

A G E N D A
County of Oxford
Land Division Committee
Thursday, October 6, 2022

9:30 a.m. Call meeting to order
Declaration of Conflict of Interest(s)
Approval of Minutes – September 1, 2022
Business Arising from Minutes
Correspondence

APPLICATIONS FOR CONSENT

B22-48-6	Sifton Properties Ltd.	Ingersoll
B22-49-6	Tetra-Chem Industries Ltd.	Ingersoll
B20-03-6; A20-15-6 & B20-04-6; A20-16-6	1879784 Ontario Inc.	Ingersoll
B22-64-6; A22-13-6 & B22-65-6; A22-14-6	Astro Homes Inc.	Ingersoll

Adjournment

To: Chair and Members of Oxford County Land Division Committee

From: Ron Versteegen, Senior Planner, Community Planning

Application for Consent B22-48-6 – Sifton Properties Ltd.

REPORT HIGHLIGHTS

- The purpose of the Application for Consent is to create one lot for commercial purposes and retain a lot for future residential (street fronting townhouse dwellings) purposes. The whole of the lands are currently vacant.
- Planning staff are recommending that the application be deferred pending consideration of applications for Official Plan Amendment and zone change affecting the retained lot, or alternatively, the applicant has sufficiently demonstrated that the retained lands can function as a commercial property in accordance with the policies of the Official Plan and the Town's Zoning By-law.

DISCUSSION

Background

OWNERS: Sifton Properties Ltd. c/o Lindsay Clark
1295 Riverbend Road, Suite 300, London, ON, N6K 0G2

LOCATION:

The subject lands are described as Part Lot 19, Concession 1 (West Oxford), in the Town of Ingersoll. The lands are located on the northeast corner of Clarke Road E. and Hollingshead Road.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Service Commercial (with special policies – Section 9.3.3.4.5)
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INGERSOLL ZONING BY-LAW NO. 04-4160:

Existing Zoning: 'Special Highway Commercial Zone (HC-10)'

EXISTING USE OF SUBJECT PROPERTY:

Lots to be Severed & Retained: Vacant

SERVICES: Lots to be Severed & Retained: municipal water and municipal sanitary sewer

ROAD ACCESS: Lot to be Severed: paved, Town roads (Clarke Road E. & Hollingshead Road)
Lot to be Retained: paved, Town road (Hollingshead) & County road (Harris Street/Oxford Road 119)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area:	3.38 ha (11.1 ac.)	1.39 ha (3.43 ac.)
Frontage:	157.2 m (515.7 ft.)	40.9 m (134.2 ft.)
Depth:	irregular	Irregular

The application proposes to sever a lot for commercial use and retain a lot for future residential purposes.

The proposed lot to be severed will be approximately 3.38 ha (11.1 ac.) in area and has frontage along Clarke Road E., as well as Hollingshead Road. The proposed lot to be retained will be approximately 1.39 ha (3.43 ac.) in area and has frontage on Hollingshead Road and Harris Street (Oxford Road 119). The lands are currently vacant.

Surrounding land uses consist of existing and planned low density residential uses to the north, planned medium density residential uses to the northwest, existing and planned service commercial lands to the west, east and southeast, and industrial uses to the south.

Plate 1, Existing Zoning & Location Map, indicates the location of the severed and retained lots as well as the existing zoning in the immediate vicinity.

Plate 2, Air Photo (2020), provides an aerial view of the subject lands as of the spring of 2020.

Plate 3, Applicant's Sketch, shows the configuration of the proposed severed and retained lots in greater detail as provided by the applicant.

Application Review

2020 PROVINCIAL POLICY STATEMENT (PPS)

The PPS recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of our communities and that development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and further, Section 1.3.3.2 directs that land use patterns within settlement areas shall be based on densities and a mix of land uses which, among other matters, efficiently use land and resources and are appropriate for, and efficiently use, infrastructure and public service facilities which are planned or advisable, and avoid the need for their unjustified and/or uneconomical expansion.

Further, Section 1.1.3.3 of the PPS directs that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.3.1 directs that planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs and also provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Similarly, Section 1.7.1 directs that the long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness;

OFFICIAL PLAN

The subject property is located within the 'Service Commercial' designation according to the County Official Plan. Service Commercial areas are those that provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within the Central Area because of their requirements for large lot area, access or exposure requirements or due to compatibility conflicts with residential development. Generally, Service Commercial uses cater to vehicular traffic and single purpose shopping trips where customers are typically generated from passing traffic or a wide ranging market area.

Service Commercial Areas, while providing for a limited amount of retail use, are not intended to accommodate retail activities that are typically characteristic of a Central Area location and will not directly compete with this area.

Uses permitted within the Service Commercial designation include hotels, motels, automotive sales and service, furniture and appliance sales and service, farm implement sales, business services, convenience commercial uses, retail food stores, recreation and entertainment uses, gas bars, car wash facilities, retail sales of automotive supplies, automated teller machines and kiosks, tourism information outlets or kiosks, restaurants and fast food outlets, uses which require large areas for on-site storage of goods or vehicles and other types of commercial uses that offer service to the travelling public, business and industry.

As noted, site specific policies [Section 9.3.3.4.5] also apply to the subject lands that place certain restrictions on the commercial uses on the property.

In light of the proposed use for the retained lands (residential) other policies that are relevant to consider with respect to the proposed consent are detailed in Section 9.3.4.5.6 [SOUTH INGERSOLL SECONDARY PLAN AREA] which acknowledge the existence of the soybean processing facility to the south and that future residential development and new commercial development which includes sensitive land uses within the 300 m (984.3 ft.) of the subject property shall be subject to the submission and approval of studies in accordance with Section 3.3.3.1 of the Official Plan, which will establish separation distances from the subject lands. A separation distance of at least 70 m (229.6 ft.) shall be required. The studies shall also establish any mitigation measures to be implemented as part of development approvals required for residential uses within the 300 m (984 ft.) potential influence area associated with existing industrial areas/facilities and sensitive uses within the Service Commercial lands. The studies shall be undertaken by a Licensed Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario.

Further, the policies also state that outdoor storage adjacent to Clarke Road shall be prohibited save and except for the temporary storage of containers in the front yard of the soybean processing facility property and that this property can continue to use Clarke Road for access purposes.

Section 10.3.4 [CONSENTS (SEVERANCES)] of the Official Plan also detail the review criteria for the Land Division Committee to evaluate when considering applications for consent. These criteria include:

- that the Land Division Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of land and that the plan of subdivision process is upheld as the primary method of lot creation;
- any lot to be created would conform to the policies of the Official Plan and the provisions of the Zoning By-Law;
- the granting of the severance will not prejudice the future lot creation potential of the area;
- the proposed lot will have direct frontage on a permanent public road maintained year round at a reasonable standard of construction and will not require the opening or extension of a public road;
- the proposed lot will have adequate water supplies and sewage services and stormwater management consistent with the requirements of this Plan and the appropriate authority;
- access to the proposed lot will not create traffic problems or hazards, as identified by the authority with jurisdiction over the road;
- property owners and residents in the vicinity of the proposed severance are to receive sufficient notification of the application, and any submissions from such parties are to be considered; and
- any criteria outlined in the policies associated with the land use designations apply to the lands.

TOWN OF INGERSOLL ZONING BY-LAW

The proposed lots to be severed and retained are currently zoned 'Special Highway Commercial Zone (HC-10)' in the Town of Ingersoll Zoning By-law.

The 'HC-10' zone permits a number of commercial uses subject to caps on the amount on the gross leasable commercial floor area for specific uses, as detailed in the site specific Official Plan policies.

AGENCY COMMENTS

The Town of Ingersoll Engineer & Director of Operations noted that drainage from the subject lands is to be kept internal and not impact adjacent properties.

Union Gas noted that they have service lines running within the area which may or may not be affected by the proposed severance. In the event the proposed severances impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries and that any relocation required would be at the cost of the property owner.

The County of Oxford Public Works Department, Town of Ingersoll Chief Building Official, Town of Ingersoll Clerk, Town of Ingersoll Fire Department, Canada Post, and Bell Canada indicated that they had no objections or concerns with the subject application.

PUBLIC CONSULTATION

Public notice regarding the application was provided to surrounding property owners in accordance with the requirements of the *Planning Act*. As of the date of this report, no correspondence was received from neighbouring property owners with respect to the proposed application.

Planning Analysis

The applicant has indicated that the intended use of the retained lands is for residential purposes, (specifically, street-oriented townhouses) and preliminary plans for these lands indicates that these lands will be serviced by a public street extending from Hollingshead Road to Harris Street.

Planning staff are of the opinion that the proposed severance is premature in light of Section 9.3.4.5.6 of the Official Plan which requires the submission and approval of noise studies where future residential development is proposed within the 300 m (984.3 ft.) of the aforementioned soybean processing facility.

Further, as the retained lands are currently designated and zoned for service commercial development, a functional servicing report providing preliminary information regarding servicing, traffic and other matters determined to be relevant by the Town and County in considering the use of the lands for residential purposes should be considered prior to any further division of these lands.

Planning staff raise this concern to avoid the unnecessary fragmentation of a planned commercial block for other use wherein if the residential development on the retained lands is not supportable, the question remains whether the parcel would be a viable service commercial property.

In light of the above, Planning staff are of the opinion that consideration of the proposed consent is premature and should be deferred until such time as applications for Official Plan Amendment and zone change (and appropriate supporting studies) for residential use have been considered, or alternatively, the applicant has sufficiently demonstrated that the retained lands can function as a commercial property in accordance with the policies of the Official Plan and the Town's Zoning By-law.

RECOMMENDATION

Planning staff recommend that Application B22-48-6 be deferred until such time as the applications for amendment to the Official Plan and Zoning By-law affecting the retained lands have been considered by County and Town Councils or alternatively, that the applicant demonstrates that the retained lands proposed by this consent can function as a commercial property in accordance with the policies of the Official Plan and the Town's Zoning By-law.

SIGNATURES

Authored by:

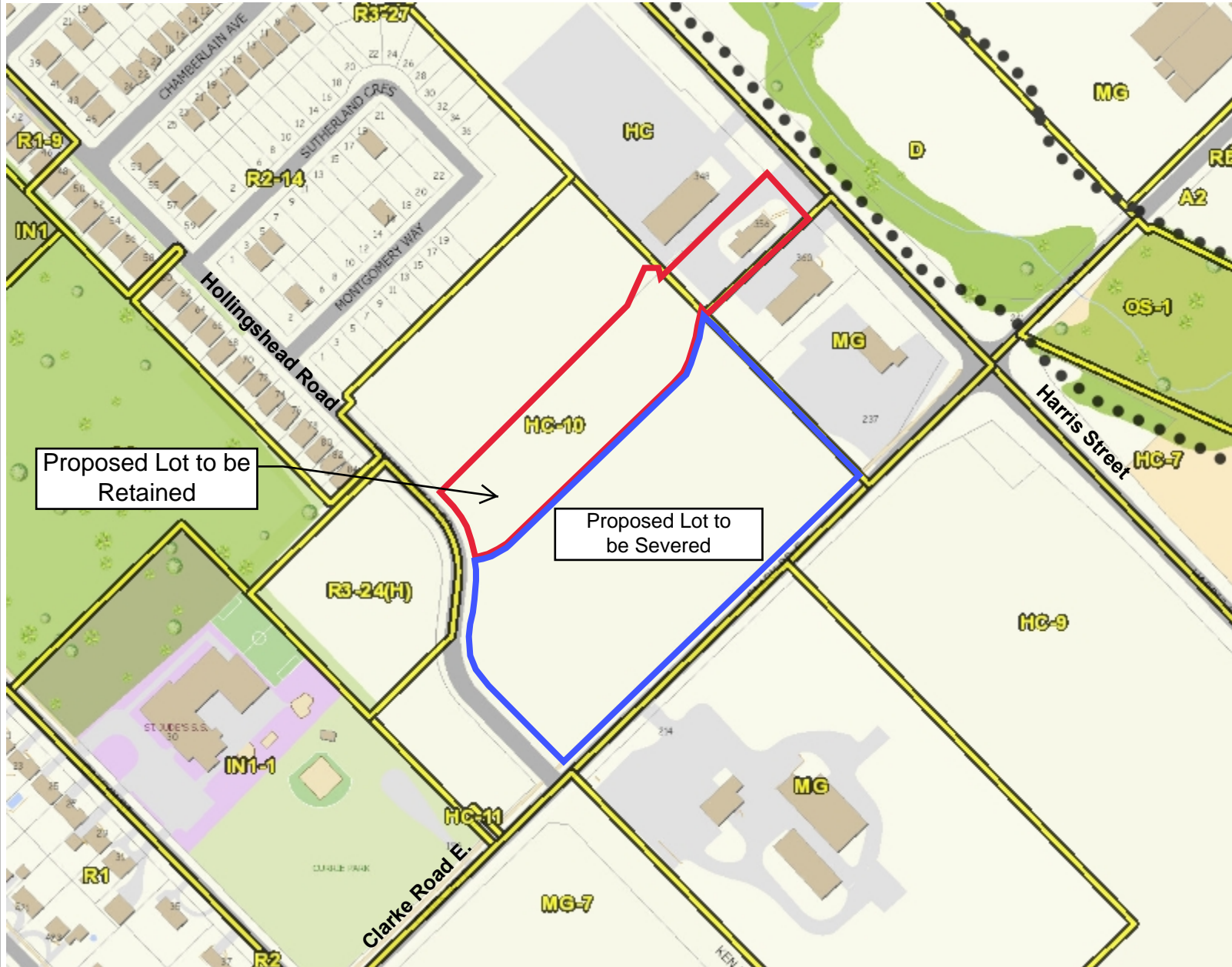
"Original Signed by"

