

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, November 2, 2023

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and met virtually via livestream, on Thursday, November 2, 2023, at 9:30 a.m. with the following individuals:

|                     |   |                 |
|---------------------|---|-----------------|
| Chairperson         | - | G. Brumby       |
|                     | - | L. Martin       |
|                     | - | J. Lessif       |
|                     | - | D. Paron        |
|                     | - | D. Matheson     |
|                     | - | A. Tenhove      |
|                     | - | C. van Haastert |
| Planning Manager    | - | E. Gilbert      |
| Secretary-Treasurer | - | A. Karn Sims    |

The meeting was called to order at 9:31 a.m.

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

Moved by: J. Lessif  
Seconded by: L. Martin

*"The Minutes of the Meeting of October 5, 2023, be approved as amended, printed and circulated."*

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated October 29, 2023, received from Terry Crawford  
RE: Application B23-06-8 (Mark Smith)

APPLICATIONS FOR CONSENT:

B23-26-1 – Jay Clare  
(Pt Lt 19, Conc.5 (Blenheim), Township of Blandford-Blenheim)

Jacob Williams, the agent, was online to speak to the application.  
Dave Raby, a neighbour, was in attendance to speak to the application.

E.Gilbert reviewed the staff Planning Report. The application has been requested to facilitate an agricultural lot addition and the retention of a lot for non-farm rural residential purposes. The lot to be severed comprises approximately 49.6 ha (122.5 ac), is in agricultural production, and currently vacant of any buildings or structures. It is proposed that the lot to be severed will be added to the

lot to the immediate west. The lot to be enlarged is approximately 45.5 ha (112.4 ac) in size, is also in agricultural production, and contains three (3) barns, a detached garage, and a single detached dwelling accessory to the farm operation.

It is proposed that the lot to be retained will be 0.6 ha (1.4 ac) in size and will contain an existing single detached dwelling. If Severance Application B23-26-1 is approved by the Land Division Committee then an Application for Zone Change will be required to rezone the lot to be retained from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to recognize the new use of the subject lands for non-farm rural residential purposes.

The subject lands are described as Part Lot 19, Concession 5 (Blenheim). The lands are located on the south side of Township Road 6, lying between Gobles Road and Highway 401. The subject lands are currently municipally addressed as 786660 Township Road 6.

Planning staff have reviewed the application and are satisfied that the proposal meets the criteria and recommend approval subject to the noted conditions.

J. Williams had no comments or concerns and understood and accepted all of the conditions.

D. Raby who lives across the road from the subject lands, commented that he has concerns about the wording of the application. He noted that there is only one barn on the property and not 3 barns as the application states.

J. Williams noted that they went off of the MPAC assessment and arial photography when preparing the application and it is their understanding that there are 3 barns on parcel to the west.

E. Gilbert advised that the barns aren't livestock and therefore do not have an effect on this circumstance.

G. Brumby advised D. Raby that this discrepancy doesn't impact the application.

D. Raby asked for the wording to be changed.

E. Gilbert noted that the sign will come down today so a change of wording wouldn't change the intent of the application or be relevant at this point and that the Public Notice was still sufficient as it was presented.

A. Tenhove noted that it was quite clear that there have been a number of buildings on the property at some point in time.

No further comments or questions were raised by the Committee.

#### B23-26-1

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

*'Granted'*

#### CONDITIONS:

1. The lot to be retained be appropriately zoned.
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, the owners enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township.

4. If required, a drainage assessment 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 Blandford-Blenheim.
5. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, 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 property is 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.

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B23-58-2, B23-59-2; B23-60-2; B23-61-2; B23-62-2 – 2796247 Ontario Ltd.  
(Pt Lts 21-22, Plan 35, 41R10310, Township of East Zorra-Tavistock)

Paul Barron, agent for the applicant, was present to speak to application.

E. Gilbert reviewed the staff Planning Report. The applicants are proposing to establish an easement over the noted lands for the purpose of installing a gas line and for access to the gas line for maintenance. The areas identified as Parts 30-34 and 36 on the attached sketch represent the area where the easement would be established.

The subject lands are located on the southwest corner of the Blandford Street and Balsam Street intersection, in the Village of Innerkip. The subject lands are legally described as Part Lots 21 & 22, w/s of Blandford Street, Plan 35, Township of East Zorra-Tavistock, and municipally known as 3A, 3B, 3C, 3D, and 3E Balsam Street, Innerkip.

