

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

VIRTUAL HEARING

Thursday, February 10, 2022

The Oxford County Land Division Committee met virtually via livestream on Thursday, February 10, 2022 at 9:30 a.m. with the following individuals:

Chairperson	-	G. Brumby
	-	R. Jull
	-	J. Lessif (<i>absent from 10:00 a.m. - 10:30 a.m.</i>)
	-	D. Paron
	-	P. Rigby
	-	A. Tenhove
	-	C. van Haastert
Senior Planner	-	R. Versteegen
Secretary-Treasurer	-	A. Hartley

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

APPROVAL OF MINUTES:

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

“The Minutes of the Meeting of January 13, 2022, be approved as printed and circulated.”

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated February 7, 2022 received from Bryan and Grace Hopson
RE: Application B21-91-6; A21-26-6 (David and Lindsey McRoberts)
2. Correspondence dated February 7, 2022 received from Scott and Joanne Pretty
RE: Application B21-91-6; A21-26-6 (David and Lindsey McRoberts)
3. Correspondence dated February 8, 2022 received from Linda Dineen et al.
RE: Application B21-89-6 & B21-92-6 (Astro Homes Ltd.)
4. Correspondence dated February 10, 2022 received from Donna and Ian Mackenzie
RE: Application B21-81-4 (Budhaven Farms Ltd.)

APPLICATIONS FOR CONSENT:

B21-75-4 – Earl Hardy Holding Inc.

(Part Lot 12, Concession Broken front (West Oxford), Township of South-West Oxford)

Earl Hardy and Mary Elder, the owner’s agent, were present to speak to the application.

The purpose of the Application for Consent is for an industrial lot addition. The lot to be severed covers an area of approximately 5,282.4 m² (1.3 ac) is vacant and is to be added to the lands to the immediate north. The lot to be enlarged covers an area of approximately 27,142.50 m² (6.7 ac) is vacant and a new trucking business is proposed to be developed. The lot to be retained will

cover an area of approximately 25,172.34 m² (6.22 ac) and contains an existing industrial building.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated as Agricultural Reserve in the County Official Plan and are currently zoned General Industrial Zone (M2) in the Township's Zoning By-law. He noted that there are no services currently on the severed and enlarged lot, however the retained lot has a private well and septic system. He mentioned that the surrounding land uses include agricultural, some industrial and private commercial as well as non-farm rural residential. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is inkeeping with the County's Official Plan policies and is appropriately zoned. No concerns were received during the agency circulation and no comments were received as part of the public consultation. Accordingly, he indicated that Planning staff are in support of the application subject to a number of conditions.

E. Hardy and M. Elder had no questions or concerns regarding the staff Planning Report and concurred with the conditions.

Moved by: R. Jull
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate northeast, and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and must be reflected on the certificate.
2. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
3. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year 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.

CARRIED.

B21-86-1 & B21-87-1 – Laycrest Farms Ltd. & Barry Scully and Sharon Boppre

(Part Lot 33, Queen Street, West of Nith River, Lots 25-27, Plan 33, North of Queen Street, West of Nith River, Township of Blandford-Blenheim)

Barry Scully, Sharon Boppre, and Russell Mitchell, the applicant's solicitor, were present to speak to the application.

The purpose of the Applications for Consent is for two residential lot additions. The lot to be severed by application B21-86-1 covers an area of approximately 0.15 ha (0.36 ac) contains a barn and shed, and is to be added to the lands to the immediate north. The lot to be enlarged covers an area of approximately 0.24 ha (0.60 ac) and contains a single-detached dwelling. The lot to be retained will cover an area of approximately 29.685 ha (73.33 ac) and is vacant.