Ron Versteegen, MCIP, RPP
Senior Planner

Approved for submission:

"Original Signed by"

Gordon K. Hough, RPP
Director



Legend

- Zoning Floodlines
- Regulation Limit
- 100 Year Flood Line
- ▲ 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Proposed Lot to be Retained

Proposed Lot to be Severed

Notes



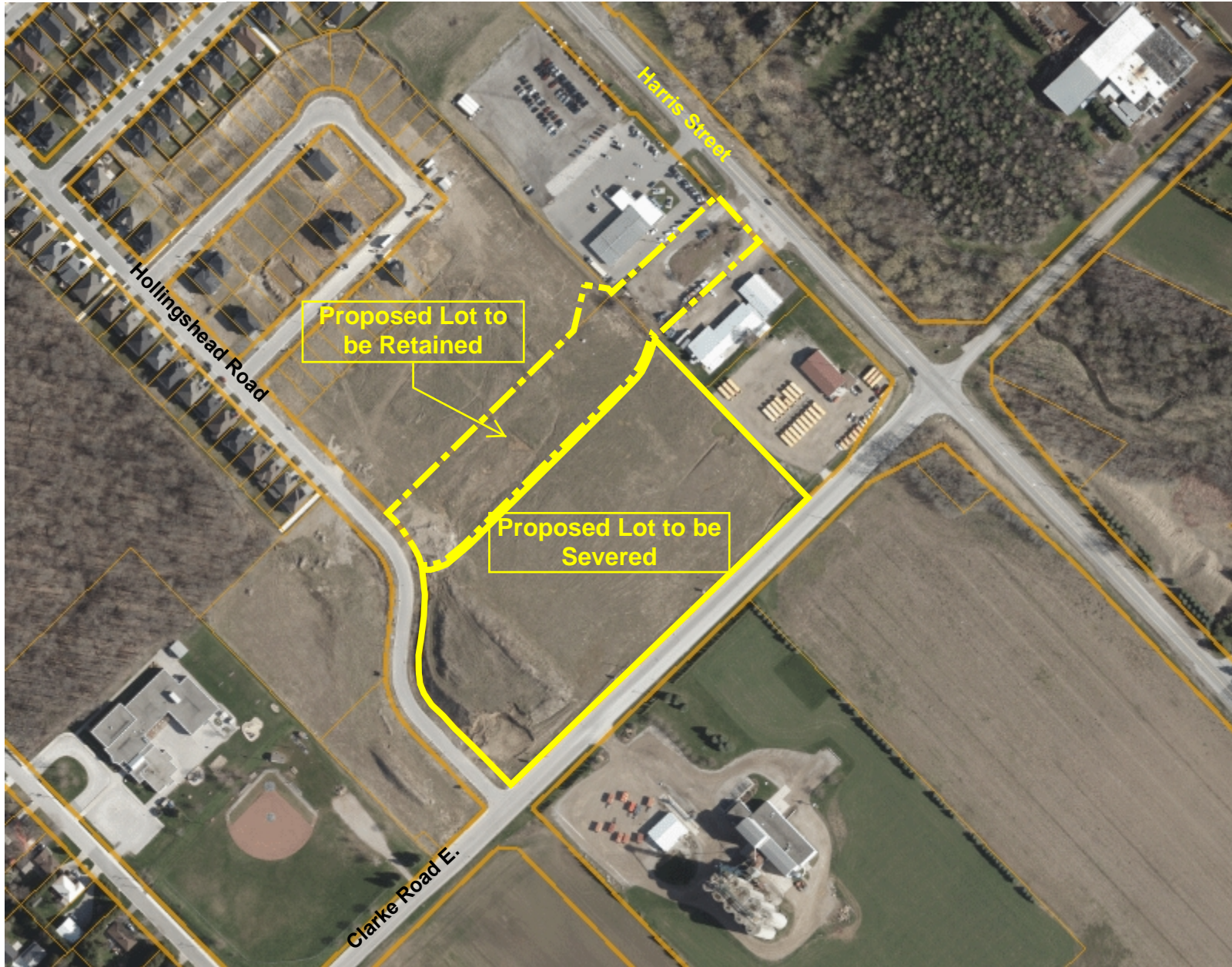
0 96 192 Meters

NAD_1983_UTM_Zone_17N



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August 8, 2022



Legend

- Parcel Lines
- Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary

Notes



0 96 191 Meters

NAD_1983_UTM_Zone_17N

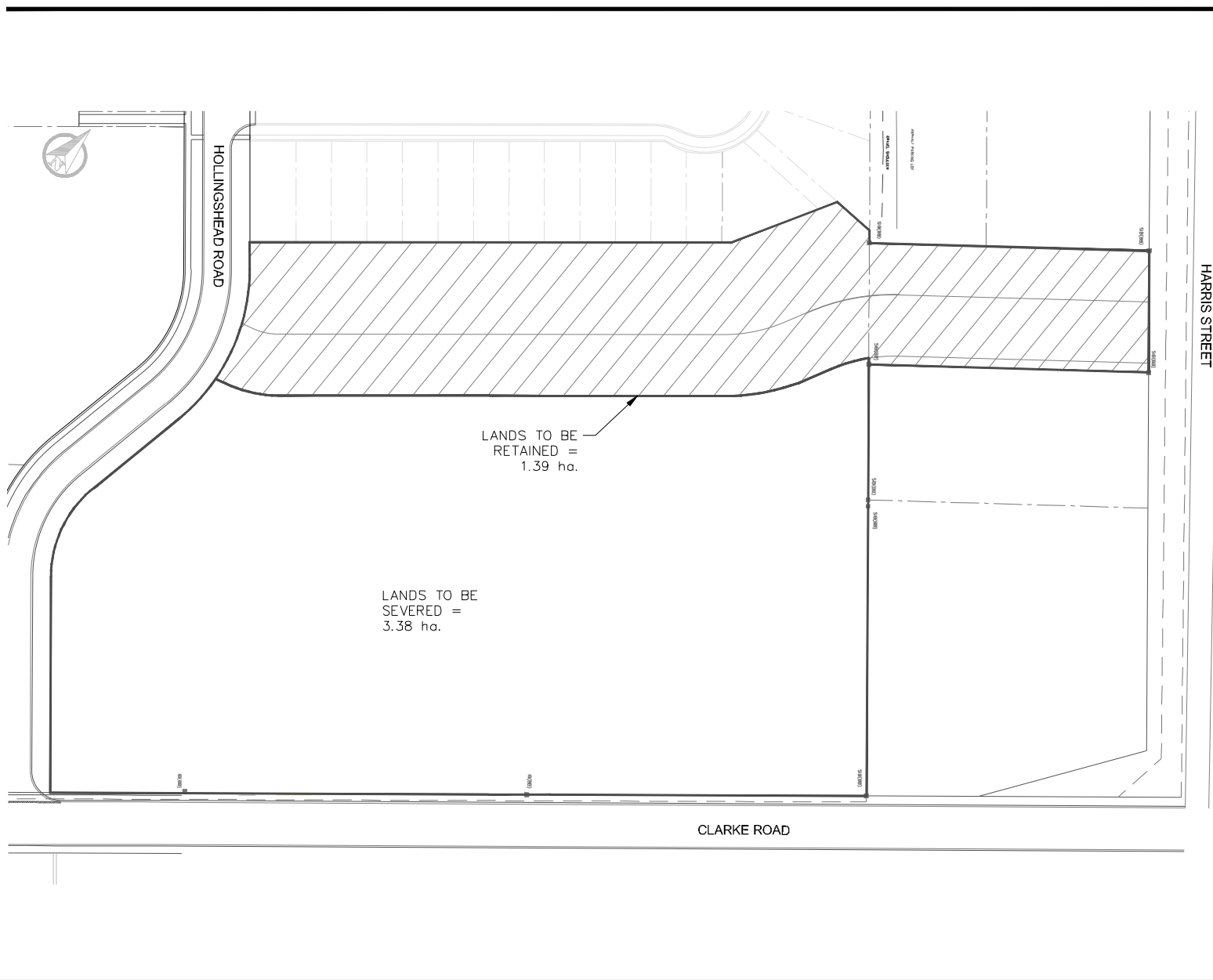


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September 25, 2022

Plate 3 - Applicant's Sketch
 File No.: B22-48-6, Sifton Properties Ltd., Part Lot 19, Concession 1 (West Oxford), Town of Ingersoll

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PART OF
 LOT 19
 CONCESSION 1 WEST
 (GEOGRAPHIC TOWNSHIP OF)
 IN THE
 TOWN OF INGERSOLL
 COUNTY OF OXFORD

SCALE 1:1250

SCALE IN METRES

	SIFTON PROPERTIES LTD. NEIGHBOURHOOD DEVELOPMENTS 1295 RIVERBEND SOUTH, SUITE 300 LONDON, ONTARIO N6K 0G2	
	HARRISVIEW, PHASE 6 BLOCKS 1-4 INGERSOLL, ONTARIO HOLLINGSHEAD ROAD	
SEVERANCE CONCEPT		
Project No. : --	Date:	13 May 2022
Drawing No. : --	Scale:	1:1000
Drawn By : DCP		
Checked By : MZ & PM		

To: Chair and Members of Oxford County Land Division Committee

From: Heather St. Clair, Senior Planner, Community Planning

Application for Consent B22-49-6 – Tetra-Chem Industries Ltd. (Lekavicius)

REPORT HIGHLIGHTS

- The application for consent proposes the creation of one new vacant industrial parcel in the Town of Ingersoll.
- Planning staff are recommending approval of the application as it is generally consistent with the Provincial Policy Statement and maintains the intent and purpose of the Official Plan with respect to employment uses in settlement areas.

DISCUSSION

Background

OWNER: Tetra-Chem Industries Ltd.
271 Ingersoll Street South, Ingersoll ON, N5C 3J7

APPLICANT: Dan Lekavicius
72 Foxhollow Drive, Dorchester ON, N0L 1G3

LOCATION:

The subject lands are described as Lots 168-177, 198-205, 232-240, 245-247 and Part Lots 178-179, 196-197, 206-207, 241-244 and 248-251 Plan 709 in the Town of Ingersoll. The lands are located on the east side of Ingersoll Street South, between Thomas Street and Clark Road West, and are municipally known as 271 Ingersoll Street South in the Town of Ingersoll.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Industrial
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TOWN OF INGERSOLL ZONING BY-LAW 04-4160:

Existing Zoning: 'Restricted Industrial Zone (MR)'

SERVICES: Lot to be Severed – proposed municipal water and proposed sanitary sewers
Lot to be Retained – municipal water and sanitary sewers

ROAD ACCESS: Lots to be Severed and Retained – paved, Town road
(Ingersoll Street South)

<u>PROPOSAL:</u>	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	2.02 ha (5 ac)	1.94 ha (4.8 ac)
Frontage	102.7 m (337 ft)	98.6 m (232.5 ft)
Depth	197.2 m (647.1 ft)	197.2 m (647.1 ft)

An application for consent has been submitted to facilitate the creation of one new industrial parcel in the Town of Ingersoll. Specifically it is proposed that approximately 2.02 ha (5 ac) of vacant industrial land will be severed from the southern portion of the subject property for the purpose of future industrial development. It is proposed that the lot to be retained will be approximately 1.94 ha (4.8 ac) in size and contains an existing industrial use and associated parking area.

Surrounding land uses are mainly comprised of existing industrial uses to the north and south, CAMI Automotive to the west and existing single detached dwellings to the east.

Plate 1, Location Map with Existing Zoning, shows the location of the subject lands and the existing zoning in the immediate vicinity, and identifies the proposed configuration of the lots to be severed and retained.

Plate 2, Subject Lands with 2020 Aerial Photo, provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicant's Sketch, provides the dimensions of the lots to be severed and retained, as submitted by the applicant.

Application Review

2020 PROVINCIAL POLICY STATEMENT (PPS):

The PPS provides that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities and it is in the interest of all communities to use land and resources wisely to promote efficient development patterns, protect resources, promote green space, ensure efficient use of infrastructure and public service facilities and minimize unnecessary public expenditures.

As such, the policies of Section 1.1.3.1 of the PPS direct that settlement areas shall be the focus of growth and development, and further, Section 1.3.1 of the PPS provides that planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional uses and broader mixed uses to meet long-term needs;

- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,
- e) ensuring the necessary infrastructure is provided to support current and projected needs.

OFFICIAL PLAN:

The subject lands are designated Industrial Area according to the Town of Ingersoll Land Use Plan, as contained in the Official Plan. Industrial Areas include those lands that are designated for the full range of industrial type activity including light, medium and heavy industrial uses. Such uses may generate on and off-site effects such as traffic, noise, vibration, odours and/or visual appearance.

Permitted uses include assembling, manufacturing, fabricating, processing, repair activities, environmental industries, wholesaling, storage and warehousing industries, construction industries, communication and utility industries, transportation and cartage industries and technological service industries. Industries will also be permitted to combine technological, manufacturing or processing, office, sales and management activities.