Planning Staff recommend approval of the application subject to the noted conditions.

P. Barron had no questions or concerns and accepted the conditions contained within the report. He noted that the townhouses are already built, and in process of being completed, and this application is just to identify and legalize the gas lines access.

In response to D. Paron, P. Barron advised that if there is any digging in the rear, the owners would need to do a locate and warning tape would typically be present. He also noted that deck posts are already in place and the width is approximately 2-3 m.

B23-58-2

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

*'Granted'*

CONDITIONS:

1. The owner agrees that the certificates for the easements required to provide for gas service on the subject lots will be provided in a manner that is acceptable to the Township of East Zorra-Tavistock and the and the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock 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.

B23-59-2

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

*'Granted'*

CONDITIONS:

1. The owner agrees that the certificates for the easements required to provide for gas service on the subject lots will be provided in a manner that is acceptable to the Township of East Zorra-Tavistock and the and the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock 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.

B23-60-2

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

*'Granted'*

CONDITIONS:

1. The owner agrees that the certificates for the easements required to provide for gas service on the subject lots will be provided in a manner that is acceptable to the Township of East Zorra-Tavistock and the and the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock 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.

B23-61-2

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

*'Granted'*

CONDITIONS:

1. The owner agrees that the certificates for the easements required to provide for gas service on the subject lots will be provided in a manner that is acceptable to the Township of East Zorra-Tavistock and the and the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock 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.

B23-62-2

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

*'Granted'*

CONDITIONS:

1. The owner agrees that the certificates for the easements required to provide for gas service on the subject lots will be provided in a manner that is acceptable to the Township of East Zorra-Tavistock and the and the Secretary-Treasurer of the Land Division Committee.
2. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of East Zorra-Tavistock 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.

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B23-41-8; A23-07-8 – Oxford Builders Inc.

(Pt Blk A, Plan M46, Pt 6, 41R2154 & Pt Lt 41, Plan 212, Pt 27, 41R2511, City of Woodstock)

Derek Truelove, agent, was present online to speak to the application.

E. Gilbert reviewed the staff Planning Report. The application for consent proposes to sever a parcel having a frontage of 10.9 m (35.9 ft), average depth of 33.1 m (108.6 ft), and area of 356.4 m<sup>2</sup> (3,836.3 ft<sup>2</sup>) and retain a parcel having a frontage of 10.6 m (34.9 ft), average depth of 33.1 m (108.6 ft), and area of 352.6 m<sup>2</sup> (3,795.3 ft<sup>2</sup>) to create two lots for a proposed single-detached dwelling on each lot.

The application is also requesting variances to the zoning by-law, including:

- A minimum lot area of 356.4 m<sup>2</sup> (3,836.3.1 ft<sup>2</sup>) where a minimum lot area of 370 m<sup>2</sup> (3,982.6 ft<sup>2</sup>) is required for the severed lands;
- A minimum lot area of 352.6 m<sup>2</sup> (3,836.3.1 ft<sup>2</sup>) where a minimum lot area of 370 m<sup>2</sup> (3,982.6 ft<sup>2</sup>) is required for the retained lands;
- A minimum lot frontage of 10.9 m (35.7 ft) where a minimum lot frontage of 12 m (39.4 ft) is required for the severed lands; and
- A minimum lot frontage of 10.6 m (34.7 ft) where a minimum lot frontage of 12 m (39.4 ft) is required for the retained lands.

The subject lands front on the south side of Bernadette Place, east of South Street, and are legally described as Part Block A, Part 6, 41R2154, Plan M46, in the City of Woodstock, known municipally as 6 Bernadette Place.

E. Gilbert noted that there was a supplemental report distributed that included an additional condition #5 that requires that the two properties have merged prior to the severance occurring to ensure there are no remnant parcels left after the consent.

Planning Staff reviewed the application and recommend approval subject to the noted conditions.

D. Truelove had no questions or comments. They understand and accept all of the proposed conditions.

In response to D. Paron, D Truelove advised that his understanding is that there is no encroachment on the transmission corridor.