The lot to be severed by application B21-87-1 covers an area of approximately 236.4 m² (2,538.8 ft²) contains a shed that straddles the lot line and is to be added to the lands to the immediate north. The lot to be enlarged covers an area of approximately 2,399 m² (25,782.11 ft²) and contains a single-detached dwelling and shed that straddles the lot line. The lot to be retained covers an area of approximately 2,177 m² (23,440.1 ft²) and contains a single-detached dwelling.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated Agricultural Reserve in the County Official Plan. He noted that there is split zoning in place the lot to be retained and severed in application B21-86-1 is zoned General Agricultural Zone (A2), the lot to be severed will be required to be rezoned. The remaining lands in application B21-87-1 are zoned Rural Residential Zone (RR). He mentioned that the surrounding land uses including agricultural, the Town of Plattsville, the Nith River and other non-farm rural residential dwellings. He detailed that in Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement and are inkeeping with the County's Official Plan policies. No concerns were received during the agency circulation and no comments were received as part of the public consultation. Accordingly, he indicated that Planning staff are in support of the applications, each of which are subject to a number of conditions. The lot to be severed in application B21-86-1 will need to be rezoned to reflect its new uses.

B. Scully and S. Boppre had no questions or concerns regarding the staff Planning Report and accept all the conditions contained herein.

B21-86-1

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

'Granted'

CONDITIONS:

1. The lot to be severed be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
3. If required, drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of Blandford-Blenheim.
4. If required, the Owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, 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 of Blandford-Blenheim, 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 Land Division Committee did not receive any comments from the public respecting this application.

B21-87-1

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

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate north and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. If required, drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of Blandford-Blenheim.
3. If required, the Owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford-Blenheim.
4. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of Blandford-Blenheim, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

B21-100-8; A21-28-8 – Stephen Kropf and Trevor Wiebe
(Part Lot C, Plan 216, in the City of Woodstock)

Brock Linklater, the owner's agent, was present to speak to the application.

The purpose of the application for consent is to sever an existing semi-detached dwelling into two separately conveyable lots. The lot to be severed is approximately 276.2 m² (2,973 ft²) in lot area, contains a semi-detached dwelling unit and a small garden shed. The lot to be retained is approximately 263.9 m² (2,840.6 ft²) in lot area, contains a semi-detached dwelling unit and a small garden shed.

The owner is also requesting relief from Section 7.2, Table 7.2 – Zone Provisions, in the City of Woodstock Zoning By-law, to reduce the minimum lot frontage for the lot to be severed from 9 m (29.5 ft.) to 7.6 m (24.9 ft.) and for the lot to be retained to 7.1 m (23.2 ft.) and to reduce the minimum lot area for the lot to be severed from 290 m² (3,121.6 ft²) to 276.2 m² (2,973 ft²).

R. Versteegen reviewed the staff Planning Report. He noted that the subject lands are designated as Service Commercial in the County Official Plan. The owners have requested a minor variance to recognize reduced frontage, lot area and front yard depth due to the existing buildings. He indicated that the surrounding land uses include various types of residential dwellings to the north and west, and commercial and the downtown area to the south of the property. The subject lands are zoned Residential Type 2 Zone (R2), and aside from the requested minor variances the subject property is appropriately zoned. The request for the variance of the front yard depth is not required as this setback is considered legal non-conforming. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, and is inkeeping with the direction of the County Official Plan considering the lands are legally zoned for the residential use. No concerns were received during agency circulation and no comments were received during public notification. Accordingly, Planning staff are supportive of the consent application, subject to the recommended conditions as well as the requested minor variance as they meet the four tests of a minor variance.

B Linklater noted that the property intent is to sever into two separate conveyable lots, the proposal is consistent with the 2020 Provincial Policy Statement and maintains the intent and purpose of the County Official Plan. The proposal is an efficient redevelopment and intensification, which includes different forms of housing within the area. He had no question or concerns and concurred with the staff Planning Report.

R. Jull asked regarding the fire wall. R. Versteegen noted that the conditions contain approval of the interior wall to ensure that it meets fire code and the Ontario Building Code to the satisfaction of the City of Woodstock Building and Fire Department. R. Versteegen mentioned that this is a typical condition for older semi-detached dwellings to ensure they are up to date on the current building code requirements on fire separation.

A. Tenhove asked R. Versteegen to confirm the lot frontage as the measurements on page 4 of the staff Planning Report are different from the recommended approval. R. Versteegen noted that the measurements on the submitted draft survey. G. Brumby asked B. Linklater to confirm that the draft survey measurements were correct. The approval for the minor variance will be based off the measurements on the applicants sketch submitted.