Established industrial uses which are located in proximity to existing residential areas are recognized as important employment lands. However, these areas may experience pressure to re-develop for uses more compatible with adjacent land uses. In order to protect the interests of the established industrial uses, as well as those adjacent land uses, Town Council may recognize established industrial uses in the Zoning By-law and permit such uses to expand.

Section 9.3.4.4 of the Official Plan states that Town Council may differentiate between types of industrial uses in the Zoning By-law by establishing a separate zone for industries requiring large amounts of open storage, generating substantial amounts of vehicular traffic and/or with potential nuisance aspects relating to their operations and may restrict such uses from locating near residential areas or along major entranceways or arterial roads within the Town.

Where an Industrial Area designation is near existing or planned residential uses, adequate buffering through distance separation, fencing or landscaping and building or site design will be provided to minimize potential nuisance. Such areas will be developed for a low-rise form of development and the Zoning By-law will establish limits to the height and lot coverage permitted to achieve this objective. Further, municipal services will be adequate to accommodate the proposed development and adequate off-street parking and loading areas will be provided. Within the Industrial Area designation, site plan control may be required to address design considerations such as landscaping, screened storage areas, locations of located bays and service areas, as well as parking and drainage.

ZONING BY-LAW:

The subject property is zoned 'Restricted Industrial Zone (MR)' in the Town's Zoning By-law. The 'MR' zone permits a range of light industrial type uses and requires a minimum lot area of 600 m² (6,458.5 ft²), a minimum lot frontage of 20 m (65.6 ft) and a minimum lot depth of 30 m (98.4 ft).

Based on the site sketch submitted by the applicant, the lots to be severed and retained comply with the minimum development standards of the 'MR' zone.

AGENCY COMMENTS:

Enbridge Gas has commented that their agency has service lines running in the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any service relocation required due to a severance would be at the cost of the property owner.

Oxford County Public Works Department has commented that if approved, the owner shall agree to satisfy all requirements, financial and otherwise, of the County with respect to the installation of water and sanitary sewer services, as a condition of consent.

The Town of Ingersoll has commented that they will require 2% of the appraised value of the land for this severance, in accordance with Schedule 'A' of the Parkland Conveyance By-law, as it applies to industrial land uses within the Town.

The Town of Ingersoll Building Department and the Ingersoll Fire and Emergency Services Department have indicated they have no comments regarding the proposal.

PUBLIC CONSULTATION:

Notice of the application was provided to the public and surrounding property owners on September 22, 2022, in accordance with the requirements of the Planning Act. At the time of writing this report, no comments or concerns have been received from the public.

Planning Analysis

The application for consent proposes the creation of one new vacant industrial building lot in the Town of Ingersoll.

Planning staff have reviewed the proposal under the policy direction of the PPS and are generally satisfied that the application will facilitate the development of a future employment use which will promote economic development and competitiveness within the Town while utilizing existing and planned municipal infrastructure. As such, staff are satisfied the proposal is consistent with the policy direction of the PPS for employment lands in an urban area.

Staff are also satisfied that the proposal is in-keeping with the policy direction of the Official Plan for lands designated for industrial use. While no specific land use has been proposed by the applicants at this time, the subject lands are zoned 'Restricted Industrial Zone (MR)' in the Town's Zoning By-law which will facilitate the future development of an industrial use consistent with the uses intended for land designated as Industrial Area in the Official Plan. Further, future development of the lot to be severed will be subject to the Town's site plan approval process. This will provide staff with an opportunity to review specific site design details to ensure they are in-keeping with the intention of the Official Plan for development of industrial land uses. Design considerations will ensure for adequate buffering through separation, fencing and landscaping in order to avoid adverse effects on the adjacent residential lands to the east.

The 'MR' Zone provides for a wide range of light industrial uses contemplated in the Industrial Area designation and any future development will be subject to the development standards of the 'MR' zone. It is noted that the proposed lot area, frontage and depth proposed for the lots to be severed and retained appear to be consistent with the development standards for lands zoned 'MR'.

Planning staff are satisfied that the proposed application is consistent with the policies of the Provincial Policy Statement and maintains the general intent and purpose of the Official Plan with respect to development in employment areas and can be supported from a planning perspective.

RECOMMENDATION

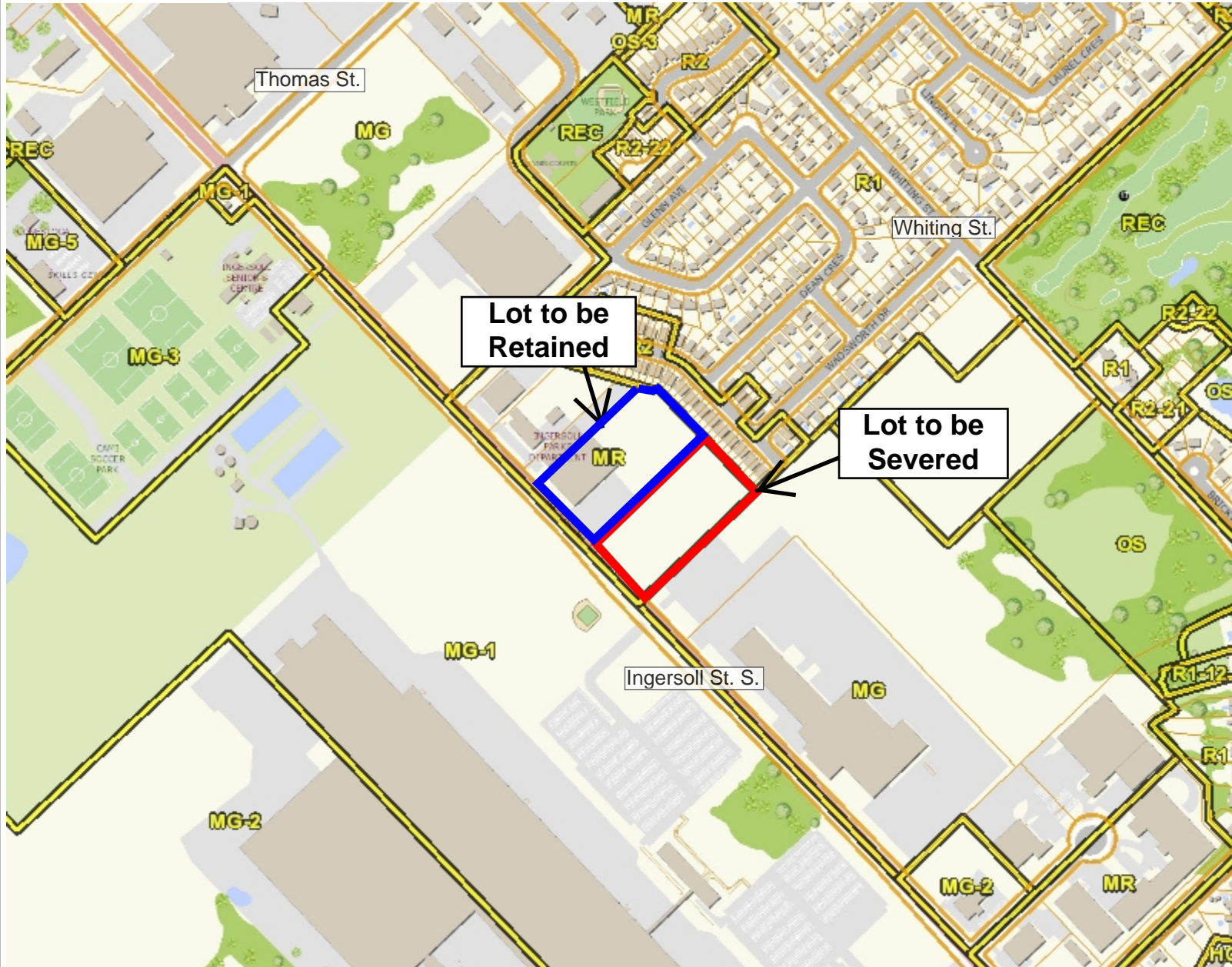
Whereas the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan and the lands are appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:

- 1. The owner shall agree, in writing to satisfy all requirements, financial and otherwise of the County of Oxford regarding the installation of water and sanitary sewer services to the satisfaction of the County of Oxford Public Works Department.**
- 2. The owner shall agree, in writing, to satisfy all requirements, financial and otherwise of the Town of Ingersoll, in accordance with Schedule "A" of the Parkland Conveyance By-law, to the satisfaction of the Town of Ingersoll.**
- 3. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial and otherwise, have been complied with.**

SIGNATURES

Authored by: *"Original signed by"* Heather St. Clair, MCIP, RPP,
Senior Planner

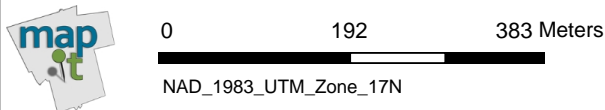
Approved for submission: *"Original signed by"* Gordon K. Hough, RPP,
Director



Legend

- Parcel Lines**
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
 - 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



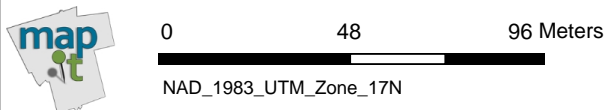
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Legend

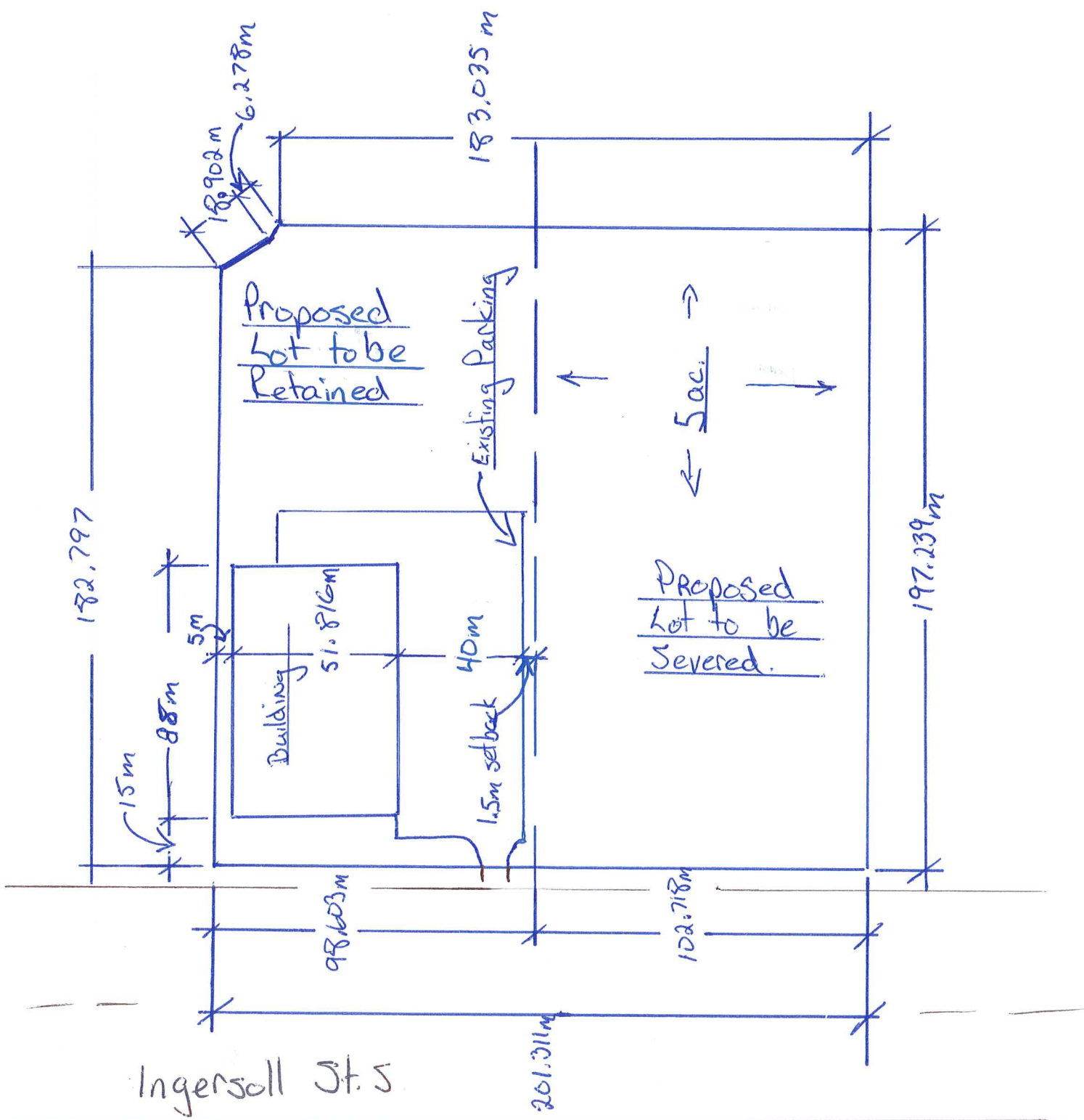
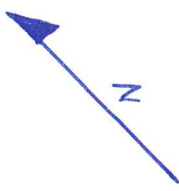
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- ▣ Land Use Zoning (Displays 1:16000 to 1:500)

Notes



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August 3, 2022



To: Chair and Members of Oxford County Land Division Committee

From: Ron Versteegen, Senior Planner, Community Planning

Applications for Consent & Minor Variance B20-03-6; A20-15-6 & B20-04-6; A20-16-6 – 1879784 Ontario Inc.