G. Brumby noted that the letter itself is generic and confirmed that D. Truelove is well aware of it.

B23-41-8

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

*'Granted'*

CONDITIONS:

1. The Owner(s) shall enter into a Severance Agreement with the City of Woodstock as set forth in the City of Woodstock By-Law No. 5266-76, and amendments thereto. The Severance Agreement shall be registered on first title by the Owner, to the satisfaction of the City of Woodstock.
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(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands to the satisfaction of the City of Woodstock.
4. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of

the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities.

5. The Owner(s) provide confirmation that PIN 00093-0090 and PIN 00093-0087 have merged such that the subject lands resemble the lot fabric proposed in this application and shown on Plate 3 of this report, to the satisfaction of the County of Oxford.
6. The Owner(s) shall obtain a letter provided by the Clerk of the City of Woodstock advising the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock 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. The Land Division Committee did not receive any comments from the public respecting this application.

A23-07-8

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

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B23-53-8; A23-16-8 – Bentum Family Homes Inc.  
(Lt 8, Plan 62, City of Woodstock)

Tim Bentum, owner, was present to speak to the application.

E.Gilbert reviewed the staff Planning Report. The application for consent proposes to sever a parcel containing a semi-detached dwelling for separate ownership. The lands to be severed have a frontage of 7.3 m (23.9 ft), an area of 1,100.3 m<sup>2</sup> (11,843.9 ft<sup>2</sup>) and a depth of 30.8 m (101 ft). The lands to be retained have a frontage of 10.7 m (35.1 ft), an area of 1,600.6 m<sup>2</sup> (17,229.3 ft<sup>2</sup>)



and a depth of 30.5 m (100 ft).

The application has previously been approved for a minor variance to reduce the minimum lot area and frontages in anticipation of this severance (MV 01-23). An additional variance has been identified with the proposed application (A23 16-8). The applicant has requested a minimum lot frontage of 10.7 m from a previously granted relief of 10.85 m, where 12 m is permitted in the zone provisions.

The subject lands front on the south side of Nelson Street, at the corner of Nelson Street and Marlboro Street, and are legally described as Lot 8, Plan 62, in the City of Woodstock, known municipally as 748 Nelson Street.

Planning Staff have reviewed the application and recommend approval subject to the noted conditions.

T. Bentum had no comments or questions and accepted the conditions outlined.

In response to A. Tenhove, E. Gilbert advised that the new Minor Variance approval would replace the existing approval.

In response to J. Lessif, E. Gilbert advised that the discrepancy was discovered when the building location survey was done.

B23-53-8

Moved by: C. VanHaastert  
Seconded by: D. Paron

*'Granted'*

CONDITIONS:

1. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
2. The Owner(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands to the satisfaction of the City of Woodstock.
3. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities, if required.
4. The Owner(s) shall obtain a letter provided by the Clerk of the City of Woodstock advising the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock 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 two years from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.

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

A23-16-8

Moved by: C. VanHaastert  
Seconded by: D. Paron

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

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B23-48-7; A23-09-7 – Krystal & Michael West  
(Lt 27-28, Plan 500, Town of Tillsonburg)

Krystal West, owner, was present online to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of the Application for Consent is to create one (1) new residential lot. The lot to be severed will be approximately 632 m<sup>2</sup> (6,802.79 ft<sup>2</sup>) in size. The lot to be severed currently contains a shed which is proposed to be removed, and construction of a duplex dwelling is proposed. The lot to be retained will be approximately 957 m<sup>2</sup> (10,301.06 ft<sup>2</sup>) in size. The lot to be retained contains an existing duplex dwelling which is proposed to be maintained.

The following minor variances have been requested to facilitate the proposal.

- To recognize the location of the existing residential structure, the following relief is requested for the lot to be retained:
- Low Density Residential – Type 2 Zone (R2) - Section 7.2: Zone Provisions – Table 7.2: Zone Provisions – decrease the minimum width, exterior side yard from 6 m (19.68 ft) to 5.9 m (19.36 ft); and,
- Low Density Residential – Type 2 Zone (R2)- Section 7.2: Zone Provisions – Table 7.2: Zone Provisions – decrease the minimum depth, front yard from 7.5 m (24.6 ft) to 2.4 m (7.87 ft).
- To facilitate the future construction of a duplex dwelling, the following relief is requested for the lot to be severed:
- Low Density Residential – Type 2 Zone (R2)- Section 7.2: Zone Provisions – Table 7.2: Zone Provisions – decrease the minimum lot frontage from 18 m (59.05 ft) to 15.82 m (51.9 ft).