C. van Haastert asked R. Versteegen to clarify what the requirement for tandem parking would be. R. Versteegen advised that this meant that two cars will need to be able to be parked side by side for each unit, therefore 4 spaces required in total.

B21-100-8

Moved by: A. Tenhove
Seconded by: P. Rigby

'Granted'

CONDITIONS:

1. 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 City of Woodstock.
2. The owners shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock, regarding the installation of services and drainage facilities.
3. The owner shall submit a recent survey prepared by an OLS to confirm lot sizes and building location/setbacks to the satisfaction of the City of Woodstock.

4. The accessory structures shall be removed or relocated to meet the required setbacks to the satisfaction of the City of Woodstock.
5. 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 to the satisfaction of the City of Woodstock Building Department.
6. The owner shall confirm two tandem parking spaces are being provided for each lot.
7. The owner agrees to service each unit/lot separately and independently from Huron Street with sanitary and water at the owner's expense and to the satisfaction of the City.
8. The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within 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.

A21-28-8

Moved by: A. Tenhove
Seconded by: P. Rigby

'Granted'

REASONS:

1. The variances requested are minor variances from the provisions of the City of Woodstock Zoning By-law No. 8626-10.
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 City of Woodstock Zoning By-law No. 8626-10.

CARRIED.

B21-105-1 – Frank Romano & Patricia Ferreira
(Part Lot 13, Concession 1 (Blenheim), Township of Blandford-Blenheim)

The purpose of the Application for Consent is for a residential lot addition. The lot to be severed covers an area of approximately 0.1 ha (0.2 ac), is vacant, and is to be added to the lands to the immediate east. The lot to be enlarged covers an area of approximately 0.3 ha (0.7 ac) and contains a single-detached dwelling and accessory building. The lot to be retained will cover an area of approximately 2.4 ha (5.93 ac) and contains a single-detached dwelling and accessory building. No new development is proposed.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated as Settlement in the County Official Plan, and are currently zoned Residential Type 1 Zone (R1) in the Township's Zoning By-law. He noted that the surrounding land uses include primarily residential, with some institutional in the area as well as cash cropping. He detailed that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, and is inkeeping with the County Official Plan and are appropriately zoned. No concerns were received during agency circulation and no comments were received during public notification. Accordingly, Planning staff are supportive of the consent application, subject to the recommended conditions.

Moved by: P. Rigby
Seconded by: D. Paron

'Granted'

CONDITIONS:

1. The parcel intended to be severed be conveyed to the abutting landowner to the immediate south and east and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.
2. If required, drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O. 1990, at the owner's expense, to the satisfaction of the Township of Blandford-Blenheim.
3. If required, the Owners shall enter into a standard Severance Agreement with the Township of Blandford-Blenheim, to the satisfaction of the Township of Blandford-Blenheim.
4. The Clerk of the Township of Blandford-Blenheim advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township of Blandford-Blenheim, financial, services and otherwise, have been complied with.
5. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

B21-81-4 – Budhaven Farms Ltd.

(Part Lot 13, Concession 2 (West Oxford), Township of South-West Oxford)

Don and Julie Budd were present to speak to the application.

The purpose of the Application for Consent is for residential lot addition. The lot to be severed covers an area of approximately 0.46 ha (1.13 ac), is in agricultural production and is to be added to the lands to the immediate north. The lot to be enlarged covers an area of approximately 0.2 ha (0.5 ac) contains a single-detached dwelling and small garden shed. The lot to be retained will cover an area of approximately 32.4 ha (80 ac), contains a single-detached dwelling, multiple outbuildings used for agricultural production and housing livestock.

R. Versteegen reviewed the staff planning report. He indicated that the subject lands are designated as Agricultural Reserve in the County Official Plan. The severed and retained lots are zoned General Agricultural (A2), whereas the lot to be enlarged is zoned Residential Existing Zone (RE) in the Township's Zoning By-law. He noted that the lot to be severed will require a zone change to recognize the new use. He mentioned that the surrounding land uses include agribusinesses, agricultural lands, and various non-farm rural residential lots. He detailed that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement and is in keeping with the County Official Plan policies. No concerns were received during agency circulation one letter of support was received and was read aloud for the Committee's consideration. Accordingly, Planning staff are recommend support of the application.