REPORT HIGHLIGHTS

- The purpose of the Applications for Consent is to facilitate the creation of two residential infill lots that will accommodate single detached dwellings while the lot to be retained is to be used for similar purposes.
- The application is also proposing relief from Section 7.2, Lot Depth, of the Town's Zoning By-law to reduce the lot depths of the proposed severed and retained lots as well as Section 7.2, Lot Area, to reduce the lot area of the lot to be retained.
- Planning staff are recommending approval of the applications as they are consistent with the Provincial Policy Statement and maintain the intent and purpose of the Official Plan as it pertains to consents for residential infill purposes.

DISCUSSION

Background

OWNER: 1879784 Ontario Inc.
50 Kraft Drive, Waterloo, ON, N2J 4G8

AGENT: Progressive Engineering Services
2043 Hidden Valley Crescent, Kitchener, ON, N2C 2B2

LOCATION:

The subject lands are described as Block 87, Registered Plan 41M-252, in the Town of Ingersoll. The lands are located on the southwest corner of Winders Trail and Walker Road.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Residential
Schedule "I-2"	Town of Ingersoll Residential Density Plan	Low Density Residential

TOWN OF INGERSOLL ZONING BY-LAW NO. 04-4160:

Existing Zoning: 'Residential Type 2 Zone (R2)'

SERVICES: Lots to be Severed & Retained – municipal water and municipal sanitary sewer

ROAD ACCESS: Lots to be Severed & Retained – paved, Town road (Winders Trail)

PROPOSAL:

	<u>Lot to be Severed</u> (B20-03-6)	<u>Lot to be Severed</u> (B20-04-6)	<u>Lot to be Retained</u>
Area	357 m ² (3,842.7 ft ²)	359 m ² (3,864.2 ft ²)	441 m ² (4,752.3 ft ²)
Frontage	13.75 m (45.11 ft.)	13.75 m (45.11 ft.)	16.65 m (54.63 ft.)
Depth	25.86 m (84.84 ft.)	26.13 m (85.7 ft.)	26.51 m (86.98 ft.)

The purpose of the Applications for Consent is to create 2 residential infill lots and retain a lot for similar purposes. The area, frontage and depth of the lots to be severed and retained are detailed above. The subject lands are presently vacant and each of the lots proposed are intended to accommodate a single detached dwelling.

The applicant is proposing to obtain relief with respect to the following zoning provisions:

- reduce the minimum lot depth from 30 m (98.4 ft.) to 25.86 m (84.84 ft.) for the lot to be severed by application B20-03-6 and to 26.13 m (85.7 ft.) for the lot to be severed by application B20-04-6;
- reduce the minimum lot depth from 30 m (98.4 ft.) to 26.51 m (86.98 ft.) for the lot to be retained; and
- reduce the minimum lot area from 450 m² (4,843.9 ft²) to 441.4 m² (4,752.3 ft²) for the lot to be retained.

For Committee's information, the consent applications were initially circulated in 2020, but were deferred at the request of Town of Ingersoll staff pending the extension of Walker Road to the north, which would provide a second vehicle access for this residential area. Work on the extension of Walker Road commenced in the summer, 2022.

Surrounding land uses are primarily existing single detached dwellings, planned low density residential development to the southwest and agricultural lands to the southeast.

Plate 1, Existing Zoning & Location Map, indicates the location of the severed and retained lots as well as the existing zoning in the immediate vicinity.

Plate 2, Air Photo (2020), provides an aerial view of the subject lands as of the spring of 2020.

Plate 3, Applicant's Sketch, provides the configuration and dimensions of the proposed lots and also building envelopes of the severed lots and retained lot.

Plate 4, Area View, provides a view of where the subject lands fall within the surrounding residential subdivision.

Application Review

2020 Provincial Policy Statement (PPS)

The PPS recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of our communities and that development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Section 1.1.3.3 of the PPS directs that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Further, Section 1.4.3 of the PPS directs that planning authorities shall provide for an appropriate mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active transportation and transit areas where it exists or is to be developed; and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form while maintaining appropriate levels of public health and safety.

Official Plan

The subject property is located within the 'Low Density Residential' designation as shown on Schedule 'I-2', Residential Density Plan, for the Town of Ingersoll as contained in the Official Plan. Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single detached dwellings, semi-detached dwellings, duplex, converted dwellings, quadraplexes, townhouses and low-density cluster development.

The policies of Section 9.2.4.1 [INFILL HOUSING] also apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the County Land Division Committee will ensure that the proposal is consistent with street frontage, lot area, setbacks and spacing of existing development within the immediate residential area.

In addition to the specific infill policies identified above, the following policies will apply to all infill proposals:

- existing municipal services and public facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- adequate off-street parking and outdoor amenity areas will be provided;
- the location of vehicular access points, the likely impact of traffic generated by the proposal on public streets and potential traffic impacts are acceptable;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features;
- the effect of the proposed development on environmental resources and environmental constraints are addressed and mitigated in accordance with Section 3.2;
- consideration of the potential effect of the development on natural heritage resources and their settings; and
- compliance of the proposed development with the provisions of the Town's Zoning By-law.

Section 10.3.4 [CONSENTS (SEVERANCE)] details that the Land Division Committee will evaluate applications for consents in accordance with the requirements of the Planning Act, and also on the following criteria:

- the Committee shall be satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands;
- all lots conform to the policies of the Official Plan and the provisions of the Zoning By-Law;
- the granting of the consent application will not prejudice the future lot creation potential of the area;
- the proposed lot(s) will have direct frontage on a permanent public road maintained year round at a reasonable standard of construction and will not require the opening or extension of a public road;
- the proposed lot(s) will have adequate water supplies and sewage services and stormwater management consistent with the requirements of the Official Plan and appropriate approval authority;
- access to the proposed lot(s) would not create traffic problems or hazards, as identified by the authority with jurisdiction over the road;
- property owners and residents in the vicinity of the proposed lot(s) are to receive sufficient notification of the application, pursuant to Section 10.8 of the Official Plan, and any submissions from such parties are to be considered; and

- any criteria outlined in the policies associated with the land use designations apply to the lands.

And finally, in granting a consent, the Land Division Committee shall require applicants to satisfy conditions prior to the stamping of deeds for registration purposes. And further, to provide for the fulfillment of conditions, the applicant may be required to enter into a severance agreement with the Area Municipality and where necessary, the County.

Zoning By-law

The subject lands are zoned 'Residential Type 2 Zone (R2)' in the Town of Ingersoll's Zoning By-law. The R2 zone permits a limited range of low density forms of residential development including single detached dwellings, semi-detached dwellings and duplexes.

While the lots to be severed and retained appear to meet most of the relevant R2 zoning provisions, relief from certain provisions of the By-law, as outlined previously in this report, are required to facilitate the proposed consents.

The purpose of the required lot depth provision is to ensure that minimum depth is maintained to provide for a sufficiently sized building envelope for a dwelling (while also maintaining the appropriate front yard and rear yard depths) together with ensuring that adequate space is available for private amenity area, parking, drainage and grading.

The purpose of the required lot area provision for a corner lot is to ensure that lots are suitably sized to accommodate the principal building, appropriate setbacks along both streets while also ensuring that sufficient room is available for amenity area, drainage area, and to provide appropriate separation to adjacent properties.

AGENCY COMMENTS

The County of Oxford Public Works Department indicated that the owner shall agree to satisfy all requirements, financial and otherwise of the County regarding the installation of water & sanitary sewer services, to the satisfaction of the County. And further, the services shall not cross one property to service another. Each lot should have separate set of water and sanitary connections.

The Town of Ingersoll Chief Building Official noted that the owner shall submit a survey to confirm lot sizes and dimensions of each lot as well as grading plans for each of the lots in question to the Town's satisfaction.

The Town of Ingersoll Clerk noted that the design for the extension of Walker Road was reviewed and approved by Town staff and also that the Town has received the necessary securities to ensure its completion. As a result, consideration of the severance applications can commence.

Additionally, it was noted that cash-in-lieu of parkland payable to the Town of Ingersoll is required for the creation of the two lots.

Union Gas noted that they have service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries and that any service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel an application for gas service is to be submitted to Union Gas.

The Town of Ingersoll Engineer & Director of Operations, Town of Ingersoll Fire Department and Bell Canada indicated that they had no objections or concerns with the subject application.

PUBLIC CONSULTATION

Public notice regarding the application was provided to surrounding property owners in accordance with the requirements of the Planning Act.

Attached is a letter from a neighbouring landowner that has been received voicing an objection to the applications for the Committee's information.

And also for the Committee's information are three sets of comments received from neighbouring landowners when the applications were circulated in 2020.

Planning Analysis

The subject application proposes to create two residential infill lots and retain a lot that will be used for similar purposes within the Town of Ingersoll.

Planning staff are of the opinion that the proposal promotes growth in a designated Settlement Area, in accordance with Section 1.1.3.1 of the PPS. Further, the proposal will support residential intensification and promote housing in an area where suitable infrastructure and public service facilities are available.

Accordingly, Planning staff are satisfied that the development proposal is consistent with the policies of Section 1.1.3.3 and 1.4.3 of the PPS.

The Low Density Residential designation applies to residential areas within the built-up area of the town that are predominantly low density in character. This land use designation permits detached, semi-detached, duplex dwellings and multiple-unit residential buildings, such as townhouses and cluster development.

The subject property is predominantly surrounded by single detached dwellings on similar sized lots along Winders Trail. The creation of new low density residential lots within established areas of the town is encouraged, provided that the proposed development is compatible with the surrounding residential environment.

The term "consistent" in the context of infill development or redevelopment in Ingersoll is generally interpreted to imply that new development is in-keeping with the characteristics of the neighbourhood with respect to the ability of the severed and retained lots to provide frontage, area and depth similar to that found in the surrounding area, with a view to limiting adverse impacts related to drainage, grading, parking and/or the provision of private amenity space. Both

the lots to be severed and retained are of sufficient size to provide space for off street parking and private amenity space without negatively impacting other properties in the immediate area and therefore are considered to be appropriate in accordance with the relevant policies of the Official Plan.

Further, as the proposed lots will accommodate the construction of single detached dwellings similar to the recently developed neighbouring residential properties (Plan 41M-252 was registered in January, 2009) it is Planning staff's opinion that the proposed severances are sufficiently consistent with relevant criteria of the Official Plan regarding residential infilling.

Additionally, the proposed severances also comply with the criteria in Section 10.3.4 of the Official Plan. It is also the opinion of Planning staff that the severances are suitable in the context of the neighbourhood and are anticipated to have no impact on existing neighbouring characteristics.

As noted, the applicant is proposing minor variances for reduced lot depth for the severed and retained lands, and lot area only for the lot to be retained. The purpose of the required lot depth provision contained in the Zoning By-law is to ensure that minimum depth is maintained to provide for a sufficiently sized building envelope for a dwelling (while also maintaining the appropriate front yard and rear yard depths) together with ensuring that adequate space is available for private amenity area, parking, drainage and grading.

The purpose of the required lot area provision for a corner lot is to ensure that lots are suitably sized to accommodate the principal building, appropriate setbacks from both streets while also ensuring that sufficient room is available for amenity area, drainage area, and to provide appropriate separation to adjacent properties.

Staff are of the opinion that reducing the lot depth and area (of the retained lot) as proposed will have no significant impact on the ability of the lots to provide private amenity space and there would appear to be no impacts with respect to the provision of adequate building setbacks in accordance with the requirements of the Zoning By-law. There will be no adverse impacts on drainage, grading or the ability of each lot to provide required parking and staff are of the opinion that the reduced lot depths will have not negatively affect abutting properties.

Further, the proposed relief will have no impact on the street frontage, setbacks and spacing of development relative to that found in the existing residential development.

As noted above, the consent applications were initially circulated in 2020, and were deferred by Town staff pending the extension of Walker Road, which will provide an additional access to the entire residential area. Work on the extension of Walker Road commenced in the summer of 2022 and Town staff have indicated that they are satisfied that the processing of the consents could proceed.

The requested minor variances are considered to be minor in nature, compatible with surrounding development, consistent with the general intent of the Official Plan and Zoning By-Law and will facilitate development that is desirable for the subject lands and surrounding neighbourhood, and Planning staff are of the opinion that the proposal meets the four tests of a minor variance.

With respect to parking issues raised by neighbouring property owners, the Town's Engineer & Director of Operations and Chief Building Official confirmed that they have not received any complaints about on-street parking from residents in this area.

In light of the foregoing, it is the opinion of this Office that the proposal is consistent with the policies of the PPS and in keeping with the intent of Official Plan. As such, Planning staff are satisfied that the application can be given favourable consideration, subject to the recommended conditions included below.

RECOMMENDATIONS

B20-03-6 & B20-04-6

Whereas the applications for consent are consistent with the 2020 Provincial Policy Statement, comply with the County of Oxford Official Plan and the lands are appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:

1. The certificate for Application B20-03-6 be issued and a copy of the registered transfer be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B20-04-6.
2. All financial requirements of the County with respect to the provision and installation of water and wastewater services must be complied with to the satisfaction of the County of Oxford Public Works Department.
3. The Owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the Town of Ingersoll, regarding the installation of services and drainage facilities.
4. The Owner shall provide the payment of cash-in-lieu of parkland for the creation of the new lot(s) to the Town of Ingersoll.
5. The Owner shall submit a proposed grading plan, prepared by a Professional Engineer or Ontario Land Surveyor, to confirm drainage run-off for the proposed severed and retained lots, to the satisfaction of the Town of Ingersoll.
6. The Owner shall submit a recent survey to confirm lot sizes and dimensions to the satisfaction of the Town of Ingersoll.
7. The Owner provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
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.