The subject lands are described as Lots 27 & 28, Plan 500. The subject lands are located on the northeast corner of Tillson Avenue and Barker Street and known municipally as 306 Tillson Avenue.

Tillsonburg Council considered these applications at their October meeting and recommended approval. Planning Staff are satisfied that the proposal is consistent with the requirements and recommend approval.

In response to K. West, G. Brumby and E. Gilbert confirmed that the timeline for completion of conditions is two years.

K. West accepted all conditions noted.

In response to D. Paron, E. Gilbert advised that Oxford County Public Works looked at the separation distance between Barker Street and the lot to be severed and advised there is enough distance to put in a driveway. He noted they would need to get an encroachment permit from the County to put in the driveway. There is an option for parking in the rear as well. The entrance permit would be to the satisfaction of the County.

No further comments or questions were brought forth from the Committee.

B23-48-7

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

*'Granted'*

CONDITIONS:

1. The Owner(s) shall agree to submit an updated survey to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.
2. The Owner(s) 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.
3. The Owner(s) 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.
4. The Owner(s) shall provide an Oxford County Connection application to the Town of Tillsonburg Engineering Services Department prior to construction.
5. The Owner(s) 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.
6. 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.
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. The Land Division Committee did not receive any comments from the public respecting this application.

A23-09-7

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

*'Granted'*

REASONS:

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.
2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested are in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

B23-46-7; A23-08-7 – Brothers Marketing Inc.  
(Lt 747, Plan 500, Town of Tillsonburg)

No one was present online or in person to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of the application for consent is to create one new residential building lot with frontage onto Valley View Lane. The proposed new residential lot will be approximately 505 m<sup>2</sup> (5,435.77 ft<sup>2</sup>). The lot to be severed currently contains a garage, which will be removed. The lot to be retained will be approximately 505 m<sup>2</sup> (5,435.77 ft<sup>2</sup>) and contains an existing duplex dwelling which is proposed to be maintained.

The following minor variances have been requested to facilitate the proposal:

1. Section 12.2: Zone Provisions – Table 12.2A: Zone Provisions – Lot Depth, Minimum, to decrease the minimum lot depth from 30 m (98.42 ft) to 25 m (82.01 ft) for both lots;
2. Section 12.2: Zone Provisions – Table 12.2A: Zone Provisions – Lot Area, Minimum, decrease the minimum lot area from 558 m<sup>2</sup> (6,006.26 ft<sup>2</sup>) to 505 m<sup>2</sup> (5,435.77 ft<sup>2</sup>) for both lots; and,
3. Section 12.2: EC Zone Provisions – Table 12.2A: Zone Provisions – Rear Yard, Minimum Depth, decrease the minimum depth from 9 m (29.5 ft) to 7.6 m (24.93 ft), for the lot to be retained.

The subject lands are described as Lot 747, Plan 500. The subject lands are located on the south side of Rolph Street, lying between Hale Street and Washington Grand Avenue, and known

municipally as 111 Rolph Street.

E. Gilbert noted that similar applications were considered by this Committee and Town Council in 2022. Town Council recommended that the applications not be approved due to concerns of on-street parking on Valley View Lane. The Land Division Committee did deny the applications in May however Planning Staff did support the application. This is essentially the same applications being resubmitted. Town council reviewed and recommended approval of the application on October 10<sup>th</sup>, 2023. Staff noted that the lots will provide all of the required parking. Additionally, Fire Services are satisfied with the proposed access. There are no current on-street parking restrictions in this area however, Town staff are looking to review that for this area. Comments are included in the report indicating that a number of residents do not support the applications.

Planning staff have reviewed the application and are of the opinion that it does meet many Official Plan policies and is consistent with the many different lot shapes and sizes in the area. This proposal does provide all of the required parking for the units. Some intensification is possible regardless of the outcome of this application. The Minor Variance requested is appropriate as many lots in this area have reduced rear yard and lot depth and it will still provide a suitable building envelope. The agencies circulated had no concerns. Planning Staff recommend approval of this application subject to the noted conditions.

