

MINUTES

OXFORD COUNTY LAND DIVISION COMMITTEE

HYBRID HEARING

Thursday, October 6, 2022

The Oxford County Land Division Committee met in the Council Chambers, County Administration Building, Woodstock, Ontario, and virtually via livestream on Thursday, October 6, 2022, at 9:30 a.m. with the following individuals:

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|----------------------|---|----------------------------|
| Chairperson | - | G. Brumby |
| | - | R. Jull |
| | - | J. Lessif |
| | - | D. Paron |
| | - | P. Rigby |
| | - | A. Tenhove - <i>absent</i> |
| | - | C. van Haastert |
| Senior Planner | - | R. Versteegen |
| Divisional Assistant | - | L. Taschner |

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

DECLARATION OF CONFLICT OF INTEREST:

None.

APPROVAL OF MINUTES:

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

"The Minutes of the Meeting of September 1, 2022, be approved as printed and circulated."

CARRIED.

BUSINESS ARISING FROM THE MINUTES:

None.

CORRESPONDENCE:

1. Correspondence dated September 26, 2022 received from Eldon Farrell
RE: Application B20-03-6; A22-15-6 & B20-04-6; A22-16-6 (1879784 Ontario Inc.)
2. Correspondence dated September 30, 2022 received from Shelley Vaughan
RE: Application B20-03-6; A22-15-6 & B20-04-6; A22-16-6 (1879784 Ontario Inc.)
3. Correspondence dated October 2, 2022 received from Town of Ingersoll Chief Building Official
RE: Application B22-64-6; A22-13-6 & B22-65-6; A22-14-6 (Astro Homes Ltd.)

APPLICATIONS FOR CONSENT:

B22-48-6 – Sifton Properties Ltd.

(Part Lot 19, Concession 1 (West Oxford), Town of Ingersoll)

Lindsay Clark, agent for the applicant, and Harry Froussios, agent for a surrounding landowner were present to speak to the application.

The Application for Consent proposes to create a vacant lot for commercial purposes and retain a vacant lot for future residential purposes. The lot to be severed is to be approximately 3.38 ha (8.4 ac.) in area with frontage onto Clarke Road E. and Hollingshead Road while the lot to be retained is to be approximately 1.39 ha (3.4 ac.) in area and have frontage onto Hollingshead Road and Harris Street. Both the lots to be severed and retained are currently vacant.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated as Service Commercial with special policies in the County Official Plan. He also noted for the Committee that the subject lands are zoned 'Special Highway Commercial Zone (HC-10)' in the Town of Ingersoll Zoning By-law. The surrounding land uses included existing and planned low and medium density residential, as well as service commercial to west, east and southeast, with industrial lands located to the south. He advised that in Planning Staff's opinion the application should be deferred as the severance was premature as it related to the intended use of the retained lot (future residential purposes). While no concerns were raised as a result of the agency circulation, he advised that an Official Plan Amendment and Zone Change application should be submitted, along with the appropriate studies and assessments or the applicant should demonstrate that the retained lot could still sustain a viable commercial use on the lands.

L. Clark provided a slideshow presentation for the proposal. She indicated that a commercial development is proposed through a 3rd party developer. She noted that there are no plans currently for the retained lands. She noted that the severance should be considered as the lands are currently available for commercial development purposes and that the future development of the retained lands should not delay consideration of the severance. She emphasized that deferral and delay of the severance could place the developer at risk of losing the proposal.

G. Brumby asked R. Versteegen when the presentation arrived, R. Versteegen noted that the presentation was submitted late and needs further review.

In response to D. Paron, L. Clark noted that there has not been an Official Plan Amendment or zone change application submitted in association with the severance application. L. Clark discussed with D. Paron that a month guaranteed deferral would not jeopardize the development as much, however anything longer than this would cause issues.

R. Versteegen noted that a pre-consultation meeting has been held with the commercial developer for the development of the intended severed parcel.

H. Froussios acting on behalf of a neighboring property owner noted that the neighbouring landowner feels as though this application needs to be amended if the proposed uses have changed (in regards to the retained parcel). If the retained lot use has changed the neighbouring landowner would have less of an issue with the severance.

G. Brumby asked L. Clark whether a three month deferral would be appropriate, L. Clark indicated that a month would be better for the developer.

Discussion was held regarding the surrounding lands and their uses.

Moved by: P. Rigby
Seconded by: R. Jull

'Deferred'

REASON:

1. 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 viable commercial property in accordance with the policies of the Official Plan and the Town's Zoning By-law.

CARRIED.

B22-49-6 – Tetra-Chem Industries Ltd.

(Lots 173-177 and 196-199, Plan 709 & Parts 2 & 3, Reference Plan 41R-734, Town of Ingersoll)

Dan Lekavicius, the applicant, was present to speak to the application.