A20-15-6

That the Oxford County Land Division Committee approve Minor Variance Application A20-15-6 submitted by 1879784 Ontario Inc. for lands described as Block 87, Registered Plan 41M-252 in the Town of Ingersoll, as it relates to:

1. **Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot depth of the severed lot resulting from Consent Application B20-03-6, from 30 m (98.4 ft.) to 25.5 m (83.7 ft.).**

As the proposed variance is:

- (i) **a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160;**
- (ii) **desirable for the appropriate development or use of the land;**
- (iii) **in keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160; and**
- (iv) **in keeping with the general intent and purpose of the Official Plan of the County of Oxford.**

A20-16-6

That the Oxford County Land Division Committee approve Minor Variance Application A20-16-6 submitted by 1879784 Ontario Inc. for lands described as Block 87, Registered Plan 41M-252 in the Town of Ingersoll, as it relates to:

1. **Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot depth of the severed lot resulting from Consent Application B20-04-6, from 30 m (98.4 ft.) to 25.9 m (85 ft.); and**
2. **Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot depth of the retained lot from 30 m (98.4 ft.) to 26 m (85.6 ft.); and**
3. **Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum area of the retained lot from 450 m² (4,843.9 ft²) to 435 m² (4,682.3 ft²).**

As the proposed variances are:

- (i) **minor variances from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160;**
- (ii) **desirable for the appropriate development or use of the land;**
- (iii) **are keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160; and**
- (v) **are keeping with the general intent and purpose of the Official Plan of the County of Oxford.**

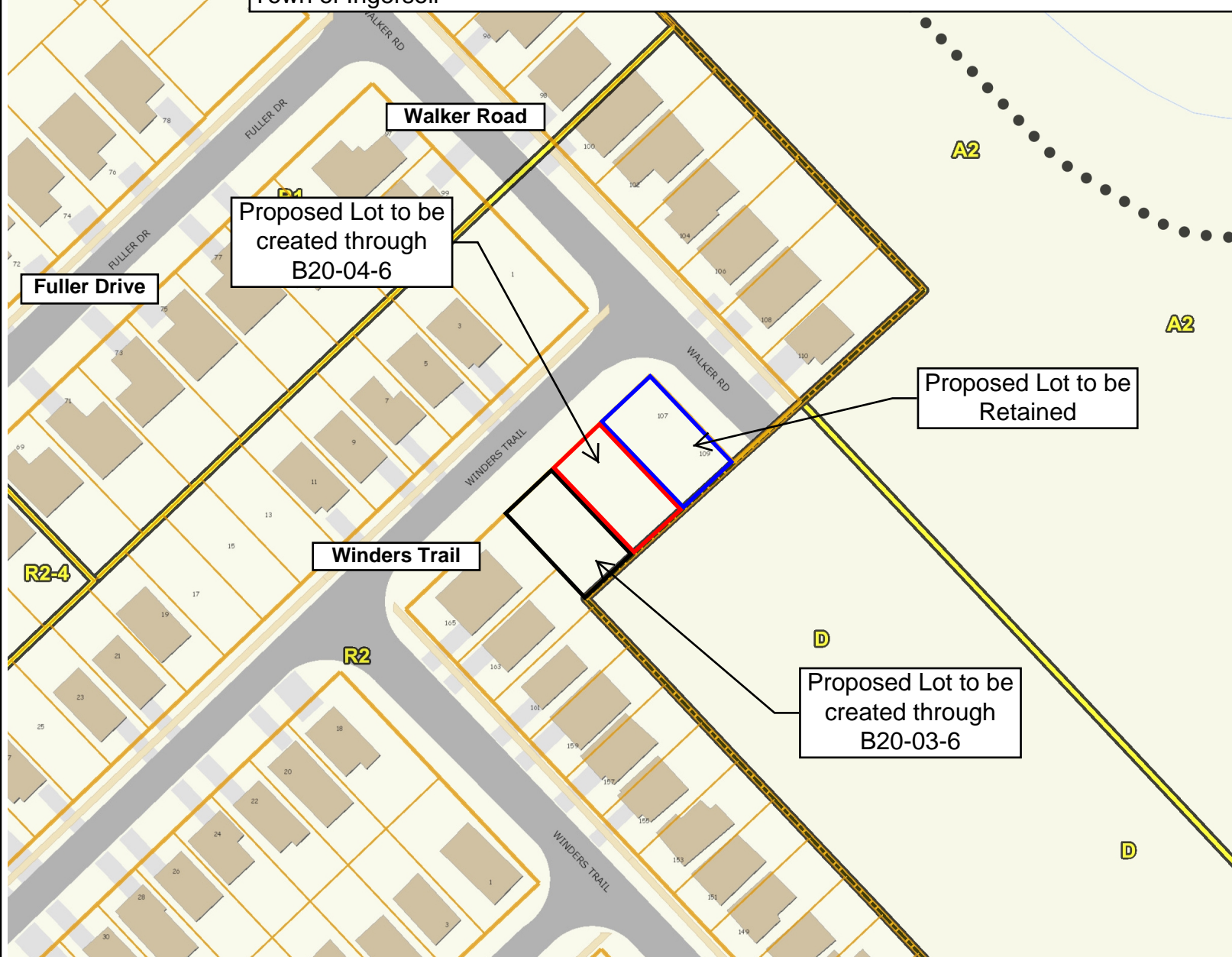
SIGNATURES

Authored by: *“Original Signed by”* Ron Versteegen, MCIP, RPP
Senior Planner

Approved for submission: *“Original Signed by”* Gordon K. Hough, RPP
Director

Plate 1 - Existing Zoning & Location Map

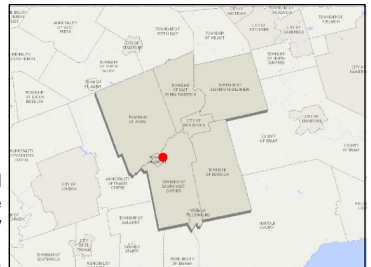
File No.: B20-03-6; A20-15-6 & B20-04-6; A20-16-6, 1879784 Ontario Inc., Block 87, Plan 41M-252, Town of Ingersoll



Legend

- Parcel Lines**
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Zoning Floodlines Regulation Limit**
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)**

Notes



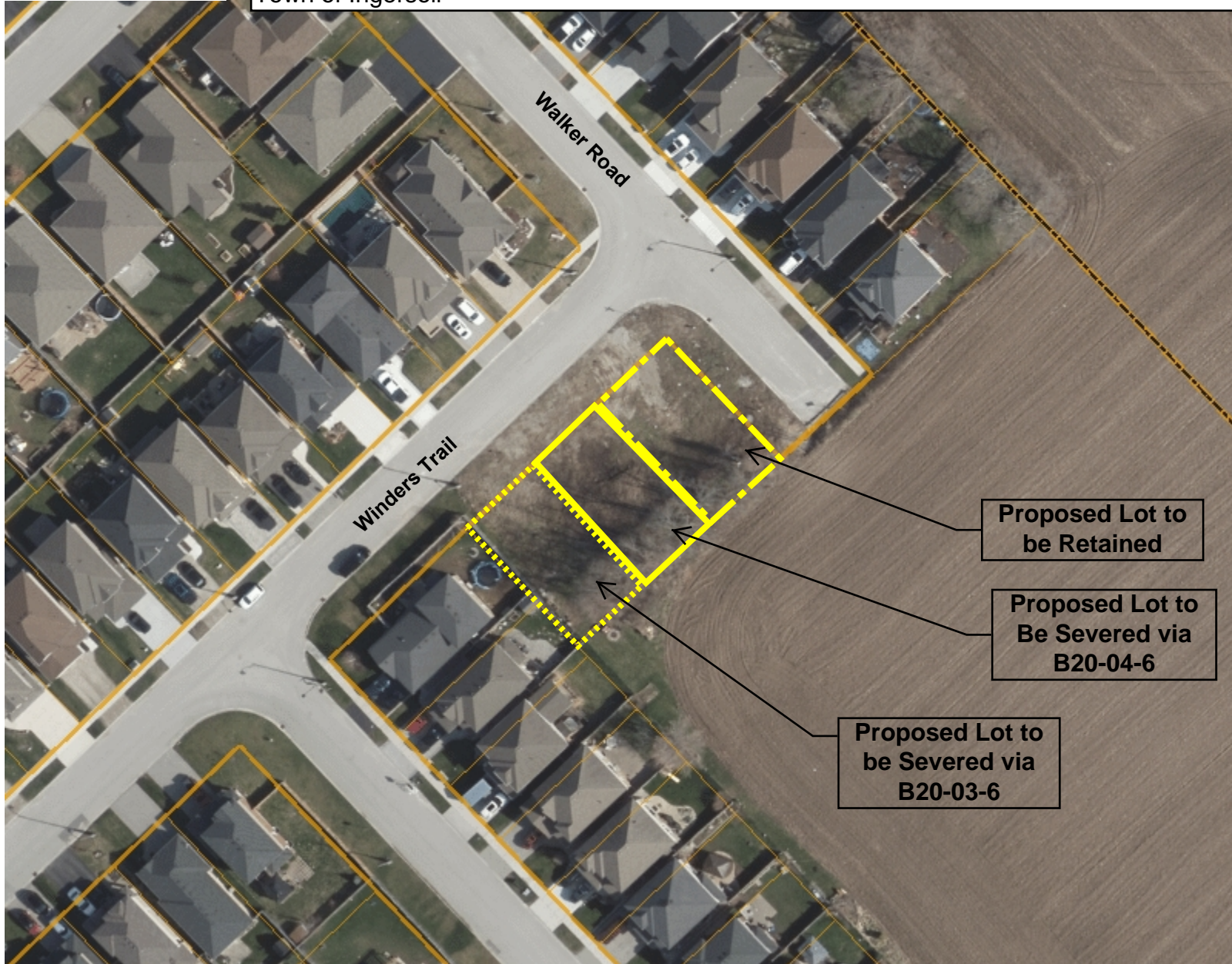
0 33 65 Meters

NAD_1983_UTM_Zone_17N



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February 10, 2020



Legend

- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary

Notes



0 24 48 Meters

NAD_1983_UTM_Zone_17N

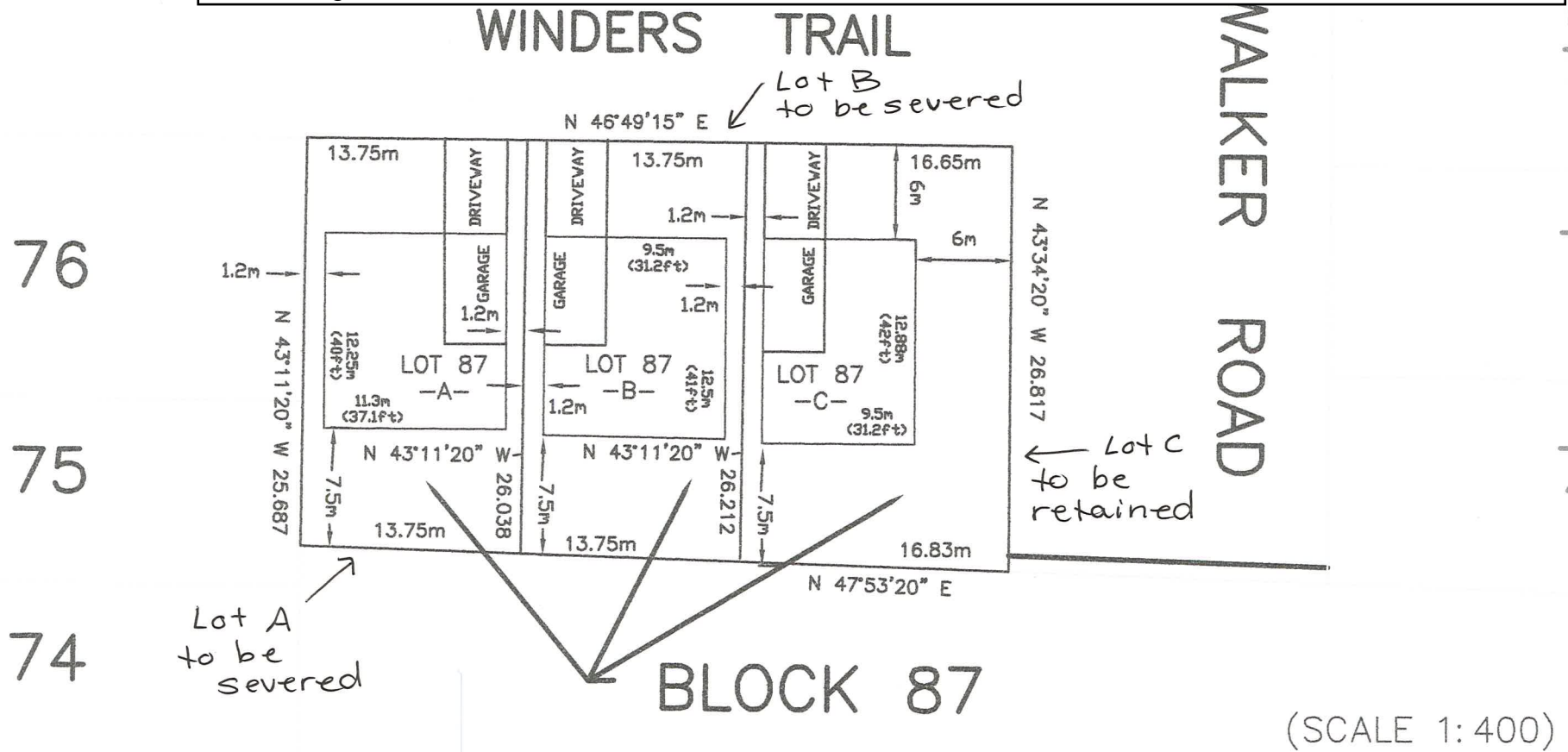


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

September 25, 2022

Plate 3 - Applicant's Sketch

File Nos.: B20-03-6; A20-15-6 & B20-04-6; A20-16-6, 1879784 Ontario Inc., Block 87, Plan 41M-252,
Town of Ingersoll



LOT 87-A

Zoning- R2

Lot Area = 357 m² (345 Min.)