In response to L. Martin, E. Gilbert noted that we cannot make it a condition for 'no parking' signs to be installed along the street, however, we could provide those comments to the Town for their review.

In response to D. Paron, E. Gilbert advised that when they submit their building permit to the Town Building Department the applicant will be required to demonstrate how they will provide all the required parking and will need to illustrate it on the site plan at that time.

In response to G. Brumby, E. Gilbert noted that the only difference to the application this time was the defined parking and that perhaps the Town accepted the application this time because it was a new Council. D. Paron added that it appeared that the new Council had a lot of confidence in the Fire Department's assessment and that they presented no issues.

In response to G. Brumby, E. Gilbert advised that no, the neighbor's position hasn't changed in regard to this application and they remain unsupportive, however, the number of people living in the units would be a building code by-law issue. He also noted that an apartment building could be built there due to it being zoned as Entrepreneurial District and could take place without public Planning approval. D. Paron added that the current zone allows for boarding houses and that if there was an issue with the number of inhabitants that would be a building code issue. A Tenhove noted that the resident's comments reflect that they are most concerned about the inhabitants which therefore shouldn't have influence on the Committee's decision today.

B23-46-7

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

*'Granted'*

CONDITIONS:

1. The Owner(s) shall provide confirmation of the location of any existing overhead or underground services installed to the retained lot. Tillsonburg Hydro Inc. (THI) will require an easement across the lot to be retained and the lot to be severed, and a relocation of existing electrical cables that feed 111 Rolph Street to the lot to be severed as there are no hydro distribution assets along Rolph Street (in this general location). Any proposed easements shall be reviewed by the Town of Tillsonburg and Tillsonburg Hydro Inc.
2. The Owner(s) 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, each

property 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.

3. 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. 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. 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.
4. The Owner(s) shall agree to provide a preliminary Lot Grading Plan, including services, to the satisfaction of the Town of Tillsonburg Engineering Services Department.
5. The Owner(s) shall provide an Oxford County Connection application to the Town of Tillsonburg Engineering Services Department prior to construction.
6. The Owner(s) shall agree to submit an updated survey to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.
7. The existing accessory building on the lot to be severed shall be removed to the satisfaction of the Town of Tillsonburg.
8. The Owner(s) 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.
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 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 where appropriate, were considered in the Land Division Committee's decision to approve the application.

A23-08-7

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

*'Granted'*

REASONS:

1. The variances requested are minor variances from the provisions of the Town of Tillsonburg Zoning By-law No. 3295.

2. The variances requested are desirable for the appropriate development or use of the land, building or structure.
3. The variances requested are in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variances requested are in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295.

CARRIED.

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B23-51-5; A23-13-5; B23-52-5; A23-14-5 – Brett Prekup & Estate of Bernice Robinson  
(Lt 7-9, Pt Lt 10-12, Blk I, Lt 4-15, Blk J, Lt 14-15, Pt Lt 10-11, L, M, Blk Q, Plan 87, Pt Lt 29-30, Conc. 2 (West Zorra), Township of Zorra)

Brett Prekup, owner, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The purpose of these applications is to facilitate the severance of two (2) lots for residential purposes in the Village of Harrington. It is proposed that two lots be severed from the existing Agricultural parcel, which is approximately 32 ha (79 ac) in area. The associated application for minor variance seeks to reduce the minimum required lot area from 2,800 m<sup>2</sup> (30,139 ft<sup>2</sup>) to 2,500 m<sup>2</sup> (26,910 ft<sup>2</sup>) for each of the new residential lots being created. The applicant is proposing to demolish the existing dwelling located at 8 Cornelia Street, and it is proposed that the Cornelia Street road allowance will be extended to provide direct frontage for the proposed lots. No new development is proposed for the lot to be retained at this time.

The subject land is described as Lots 7-9, Block 1, Plan 87, Conc. 2, is located on the east side of 31st Line, south of Road 92, and is municipally known as 8 Cornelia Street, Harrington, Township of Zorra.

Township Staff had no concerns with the application.

Planning Staff believe it is appropriate and recommend approval subject to the noted conditions.

B. Prekup noted that he was born and raised there and that he believes that the creation of the two lots and putting in some land to do a turn around there is beneficial for the community. He understood and accepted all conditions.