D. Budd and J. Budd had no questions or concerns and concurred with the staff Planning Report.

C. van Haastert asked the applicant if this land is only for the driveway and why the need for the other portion on the west side of the residential lot. The applicants noted that this is the only reasonable area to move the driveway to provide safe access onto and off of Foldens Line. These lands are on the backside of the farm and are not being utilized for farming purposes

The owners confirmed for G. Brumby that they own the abutting farm as well.

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

'Granted'

CONDITIONS:

1. The severed parcel shall be appropriately zoned.
2. The parcel intended to be severed be conveyed to the abutting landowner to the immediate east, and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and must be reflected on the certificate.
3. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

B21-85-6; A21-35-6 – Tammy and Gordon Todd
(Lot 10, Block 106, Plan 279, in the Town of Ingersoll)

The purpose of the Application for Consent is to create a residential infill lot. The lot to be severed will cover an area of approximately 499.42 m² (5,375.7 ft²) is currently vacant and a single-detached dwelling is proposed to be constructed. The lot to be retained will cover an area of approximately 700 m² (7,534.7 ft²) and contains a single-detached dwelling and an attached garage.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject property is designated as Low Density Residential in the County Official Plan and is currently zoned Residential Type 2 (R2) in the Town of Ingersoll Zoning By-law. He noted that the owners have amended their request for minor variance for the lot depth to increase it by 3 ft. This was done after the public notice was mailed out. However, the minor variance is still supportable and the amendment is considered to be minor relative to the intent of the public notice. Accordingly, the staff Planning Report reflects the amended request for the Committee's consideration. He detailed that in Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, is inkeeping with the County Official Plan and the lands are appropriately zoned. No concerns were received during agency circulation and no comments were received during public consultation. Accordingly, Planning staff are recommend support of the applications and the requested minor variance.

In response to G. Brumby, R. Versteegen noted that the lot depth is calculated from the mid-point of the front lot line through to the mid-point of the rear lot line.

B21-85-6

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

'Granted'

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 lot to be severed have been complied with. This shall include the Owner being responsible for the costs of extending the sanitary/watermain in addition to the costs of constructing new services from the new sanitary and from the watermain, as well as both the construction and design fees 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, regarding the installation of services and drainage facilities. The owner is to provide the payment of cash-in-lieu of parkland for the creation of the new lot.

3. If required, 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.
4. If required, 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.
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 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.

A21-35-6

Moved by: C. van Haastert
Seconded by: P. Rigby

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of Town of Ingersoll Zoning By-law No. 04-4160.

CARRIED.

B21-88-5 – Sandra Couse

(Lot 4, North Side Victoria St. Part Lot 143; Part Lot North St. Part Lot 143, Part 2, 41R6869; Township of Zorra)

Sandra Couse was present to speak to the application.

G. Brumby noted that the County has recommended deferral of the application so that a minor variance could be requested as it was not submitted with the original application. R. Versteegen asked the Committee whether they would like to have him review the report regardless. The Committee agreed that the application should be deferred. A. Tenhove moved that the application be deferred for 90 days.

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

'Granted'

REASONS:

That Consent Application B21-88-5 be deferred to allow the applicant an opportunity to accurately determine the depth of the proposed retained lot resulting from the said consent application and to amend the application, as required, to include a minor variance to address any lot depth deficiencies as part of the consent application.

CARRIED.

B21-89-6 & B21-92-6 – Astro Homes Ltd.