SIDE YARD SETBACK = 3m & 1.2m

FRONT YARD SETBACK = 6m (6m Min)

REAR YARD SETBACK = 7.5m

BUILDING ENVELOPE = 140m² (1,506ft²)

BUILDING COVERAGE = 39.2% (40% Max.)

LOT DEPTH - 25.687m

(MIN REQ. 30m) REQUIRES A VARIANCE

LOT 87-B

Zoning- R2

Lot Area = 359m² (345 Min.)

SIDE YARD SETBACK = 3m & 1.2m

FRONT YARD SETBACK = 6m

REAR YARD SETBACK = 7.5m

BUILDING ENVELOPE = 142m² (1,528ft²)

BUILDING COVERAGE = 39.6% (40% Max.)

LOT DEPTH - 26.038m

(MIN REQ. 30m) REQUIRES A VARIANCE

LOT 87-C

Zoning- R2

Lot Area = 450 m² (450 Min.)

SIDE YARD SETBACK = 1.2m

FRONT/CORNER YARD SETBACK = 6m (6m Min.)

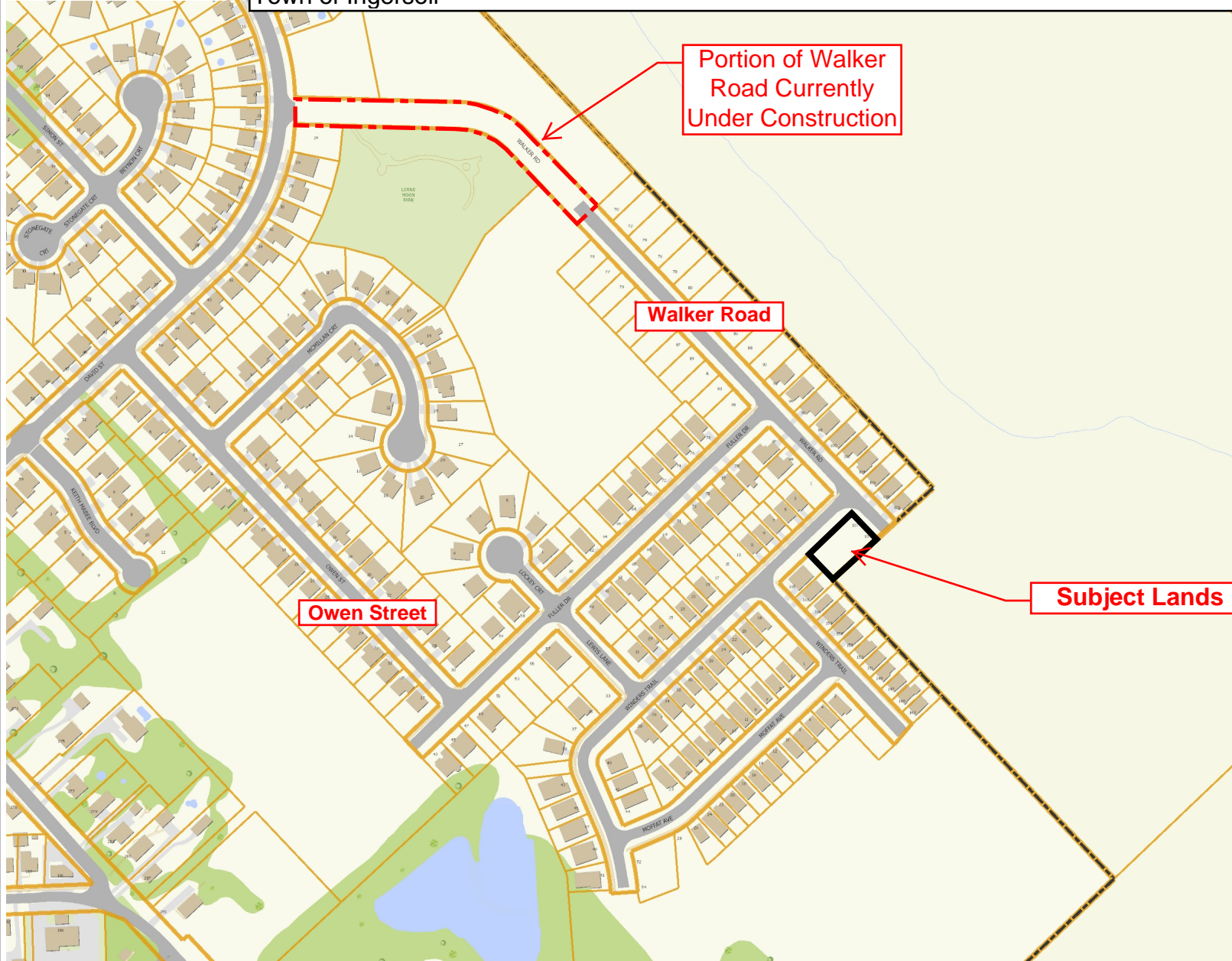
REAR YARD SETBACK = 7.5m

BUILDING ENVELOPE = 122.7m² (1,320ft²)

BUILDING COVERAGE = 27.3% (40% Max.)

LOT DEPTH - 26.212m

(MIN REQ. 30m) REQUIRES A VARIANCE



Portion of Walker Road Currently Under Construction

Walker Road

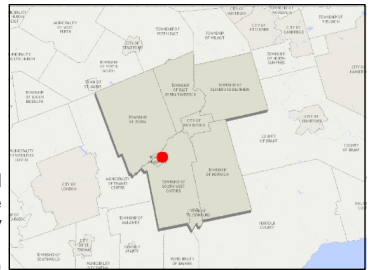
Owen Street

Subject Lands

Legend

- Parcel Lines
- Property Boundary
- Assessment Boundary
- Unit
- Road
- Municipal Boundary

Notes



0 110 220 Meters

NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

June 22, 2020

Louise Taschner

From: Eldon Farrell [REDACTED]
Sent: June-18-20 7:55 PM
To: Ron Versteegen
Cc: Louise Taschner
Subject: Ref: Lot B20-03-6 & B20-04-6

My wife and I have resided at [REDACTED] for a number of years now. This is a wonderful community to raise our young son. We have enjoyed the quiet peaceful neighborhood we had the good fortune of finding here.

As such, we are very upset by the proposed plan to sever a single lot into three lots on the corner of Walker Road and Winders Trail, with each dwelling having an entrance on Winders Trail. This proposal is problematic for a number of reasons:

1. There is already insufficient parking on Winders Trail. Adding two more dwellings to the originally planned for one dwelling, could increase the total number of new vehicles parked on the street to possibly six. This would create much congestion on an already crowded street and lead to increased safety concerns.
2. As problematic as the congestion of vehicles is during the summer months, it would be even worse during the winter. We fear snow plowing will be adversely impacted owing to the fact the Town has no snow route bylaw and allows overnight street parking.
3. Three lots with fronts on Winders Trail would also severely hamper snow removal. During a harsh winter, where would the snow be placed? The Town should provide an answer for this vital question before considering this proposal.
4. We are also concerned for the safety of our son, and the other neighborhood children. They enjoy playing in this sleepy corner of town, and we do not wish to see them lose this ability owing to an unsafe increase in traffic.

We stand together with our neighbours in strong opposition to this rezoning and request the present zoning remain intact.

Sincerely,

Emily & Eldon Farrell
[REDACTED]

Louise Taschner

From: Jackie Shorey [REDACTED]
Sent: June-13-20 4:03 PM
To: Ron Versteegen
Cc: Louise Taschner
Subject: Ref: Lot B20-03-6

To whom it may concern:

We live at [REDACTED]

We have learned there is a zoning request to rezone a single lot into 2 single dwelling lots, totalling 3 lots which would all have entrances on Winders Trail.

Our main concerns include:

- We presently experience insufficient parking on Winders Trail and this would exacerbate the problem.
- The aesthetics of the area would also be compromised.

We strongly oppose this rezoning and request the present zoning remain intact.

Sincerely,

Jacqueline Shorey & Jason Coates
[REDACTED]

Sent from [Outlook Mobile](#)

From: [Trudy Ling](#)
To: [Planning](#)
Subject: B20-03-6 B20-04-6
Date: June-19-20 1:04:01 PM

Hello

My name is Trudy Ling.

My address is [REDACTED]
[REDACTED]

I am writing to you to request the official notice as I did not receive one.

Also, to clarify my concerns over this application.

We have lived here 8 years now and were told when we built that Walker Road would extend to David Street imminently. That never happened. Time and time again we are told that no other lots will be developed until a second roadway is put in. It's extremely dangerous to not have a second roadway for this ENTIRE subdivision. Yet we have seen more and more applications approved to develop more lots. Still with no second roadway.

At what point will the county step in and ensure that the developers follow through with their obligation to complete Walker Rd?

I feel that no further lots should be developed under any circumstances until that obligation is fulfilled. We are crammed in here with only one road in and out and that leaves us wide open to any number of dangerous situations. If my child needs an ambulance and emergency vehicles can not get through because construction vehicles are blocking the road (this happens often) or a fire or accident has blocked the road, is this what the county of Oxford or the town of Ingersoll wants for their citizens?

We deserve to know what will be happening with Walker Rd and when.

Thank you,

Trudy Ling

Sent from my iPhone

From: [REDACTED]
To: [Ron Versteegen](#)
Cc: [Planning](#)
Subject: Consent & Minor Variance for B20-03-6 & B20-04-6
Date: September 26, 2022 11:24:32 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Ron Versteegen, MCIP, RPP

Senior Planner

Community Planning

County of Oxford

[email:rversteegen@oxfordcounty.ca](mailto:rversteegen@oxfordcounty.ca)

[cc:Planning@oxfordcounty.ca](mailto:Planning@oxfordcounty.ca)

Ref: Lot B20-03-6; A20-15-6 & B20-04

When my husband and I decided to build in Clover Ridge Subdivision , we decided the positives were worth investing in this upscale community.

On deciding on lot [REDACTED] we primarily based our decision on the fact that the corner lot across from us would be a single lot with the entrance on Walker Rd. This would be consistent with lot 165 Winders which it backs on to.

We are extremely upset to learn there is a zoning request to rezone the single lot into three single dwelling lots. These houses would all have entrances on Winders Trail and no longer on Walker Rd. The lot size would be significantly smaller.

Our main concerns include:

- We presently experience insufficient parking on Winders Trail and this would exacerbate the problem.
- Our privacy would be compromised with three additional front entrances facing our home.
- The aesthetics of the area would be compromised.
- Snow removal would be an issue with no outlet and 3 more driveways on Winders Trail.

We strongly oppose this rezoning and request the present zoning remain intact.

Sincerely,

Todd & Shari Dennison

[REDACTED]

To: Chair and Members of Oxford County Land Division Committee

From: Ron Versteegen, Senior Planner, Community Planning

Applications for Consent & Minor Variance B22-64-6; A22-14-6 & B22-65-6; A22-15-6 – Astro Homes Ltd.

REPORT HIGHLIGHTS

- The purpose of the Applications for Consent is to facilitate the creation of two residential infill lots by way of severing two semi-detached dwellings (currently under construction) into separately conveyable parcels (4 dwelling units total). No new development is proposed as a result of the proposed consents.
- Relief is also proposed from Section 7.2, Table 7.2 – Lot Frontage, to reduce the lot frontage of both the severed and retained lots resulting from both consent applications.
- Planning staff are recommending approval of the applications they are consistent with the Provincial Policy Statement, maintains the intent and purpose of the Official Plan as it pertains to consents for residential infill purposes, and the proposed variances satisfy the requirements of Section 45(1) of the Planning Act.

DISCUSSION

Background

OWNERS: Astro Homes Ltd.
556 Military Trail, Toronto, ON M1E 5A9

APPLICANT: Kumar Annamalai
4 Elm Street, Ingersoll, ON N5C 1R8

LOCATION:

The subject properties are described as Part Lot 10 & Lot 11, Block 54, Plan 279, in the Town of Ingersoll. The lands are located on the south side of King Street East, between Hall Street and Princess Park Road, and are municipally known as 120 & 122 King Street East.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "I-1"	Town of Ingersoll Land Use Plan	Residential
Schedule "I-2"	Town of Ingersoll Residential Density Plan	Low Density Residential

INGERSOLL ZONING BY-LAW NO. 04-4160:

Existing Zoning: 'Residential Type 2 Zone (R2)'

EXISTING USE OF SUBJECT PROPERTY:

Lot to be Severed (B22-64-6 & B22-65-6): ½ semi-detached dwelling

Lot to be Retained (B22-64-6 & B22-65-6): ½ semi-detached dwelling

SERVICES: Lots to be Severed & Retained – municipal water and municipal sanitary sewer

ROAD ACCESS: Lots to be Severed & Retained – paved, Town road (King Street E.)