In response to B. Prekup, E. Gilbert clarified that the Planning Act requires that when you sever a piece of property you do a Parkland Dedication to the Municipality and that the Township of Zorra has a policy that you pay set amount in accordance with their fees.

In response to L. Martin, B. Prekup advised that he is proposing two undersized lots in order to reduce getting into more farmland and to provide the most ideal situation for the septic system.

In response to G. Brumby, E. Gilbert noted that in this case the balancing of a number of considerations were taken into account that made sense for the two undersized lots proposal. The registered septic installer advised that the soil in that area is suitable for a conventional septic system and that the lots will follow the natural farming boundaries so it makes sense to keep them where they are.

In response to G. Brumby, E. Gilbert noted that the Township doesn't change its by-law because it's very site specific based on the soils. It is looked at on a site specific basis if it doesn't meet the set standard. The applicant demonstrated to the satisfaction of the Chief Building Official who issues the permits for septic systems.

In response to L. Martin, E. Gilbert advised that the road extension will be done by the applicant.

G. Brumby requested to E. Gilbert that in the future Planners include a qualification from the

Building Official that the lots are acceptable for that type of septic system.

B23-51-5

Moved by: D. Matheson  
Seconded by: D. Paron

*'Granted'*

CONDITIONS:

1. That the applicant provide cash in lieu of parkland, to the satisfaction of the Township of Zorra.
2. The applicant be required to enter into a Severance Agreement to the satisfaction of the Township of Zorra.
3. That the lot to be severed be appropriately zoned.
4. That the accessory structures and buildings identified for demolition on Plate 3 of Report No. 2023-365 be demolished to the satisfaction of the Township of Zorra Chief Building Official.
5. That the septic system and well servicing the existing single-detached dwelling be removed to the satisfaction of the Township of Zorra Chief Building Official.
6. The Clerk of the Township of Zorra Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

A23-13-5

Moved by: D. Matheson  
Seconded by: D. Paron

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Zorra Zoning By-law No. 35-99.



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 Zorra Zoning By-law No. 35-99.

B23-52-5

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

*'Granted'*

CONDITIONS:

1. That the applicant provide cash in lieu of parkland, to the satisfaction of the Township of Zorra.
2. The applicant be required to enter into a Severance Agreement to the satisfaction of the Township of Zorra.
3. That the lot to be severed be appropriately zoned.
4. That the existing dwelling and any associated buildings and structures identified for demolition on Plate 3 of Report No. 2023-365 be demolished to the satisfaction of the Township of Zorra Chief Building Official.
5. That the septic system and well servicing the existing single-detached dwelling be removed to the satisfaction of the Township of Zorra Chief Building Official.
6. The Clerk of the Township of Zorra Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.
7. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

1. The application for consent is consistent with the 2020 Provincial Policy Statement.
2. The application for consent complies with the policies of the County of Oxford Official Plan.
3. 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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A23-14-5

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

*'Granted'*

REASONS:

1. The variance requested is a minor variance from the provisions of the Township of Zorra Zoning By-law No. 35-99.
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 Zorra Zoning By-law No. 35-99.

CARRIED.

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B23-06-8 – Mark Smith

(Pt Lt 1, e/s Mill St, Plan 26, Pt 2, 41R9563, City of Woodstock)

Terry Crawford, neighbour, was present to speak to the application.  
Mark Smith, owner, was present to speak to the application.

E. Gilbert reviewed the staff Planning Report. The application for consent proposes to sever a parcel having a frontage of 6.4 m (21.2 ft) and an average depth of 41.6 m (136.6 ft), and retain a lot having a frontage of 6.7 m (22.2 ft) and an average depth of 41.6 m (136.6 ft) to sever an existing semi-detached dwelling.

The subject lands front on the east side of Mill Street, between Dundas Street and Simcoe Street, and are legally described as Plan 26, Part Lot 1 East Side Mill Street, in the City of Woodstock, known municipally as 21 and 23 Mill Street.

Planning Staff don't have concerns with the severance itself, however, they don't think retention of the garage is ideal. The installation of an operable garage door on the rear side could work to satisfy the concerns and provide parking in the rear yard. This is outlined in Condition #5 of the report.

Planning Staff are supportive of the application and recommend approval subject to the noted conditions.