(Lot 32 & Part Lot 31, Plan 186, Town of Ingersoll)

Kumar Anamalai, the owner was present to speak to the application

The purpose of the Applications for Consent is to create two residential infill lots. The lot to be severed by application B21-89-6 will cover an area of approximately 585.28 m² (6,300 ft²) contains a portion of a single-detached dwelling (to be removed), and a new single-detached dwelling is intended to be constructed in this lot. The lot to be severed by application B21-92-6 will cover an area of approximately 749.15 m² (8,063.8 ft²), and also contains a portion of a single-detached dwelling (to be removed) and a single-detached dwelling is intended to be constructed on this lot. The lot to be retained will cover an area of approximately 585.28 m² (6,300 ft²), is vacant and a single-detached dwelling is proposed to be constructed on this lot.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject land is designated as Low Density Residential, and currently zoned Residential Type 1 (R1) in the Town of Ingersoll Zoning By-law. He noted that the surrounding land uses include single-detached dwellings on a variety of lot sizes, and other severances of similar sizes have been approved within the surrounding area. He noted that in Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement and comply with the County Official Plan policies for the creation of residential infill lots. The application promotes intensification where it can be accommodated and is an efficient use of underutilized lands and infrastructure. No concerns were received during agency circulation. A petition detailing concerns with the applications from neighbouring landowners was received and was read aloud for the Committee's consideration. Planning staff recommend support of the applications, subject to the attached conditions for each.

K. Anamalai had no questions or concerns and concurred with the conditions contained within the staff Planning Report. K. Anamalai noted that he intends on recycling the material from the demolished house.

In response to G. Brumby, R. Versteegen noted that the Land Division Committee has little control over the preservation of buildings through its consideration of severances.

B21-89-6

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

'Granted'

CONDITIONS:

1. The certificate for Application B21-89-6 be issued and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-92-6.
2. 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 lot to be severed have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance, 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. The owner is to provide the payment of cash-in-lieu of parkland for the creation of the new lot.
4. The Owner shall apply for and obtain a permit for the demolition of the existing dwelling and all demolition material shall be removed from the site to the satisfaction of the Town of Ingersoll Building Department.
5. The Owner shall ensure that the area around the demolished dwelling be filled with compacted engineered fill as specified by a qualified soils engineer suitable to support a future building site. A report is also to be prepared by a soils engineer confirming the type and placement of the specified fill material, the compaction rate, and the engineer assumes responsibility for the design of the completed work. The work and report is to be completed to the satisfaction of the Town of Ingersoll Building Department prior to the completion of the severance.
6. If required, 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 lot, to the satisfaction of the Town of Ingersoll.
7. If required, 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.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

3. The subject lands are appropriately zoned.
4. Comments received from the public were received, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

B21-92-6

Moved by: A. Tenhove
Seconded by: P. Rigby

'Granted'

CONDITIONS:

1. The certificate for Application B21-89-6 be issued and a copy of the registered deed be presented to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B21-92-6.
2. 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 lot to be severed have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance, 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. The owner is to provide the payment of cash-in-lieu of parkland for the creation of the new lot.
4. The Owner shall apply for and obtain a permit for the demolition of the existing dwelling and all demolition material shall be removed from the site to the satisfaction of the Town of Ingersoll Building Department.
5. The Owner shall ensure that the area around the demolished dwelling be filled with compacted engineered fill as specified by a qualified soils engineer suitable to support a future building site. A report is also to be prepared by a soils engineer confirming the type and placement of the specified fill material, the compaction rate, and the engineer assumes responsibility for the design of the completed work. The work and report is to be completed to the satisfaction of the Town of Ingersoll Building Department prior to the completion of the severance.
6. If required, 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 lot, to the satisfaction of the Town of Ingersoll.
7. If required, 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.
9. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

B21-91-6; A21-26-6 – David and Lindsey McRoberts
(Part Lot 1, Plan 467, Town of Ingersoll)

David McRoberts was in attendance to speak to the application.

The purpose of the Application for Consent is to create a residential infill lot. The lot to be severed will cover an area of approximately 511 m² (5,500.4 ft²) is vacant and a single-detached dwelling is proposed to be constructed. The lot to be retained will cover an area of approximately 1,020 m² (10,979.2 ft²) contains a single-detached dwelling, attached garage and swimming pool (to be removed).