PROPOSAL:

	<u>Lot to be Severed</u> (B22-64-6)	<u>Lot to be Retained</u> (B22-64-6)	<u>Lot to be Severed</u> (B22-65-6)	<u>Lot to be Retained</u> (B22-65-6)
Area	305 m ² (3,283 ft ²)	305 m ² (3,283 ft ²)	305 m ² (3,283 ft ²)	305 m ² (3,283 ft ²)
Frontage	8.22 m (27 ft.)	8.22 m (27 ft.)	8.22 m (27 ft.)	8.22 m (27 ft.)
Depth	37.19 m (122 ft.)	37.19 m (122 ft.)	37.19 m (122 ft.)	37.19 m (122 ft.)

The purpose of the Applications for Consent are to create two residential infill lots, by way of severing two semi-detached dwellings (currently under construction) each into separately conveyable parcels. The lots to be severed and retained will each cover an area of approximately 305 m² (3,283 ft²) and have frontages of approximately 8.22 m (27 ft.). No new development is proposed as a result of the consent applications.

The applications for minor variance propose relief from Section 7.2, Table 7.2 – Zone Provisions, of the Town of Ingersoll Zoning By-law to reduce the required lot frontage for each of the severed and retained lots from 9 m (29.5 ft.) to 8.22 m (27 ft.) to facilitate both of the proposed severances.

For the Committee's information, the lands were subject to a recent consent application and minor variance that created a residential infill lot (File No. B21-10-6; A21-05-6) and retained one lot for the same purpose while also reducing the lot frontages of both the severed and retained lots (from the required 18 m (59.1 ft.) to 16.45 m (54 ft.)).

The said consent and was considered and approved by the Land Division Committee in July, 2021. Both lots in question were intended to accommodate a semi-detached dwelling.

Surrounding land uses are primarily low density forms of housing, including single detached, semi-detached dwellings and multiple unit dwellings along both sides of King Street.

Plate 1, Existing Zoning & Location Map, indicates the location of the severed and retained lots as well as the existing zoning in the immediate vicinity.

Plate 2, Air Photo (2020), provides an aerial view of the subject lands as of the spring of 2020.

Plate 3, Severance Sketch, provides the dimensions of the severed and retained lands for both applications in greater detail, as provided by the applicant.

Application Review

2020 PROVINCIAL POLICY STATEMENT (PPS)

The PPS recognizes that the vitality of settlement areas is critical to the long-term economic prosperity of our communities and that development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

Section 1.1.3.3 of the PPS directs that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Further, Section 1.4.3 of the PPS directs that planning authorities shall provide for an appropriate mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by, among other matters, permitting and facilitating all forms of residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements and promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active transportation and transit areas where it exists or is to be developed.

OFFICIAL PLAN

The subject property is located within the 'Low Density Residential' designation as shown on Schedule 'I-2', Residential Density Plan, for the Town of Ingersoll in the Official Plan. Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single-detached dwellings, semi-detached dwellings, duplex, converted dwellings, quadraplexes, townhouses and low-density cluster development.

The policies of Section 9.2.4.1 [INFILL HOUSING] also apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated residential and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the Land Division Committee will ensure that the proposal is consistent with street frontage, lot area, setbacks and spacing of existing development within the immediate residential area.

Section 10.3.4 [CONSENTS (SEVERANCE)] details that the Land Division Committee will evaluate applications for consents in accordance with the requirements of the Planning Act, and also on the following criteria:

- the Committee shall be satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands;
- all lots conform to the policies of the Official Plan and the provisions of the Zoning By-Law;
- the granting of the consent application will not prejudice the future lot creation potential of the area;
- the proposed lot(s) will have direct frontage on a permanent public road maintained year round at a reasonable standard of construction and will not require the opening or extension of a public road;
- the proposed lot(s) will have adequate water supplies and sewage services and stormwater management consistent with the requirements of the Official Plan and appropriate approval authority;
- access to the proposed lot(s) would not create traffic problems or hazards, as identified by the authority with jurisdiction over the road;
- property owners and residents in the vicinity of the proposed lot(s) are to receive sufficient notification of the application, pursuant to Section 10.8 of the Official Plan, and any submissions from such parties are to be considered; and
- any criteria outlined in the policies associated with the land use designations apply to the lands.

When considering an application for consent, the Land Division Committee shall require applicants to satisfy conditions prior to the stamping of deeds for registration purposes. And further, to provide for the fulfillment of conditions, the applicant may be required to enter into a severance agreement with the Area Municipality and where necessary, the County.

ZONING BY-LAW

The subject lands are zoned 'Residential Type 2 Zone (R2)' in the Town of Ingersoll's Zoning By-law.

The lots to be severed and retained appear to meet the relevant R2 zoning provisions with respect to lot area and lot depth. As noted, the applicant has applied to reduce the required lot frontage of both proposed lots from 9 m (29.5 ft.) to 8.22 m (27 ft.).

The lot frontage provision is intended to ensure that lots are wide enough to accommodate an appropriately sized building envelope while also providing area for off-street parking as well as providing sufficient side yards for access to the rear yard, drainage and maintenance purposes.

AGENCY COMMENTS

The County of Oxford Public Works Department indicated that each lot should have dedicated water and sanitary laterals individually as per Oxford County standards, which can be applied through application to connect.

The applicant is to provide a site plan and servicing drawings for these lots showing how water and sanitary connections are connected for both of the recently constructed semi-detached dwellings.

Additionally, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water & sanitary sewer services for each lot, to the satisfaction of the County.

And, as per By-law no. 5514-2013, one water meter is permitted per individual property where all water used within that property will pass through that water meter and the owner of the premises shall be held liable for water usage. So, the applicant needs to make arrangement to provide water meter for each lots.

Union Gas noted that they have service lines running within the area which may or may not be affected by the proposed severance. Further, in the event the proposed severance impacts these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries and that any relocation required would be at the cost of the property owner.

The Town of Ingersoll Engineer & Director of Operations, Town of Ingersoll Chief Building Official, Town of Ingersoll Clerk, Town of Ingersoll Fire Department and Bell Canada indicated that they had no objections or concerns with the subject application.

PUBLIC CONSULTATION

Public notice regarding the applications was provided to surrounding property owners in accordance with the requirements of the Planning Act. As of the date of this report, no concerns or objections have been received from the public.

Planning Analysis

The purpose of the consent applications is to create new residential lots in the Low Density Residential designation by splitting two semi-detached dwellings (currently under construction) into separately conveyable lots. The requested minor variances associated with both consents are to reduce the lot frontages of both severed and retained lots resulting from the consents.

The lots in question were subject to a recent consent and minor variance application that created a residential infill lot (File No.: B21-10-6; A21-05-6) with reduced frontages for both the severed and retained lots from the required 18 m (59.1 ft.) to 16.45 m (54 ft.). Both lots created by the noted consent application were intended to accommodate a semi-detached dwelling.

It is the opinion of this Office that the proposed applications for consent are consistent with the Provincial Policy Statement, conforms to the County of Oxford Official Plan and is considered good planning.

The proposal complies with the direction contained within the PPS to provide a mix of residential uses and to direct new residential development to fully-serviced settlement areas.

The proposal to sever the existing semi-detached dwelling units along a common wall also complies with the criteria in Section 10.3.4 of the Official Plan.

As detailed above, the lots on which the semi-detached dwellings are being constructed were created through a recent consent application with the intent of accommodating semi-detached dwellings on each of the infill lots.

The requested variances are considered to be minor in nature, will facilitate the creation of lots that are compatible with surrounding development, are consistent with the general intent of the Official Plan and Zoning By-Law and can be considered appropriate as all of the lots that are affected by the variances will continue to provide adequate area for off-street parking, setbacks from lot lines in accordance with the requirements of the Town's Zoning By-law, and private amenity space for each dwelling.

Further, the noted variances will facilitate development that is compatible with surrounding residential development and the proposed lots meet the remainder of the R2 zone provisions. It is Planning staff's opinion that the proposal meets the four (4) tests of a minor variance.

In light of the foregoing, it is the opinion of this Office that the proposed applications are consistent with the policies of the PPS and in keeping with the intent of Official Plan. As such, Planning staff are satisfied that the applications can be given favourable consideration, subject to the conditions contained in the 'recommendations' section of this report.

RECOMMENDATIONS

B22-64-6

Whereas the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County of Oxford Official Plan and the lands are appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:

- 1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lots to be severed and retained have been complied with. The applicant is to also provide a site plan and servicing drawings for these lots showing how water and sanitary connections are connected for the recently constructed semi-detached dwelling.**
- 2. 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.**
- 3. If required, the Owner shall submit a recent survey to confirm lot sizes and dimensions to the satisfaction of the Town of Ingersoll.**

4. The Owner provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
5. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

A22-14-6

That the Oxford County Land Division Committee approve Minor Variance Application A22-14-6 submitted by Astro Homes Limited, for lands described as Part Lot 10 & Lot 11, Block 54, Plan 279 in the Town of Ingersoll, as it relates to:

1. Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot frontage of the severed and retained lands resulting from Consent Application B22-64-6, from 9 m (29.5 ft.) to 8.2 m (26.9 ft.);

As the proposed variances are:

- (i) minor variances from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160;
- (ii) are desirable for the appropriate development or use of the land;
- (iii) are in keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160; and
- (iv) are in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

B22-65-6

Whereas the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County of Oxford Official Plan and the lands are appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:

1. The County of Oxford Department of Public Works advise the Secretary-Treasurer of the County of Oxford Land Division Committee that all financial requirements of the County of Oxford with respect to provision of water and sewer services to the lots to be severed and retained have been complied with. The applicant is to also provide a site plan and servicing drawings for these lots showing how water and sanitary connections are connected for the recently constructed semi-detached dwelling.
2. 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.
3. If required, the Owner shall submit a recent survey to confirm lot sizes and dimensions to the satisfaction of the Town of Ingersoll.

4. The Owner provides confirmation of the location of any overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or an easement created. Any proposed easements shall be reviewed by the Town of Ingersoll.
5. The Clerk of the Town of Ingersoll advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town, financial, services and otherwise, have been complied with.

A22-15-6

That the Oxford County Land Division Committee approve Minor Variance Application A22-15-6 submitted by Astro Homes Limited, for lands described as Part Lot 10 & Lot 11, Block 54, Plan 279 in the Town of Ingersoll, as it relates to:

2. Relief from Section 7.2, Table 7.2 – Zone Provisions, to reduce the minimum lot frontage of the severed and retained lands resulting from Consent Application B22-65-6, from 9 m (29.5 ft.) to 8.2 m (26.9 ft.);

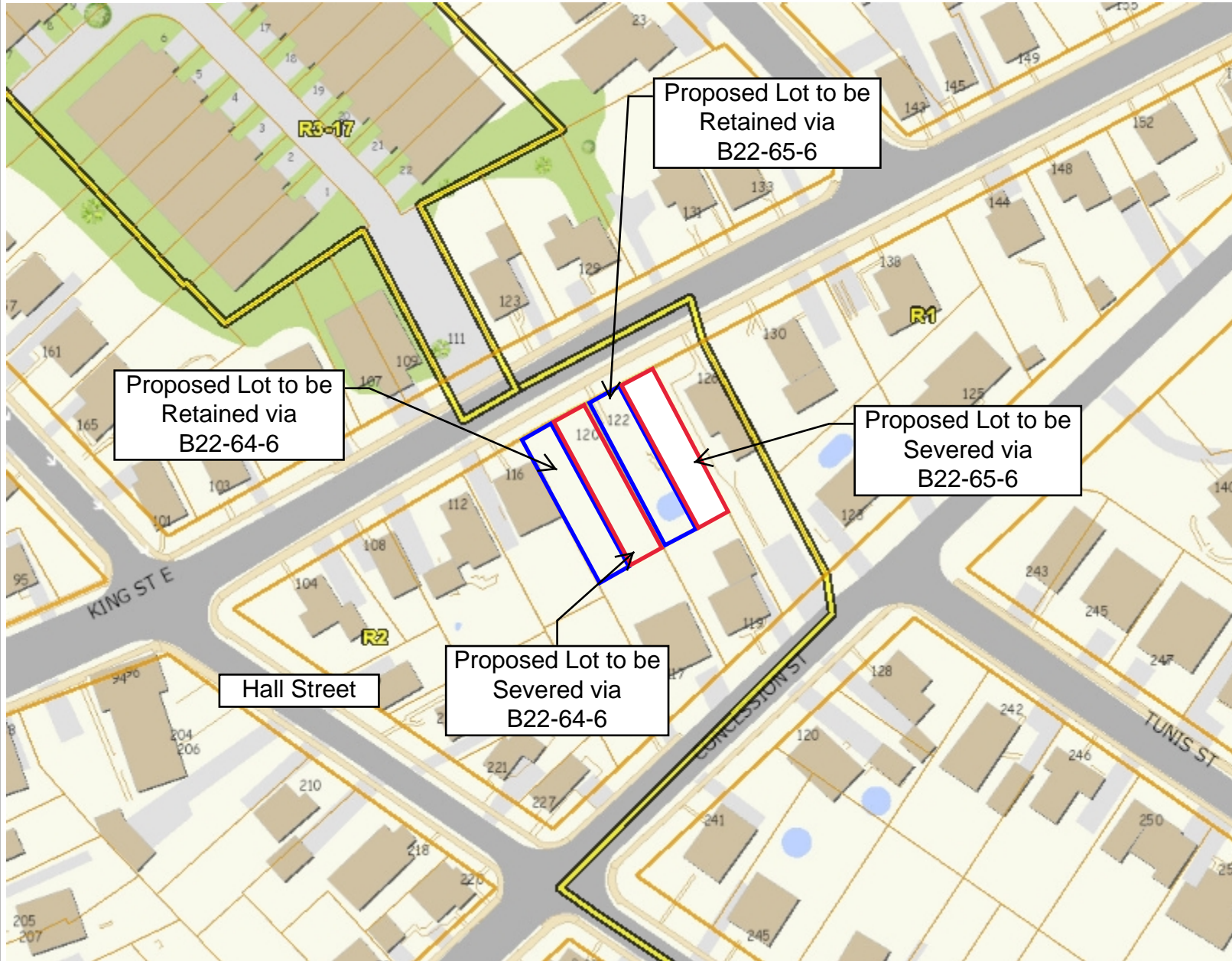
As the proposed variances are:

- (i) minor variances from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160;
- (ii) are desirable for the appropriate development or use of the land;
- (iii) are in keeping with the general intent and purpose of the Town of Ingersoll Zoning By-law No. 04-4160; and
- (v) are in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

SIGNATURES

Authored by:	<i>"Original Signed by"</i>	Ron Versteegen, MCIP, RPP Senior Planner
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Approved for submission:	<i>"Original Signed by"</i>	Gordon K. Hough, RPP Director
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Legend

- Parcel Lines**
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



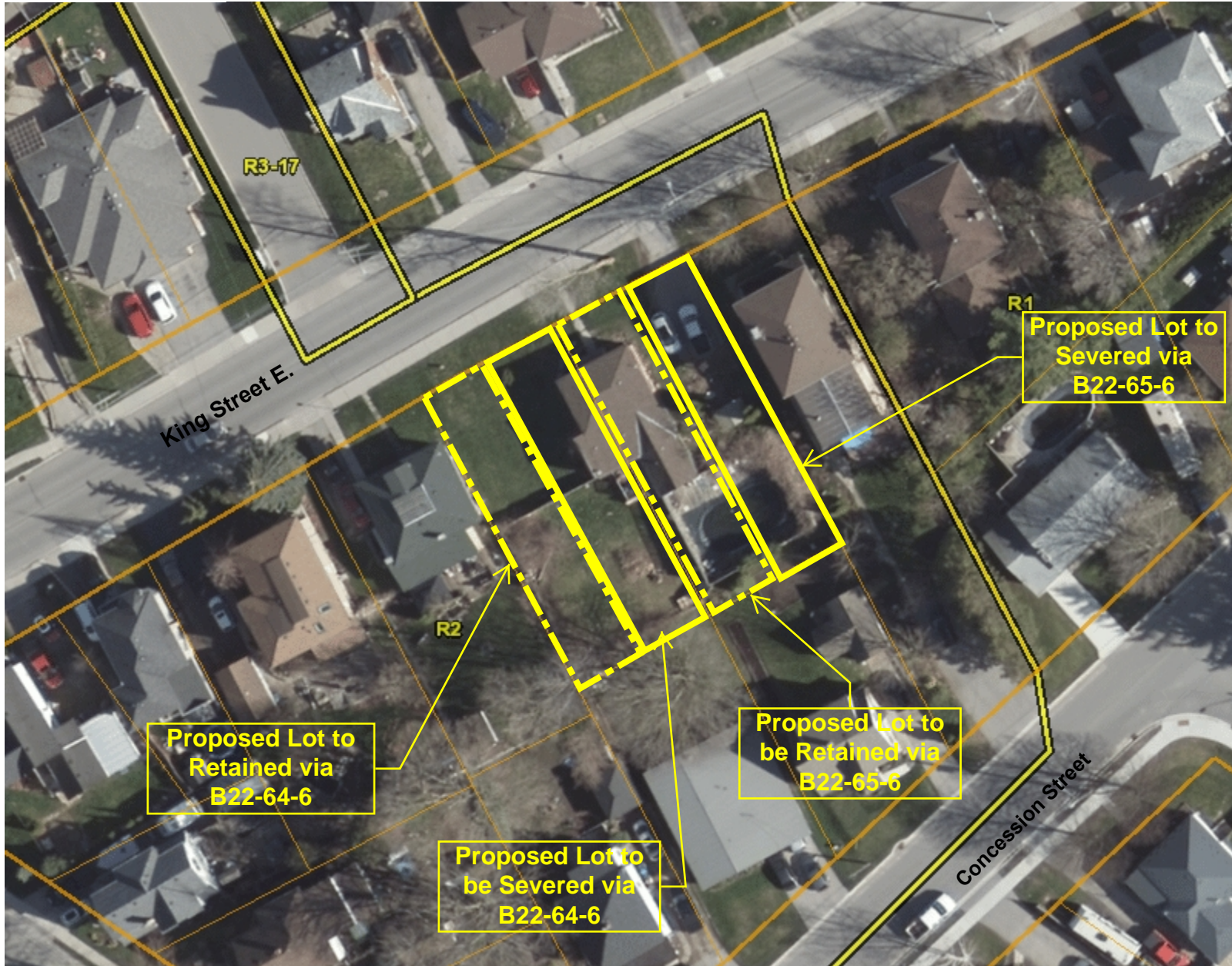
0 33 65 Meters

NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

September 14, 2022



Legend

- Parcel Lines**
 - Property Boundary
 - - - Assessment Boundary
 - - - Unit
 - - - Road
 - - - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- ▣ Land Use Zoning (Displays 1:16000 to 1:500)

Notes



0 16 33 Meters

NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

September 14, 2022

Plate 3 - Severance Sketch

File No.: B22-64-6; A22-13-6 & B22-65-6; A22-14-6, Astro Homes Ltd., 120-122 King Street E., Town of Ingersoll



KING (WIDTH VARIES) STREET
P.L.M. 00169 - 0142 (L1)

BE DEPOSITED UNDER THE LAND TITLES ACT 26 Aug. 2022 DATE <i>RJB</i> RALPH J. BENEDICT ONTARIO LAND SURVEYOR	RECEIVED AND DEPOSITED 2022/08/30 DATE <i>Silvia Phanera</i> REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OXFORD (No. 41)
SCHEDULE	
PARTS	PLAN PIN
1 & 2	PART OF LOTS 11 AND 12 REGISTERED PLAN 279 BLOCK 54 00167-0301
3 & 4	PART OF LOTS 10 AND 11 S/S OF KING ST 00167-0302

PARTS 1, AND 2 INCLUSIVE COMPRISE ALL OF PIN 00167-0301
PARTS 3, AND 4 INCLUSIVE COMPRISE ALL OF PIN 00167-0302

PLAN OF SURVEY
OF PART OF
LOTS 10, 11, 12
SOUTH SIDE OF KING STREET
REGISTERED PLAN 279, BLOCK 54
IN THE
TOWN OF INGERSOLL
COUNTY OF OXFORD

SCALE: 1 : 250 METRIC

NA GEOMATICS LTD.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON THE 23rd DAY OF AUGUST, 2022.

26 Aug. 2022
DATE
RJB
RALPH J. BENEDICT
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-30221

LEGEND AND NOTES:

BEARINGS ARE GRID, LTM ZONE 17 NAD83 (CSRS-2010) FROM THE CANSEL CAN-NET REAL TIME NETWORK, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, SHOWN HEREON.
FOR BEARING COMPARISONS, A ROTATION OF 0°11'20" COUNTER CLOCKWISE CAN BE APPLIED TO CONVERT TO ASTRONOMIC BEARINGS AS ON 41R-1436.
DISTANCES ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE USED TO COMPUTE GRID CO-ORDINATES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99956693

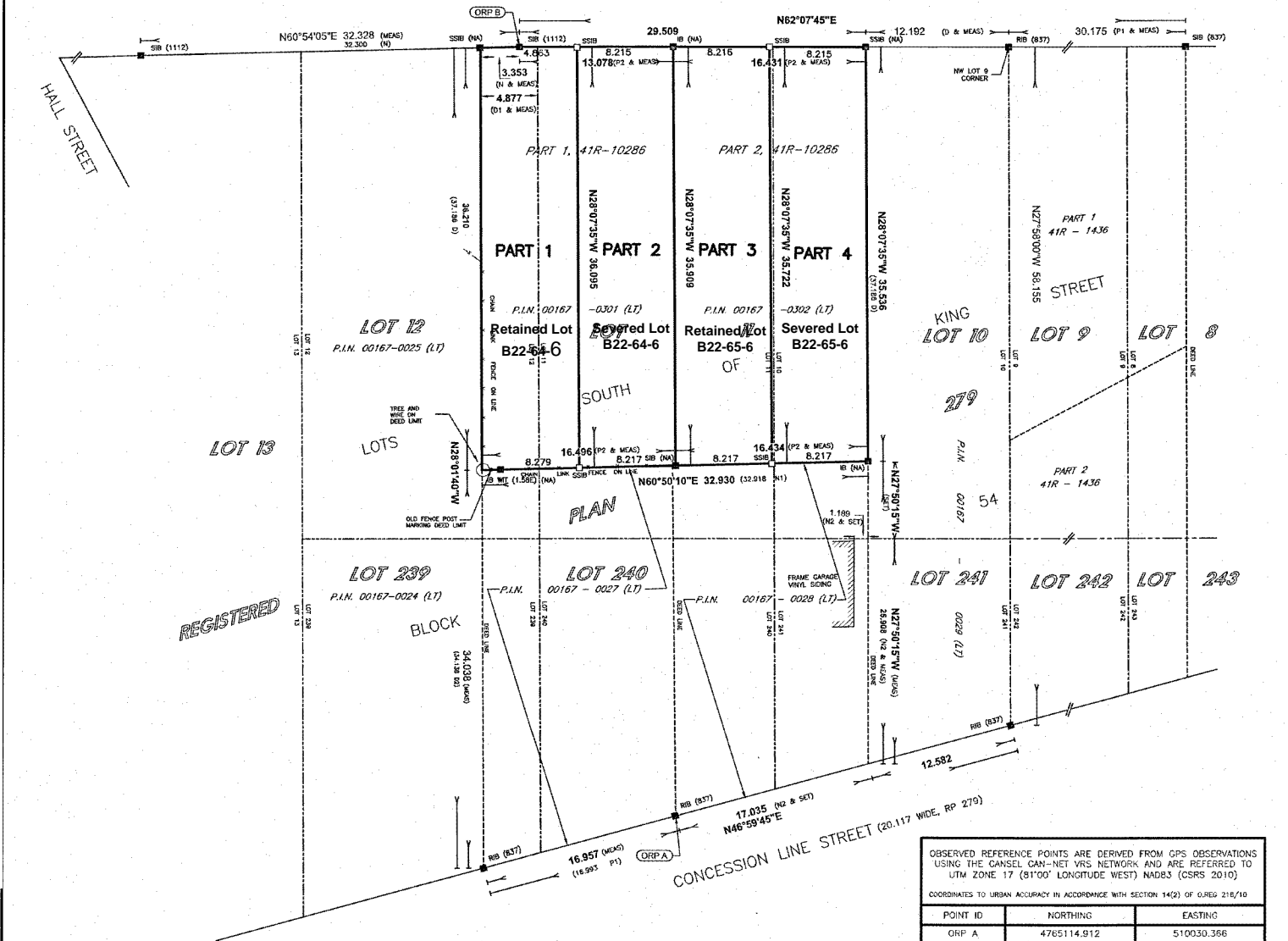
- * DENOTES FOUND SURVEY MONUMENT
- φ DENOTES PLANTED SURVEY MONUMENT
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- RIB DENOTES ROUND IRON BAR
- meas. DENOTES MEASURED
- WIT DENOTES WITNESS
- P1 DENOTES RP 279
- P2 DENOTES DEPOSITED PLAN 41R-1436
- D DENOTES DEED# 447096
- D1 DENOTES INSTRUMENT 231390
- D2 DENOTES INSTRUMENT 360270
- N DENOTES A. W. MACKENZIE FILE# S-78-3702
- N1 DENOTES W. A. BAKER FILE# C-1-15
- N2 DENOTES ARCHIBALD, GRAY & McKay FILE# O-1458

OBSERVED REFERENCE POINTS ARE DERIVED FROM GPS OBSERVATIONS USING THE CANSEL CAN-NET VRS NETWORK AND ARE REFERRED TO LTM ZONE 17 (8100' LONGITUDE WEST) NAD83 (CSRS 2010)
COORDINATES TO URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF O. REG 216/10

POINT ID	NORTHING	EASTING
ORP A	4765114.912	510030.366
ORP B	4765167.020	509988.001

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

NA GEOMATICS LTD.
ONTARIO LAND SURVEYORS
107 ERIE STREET, STRATFORD, ON, N5A 2M5
TEL: 519-275-3205
574 DUNDAS ST. WOODSTOCK, ON, N45 1G8
TEL: 519-537-6212



METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

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