Late correspondence was received from T. Crawford and included pictures of the said garage to provide context and express concerns about the practicality of renovating the said garage. City staff do share those concerns. The severance will not be finalized until the removal of the garage or satisfaction of the conditions.

M. Smith asked if they could have the word "firewall" removed from the condition, however, E. Gilbert advised that the firewalls are a Building Code requirement and mandatory. They will need to be completed to the satisfaction of the City.

G. Brumby added that having a firewall is a long-standing rule and Building Code requirement across the Province.

M. Smith had no further comments and accepted the noted conditions.

T. Crawford expressed his concerns about the parking area and stated that the garage is not a usable structure. He noted that he is not against the severance itself, but is of the opinion that the garage needs to be removed to provide for adequate parking. The impediment of the garage causes congestion and impedes the laneway which spills out into Hay Lane. This is an opportunity to address and correct an ongoing issue.

G. Brumby noted that there are conditions recognizing the specific concerns that T. Crawford has and it was recommended that he talk to building officials with any further comments or concerns.

In response to J. Lessif, M. Smith stated that the garage is currently used for a small car and will be used more as a carport to drive through to avoid the impediment to Hay Lane. There is a mezzanine which will remain, but a firewall will extend to the top. M. Smith believes it will be more costly to remove the garage so his preference is to add the garage door and firewall and additional parking in the rear.

In response to J. Lessif, T. Crawford advised that he doesn't love the idea of altering the garage instead of removing it. Creating the drive through doesn't mean that it will be used as there are also additional height restrictions with the garage and large vehicles would not fit.

E. Gilbert clarified that the City isn't counting garage as a parking space and that M. Smith still has to create the two spots in the back to get the severance.

G. Brumby noted that the conditions are intended to ensure the problem disappears.

Discussion was had by G. Brumby, D. Paron and J. Lessif about the existing garage causing issues for larger vehicles and limiting access based on vehicle height.

In response to D. Paron, M. Smith advised that he plans to sell the properties individually and that the respective purchasers would own half of the garage.

A. Tenhove commented that he doesn't understand how the County can ensure 2 parking spaces on the property if the vehicle has to fit through a small garage and how that can be demonstrated.

M. Smith advised that the individual owners can decide if they want to buy the property based on their vehicle size.

In response to G. Brumby, E. Gilbert noted that the parking spaces have to meet size and access criteria and that the owner would have to demonstrate that to the City Building Engineering Department to meet that condition.

In response to A. Tenhove and G. Brumby, E. Gilbert noted that Planning Staff's preference is that the garage be removed, however, the concerns are covered in the conditions.

In response to L. Martin, E. Gilbert advised that the firewall would have to be constructed if the application is successful. M. Smith added that there is fire drywall already in the lower portion of the garage so it would only need to be added to the upper mezzanine.

D. Matheson noted that while he respects the issues here but he believes they are beyond the jurisdiction of this Committee.

G. Brumby agreed that there is a limit to what we can access and that the conditions imposed are the failsafe for an acceptable way to proceed.

B23-06-8

Moved by: A. Tenhove  
Seconded by: C. VanHaastert

*'Granted'*

CONDITIONS:

1. The Owner shall submit a recent survey to confirm lot sizes and building setbacks, to the satisfaction of the City of Woodstock.
2. The Owner(s) confirm(s) that no underground or overhead services serving the retained lands traverse the severed parcel and visa versa. Where such services exist, the owner shall relocate the services or obtain private easements over the severed and/or retained lands to the satisfaction of the City of Woodstock.
3. The Owner(s) shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock and the County of Oxford, regarding the installation of services and drainage facilities, if required.
4. The Owner shall submit a building report prepared by a building code-qualified designer confirming the fire separation provisions required from the Ontario Building Code for the interior party wall of the semidetached dwelling house and garage to the satisfaction of the City of Woodstock Building Department.
5. The Owner shall install operable garage door(s) on the opposite side of the detached structure as Hay Lane to provide access to the rear yard for parking to the satisfaction of the City of Woodstock Building Department.
6. The Owner(s) shall obtain a letter provided by the Clerk of the City of Woodstock advising the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock 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 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 reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

CARRIED.

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On the motion of J. Lessif, the Committee meeting adjourned at 11:14 am.

*"Original Signed by"*

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CHAIRPERSON