or recommended conditions.

In response to D. Paron, the applicant noted that a shared easement will be established to the existing driveway.

C. van Haastert asked whether a new residence could be established on the subject land. R. Versteegen noted that the proposed landscaping business is permitted however, the applicant will be required to pursue a zone change application to permit a dwelling on the property, if desired. As a result, it is not necessary to impose a condition for the severance to proceed.

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

'Granted'

CONDITIONS:

1. 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.
2. That the comments regarding the removal of wood debris from the subject lands as provided by the Township's Fire Chief be addressed to the satisfaction of the Township Fire Department.
3. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services 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 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.

CARRIED.

B23-20-5 – Murray & Catherine McCorquodale
(Part of Lot 31-33, Concession 5 (West Zorra), Township of Zorra)

Catherine McCorquodale was in attendance virtually to speak to the application.

The purpose of this application is to facilitate the creation of one (1) new agricultural lot and to retain one (1) lot for similar purposes. The lot proposed to be severed comprises approximately 40.8 ha (101 ac) in area, contains an existing single detached dwelling, a bank barn, a dairy barn and a number of agricultural storage buildings. The lot proposed to be retained is comprised of approximately 69.6 ha (172 ac) in area and contains an existing bank barn. Both the lands to be severed and the lands to be retained are under Agricultural production (both livestock and cash cropping purposes). No new development is being proposed as part of this application.

The subject land is described as Pt. Lot 31-33, Conc. 5 (West Zorra). The lands are located on the east side of 37th Line, north of Road 96, and are municipally known as 376886 37th Line, Township of Zorra.

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 (A2)' in the Township of Zorra Zoning By-law. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan and the lands are zoned appropriately. No comments or concerns were raised as a result of the public and agency circulation. Planning staff recommend approval of the consent application subject to two attached conditions.

C. McCorquodale had no questions or concerns regarding the report and agreed with the attached conditions.

In response to G. Brumby, C. McCorquodale noted that the purpose of the application is for succession planning.

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

'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 Zorra.
2. The Clerk of the Township of Zorra 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 subject property is appropriately zoned.

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

CARRIED.

B23-16-4 – Albert Haemmerli
(Lot 18, Concession 3 (Dereham) Township of South-West Oxford)

Albert Haemmerli was in attendance to speak to the application.

The purpose of this application is to facilitate the creation of one (1) new agricultural lot and to retain one (1) lot for similar purposes. The lot proposed to be severed comprises approximately 39.5 ha (97.7 ac) in area and contains an existing single detached dwelling, a barn and a number of silos. The lot proposed to be retained is comprised of approximately 39.4 ha (97.5 ac) and contains an existing single-detached dwelling, a barn, two (2) drive sheds and silos. Both the lands to be severed and the lands to be retained are under Agricultural production (both livestock and cash cropping purposes). No new development is being proposed as part of this application.

The subject lands are described as Lot 18, Conc. 3, are located between McBeth Road and Ebenezer Road, between Culloden Line and Dereham Line, and are municipally known as 363702 & 363726 McBeth Road, Township of South-West Oxford.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are indicated Agricultural Reserve in the County Official Plan and zoned 'General Agricultural (A2)' in the Township of Zorra Zoning By-law. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, is in keeping with the County Official Plan, and the lands are appropriately zoned. No comments or concerns were raised as a result of the public and agency notification. Planning staff recommend approval of the consent application, subject to two attached conditions.

A. Haemmerli had no questions or concerns and understood the recommended conditions.

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

'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 subject property is appropriately zoned.
4. The Land Division Committee did not receive any comments from the public respecting this application.

CARRIED.

On the motion of J. Lessif, the Committee meeting adjourned at 10:08 a.m.

“Original Signed by”

CHAIRPERSON