R. Versteegen reviewed the staff Planning Report. He indicated that the subject property is designated as Low Density Residential in the County Official Plan, and is currently zoned Residential Type 1 (R1) in the Town of Ingersoll Zoning By-law. A minor variance has also been requested to reduce the rear yard setback from the required 7.5 m to 1.8 m. He explained to the Committee that the newly configured lot will have a different rear yard than what is currently defined as in the Zoning By-law. Thus, the need for the minor variance detailed in the planning report. He noted that the variance is appropriate as in effect, no change to the setback of the existing dwelling relative to the lot line is proposed.

He noted that the surrounding land uses consist primarily of single detached dwellings with various lot configurations. In Planning staff's opinion the application is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan, and is appropriately zoned (aside from the requested minor variance). The application promotes intensification where it can be accommodated and is an efficient use of underutilized lands and infrastructure. No concerns were received during agency circulation. Two letters of concerns were received and were read aloud for the Committee's consideration. Through their review of the application, Planning staff recommend support of the proposed consent, subject to the conditions detailed in the planning report and also are of the opinion that the minor variance meets the four tests of a minor variance.

R. Versteegen mentioned that the proposed severance is in keeping with the Low Density Residential policies as it is an introduction of new housing into a neighbourhood that is consistent to the surrounding area. It was detailed that the existing lots in this area have historically been developed on private services and were sized accordingly to accommodate these services whereas now the area is fully serviced by municipal services. Also, as noted in the planning report Planning staff interpret the term consistent in the context of infill development as implying that new development does not necessarily have to be the exact same as the existing development, but can co-exist without creating an unacceptable adverse impact on surrounding residential uses.

D. McRoberts noted that services were previously allocated assuming that a new lot could be created in this location. He also mentioned that there has been a previous severance considered and approved on the corner of Caffyn Street and Clarke Street. D. McRoberts had no questions or concerns and concurred with the staff Planning Report.

In response to G. Brumby, R. Versteegen reiterated that the minor variance request in his opinion meets the four-part test and given the context of the application, nothing will be changing on the lot to be enlarged. The minor variance is to recognize the existing dwelling and the changes to the lot due to how lot lines for corner lots are interpreted in the Zoning by-law. He also mentioned that the setbacks and parking requirement will all be considered and dealt with once there has been an application for a building permit on the lot to be severed.

R. Jull commented that he does not understand how a 6 ft. backyard depth would be attractive to a potential buyer.

In response to D. Paron, R. Versteegen advised that if the house on the retained lot were to be demolished the rear yard would be nullified and would be subject to the normal setback requirements in the R1 zone.

B21-91-6

Moved by: P. Rigby
Seconded by: A. Tenhove

'Granted'

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 lot to be severed have been complied with. This condition can be cleared by payment for the required services and completion of appropriate forms prior to the completion of the severance, 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, regarding the installation of services and drainage facilities. The owner is to provide the payment of cash-in-lieu of parkland for the creation of the new lot.
3. The Owner shall remove the existing in-ground swimming pool and demolition materials shall be removed from this site, that the area be filled with compacted engineered fill as specified by a qualified soils engineer suitable to support a future building site. Also, a report be prepared by a soils engineer confirming the type and placement of the specified fill material, the compaction rate, and the engineer assumes responsibility for the design of the completed work. The work and report is to be completed to the satisfaction of the Town of Ingersoll Building Department prior to the completion of the severance.
4. If required, 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.
5. If required, 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.
6. 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.

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. Comments received from the public were reviewed, and where appropriate, were considered in the Land Division Committee's decision to approve the application.

A21-26-6

Moved by: P. Rigby
Seconded by: A. Tenhove

'Granted'

REASONS:

1. The variance requested is a minor variance from the provisions of the Town of Ingersoll Zoning By-law No. 04-4160.
2. The variance requested is desirable for the appropriate development or use of the land, building or structure.
3. The variance requested is in keeping with the general intent and purpose of the County of Oxford Official Plan.
4. The variance requested is in keeping with the general intent and purpose of Town of Ingersoll Zoning By-law No. 04-4160.

CARRIED.

On the motion of A. Tenhove the Committee meeting adjourned at 11:22 a.m.

"G. Brumby"

CHAIRPERSON