The Application for Consent proposes to create an industrial lot and retain a lot for similar purposes. The lot to be severed is to be approximately 2.02 ha (5 ac.) in area and have a frontage of approximately 102.72 m (337 ft.), while the lot to be retained is to be approximately 1.94 ha (4.8 ac.) in area and have a frontage of approximately 98.6 m (323.5 ft.). The lands to be severed are currently vacant and are proposed to accommodate a future industrial use while the existing industrial use on the lot to be retained is to remain.

R. Versteegen reviewed the staff Planning Report. He indicated that the subject property is designated as Industrial in the County Official Plan, and zoned 'Restricted Industrial Zone (MR)' in the Town of Ingersoll Zoning By-law. In Planning staff's opinion the application for consent is consistent with the 2020 Provincial Policy Statement, complies with the County Official Plan, and the lands are appropriately zoned. No comments or concerns were raised as result of the public and agency consultation. Accordingly, Planning staff are recommending approval of the application subject to three attached conditions.

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

G. Brumby asked whether the intent is to resell, the applicant indicated that they had not decided at this time.

Moved by: J. Lessif
Seconded by: C. van Haastert

'Granted'

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.
4. All stated conditions must be satisfied pursuant to Subsection 41, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within two years of the mailing of this Notice of Decision. If all conditions are not met within two years, this Application for Consent shall be deemed to be refused. The required instruments must be presented for certification pursuant to Subsection 42, of Section 53 of the Planning Act, R.S.O., 1990, as amended, within one year from the date of the mailing of this Notice of Decision. If the said instruments are not presented and certified within two years, the consent herein shall lapse.

REASONS:

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

CARRIED.

B20-03-6; A20-14-6 & B20-04-6; A20-15-6 – 1879784 Ontario Inc.
(Block 87, Plan 41M-252, Town of Ingersoll)

Paul Florica, the agent for the applicant and Emily Farrell, a neighbouring landowner were present to speak to the application.

The purpose of the Applications for Consent are to create 2 residential infill lots. The proposed lot to be severed via application B20-03-6 is to cover an area of approximately 357 m² (3,842.7 ft²), while the lot to be severed through B20-04-6 is to cover an area of approximately 359 m² (3,864.2 ft²). The proposed lot to be retained is to cover an area of approximately 450 m² (4,843.8 ft²). Both of the lots to be severed and the lot to be retained are currently vacant. A single detached dwelling is proposed to be constructed on each of the lots. The applications were initially circulated in 2020, however have been deferred pending works on the Walker Road extension being initiated.

Minor variances have been requested from the Town of Ingersoll Zoning By-law Section 7.2, Table 7.2, to reduce the lot depth of the lot to be severed via B20-03-6 from the minimum required 30 m (98.42 ft.) to 25.86 m (84.84 ft.), the lot depth of the lot to be severed via B20-04-6 from the minimum required 30 m (98.42 ft.) to 26.13 m (85.7 ft.), the retained lot from the minimum required 30 m (98.42 ft.) to 26.51 m (86.98 ft.) and also reduce the lot area of the retained lot from the required 450 m² (4,843.9 ft²) to approximately 441.4 m² (4,752.3 ft²).

R. Versteegen reviewed the staff Planning Report. He indicated that the severance was previously applied for in 2020 however the Town requested deferral pending the construction and extensions of Walker Road. R. Versteegen noted that the works have begun on the Walker Road extension. He advised the Committee that the subject property is designated as Low Density Residential in the County Official Plan and currently zoned 'Residential Type 2 Zone (R2)'. 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 variances. No concerns were raised as a result of the agency circulation. A number of concern letters were received and read aloud for the Committee's consideration. Nonetheless, Planning staff are recommending approval of the consent applications and minor variances subject to a number of conditions.

R. Versteegen noted that concerns received during the previous circulation of this application were attached to the staff Planning Report. R. Versteegen indicated that Town staff have no record of on-street parking being an issue, nor received any complaints from landowners as cited in the letters.

P. Florica had no questions and concurred with the staff Planning Report.

E. Farrell provided further concerns noting in addition to her original letter submitted there are concerns about the depth of the properties and the request for minor variances. She noted that there would be little room available for a rear yard. This could have potential adverse impacts on look of neighbourhood and value of surrounding homes. She advised that in her opinion the lot should remain as one large lot consistent with the remainder of the neighbourhood.

P. Florica responded advising that the frontage of the three new lots will be consistent with the surrounding lots, only the backyards will be deficient on depth. He indicated that if there is an issue with the parking that the neighbours should be complaining to the municipality.

In response to D. Paron, P. Florica noted that the homes will have one and a half to two car garages provided. D. Paron inquired to R. Versteegen as to whether the zoning allowed for a duplex in which R. Versteegen responded yes.

R. Versteegen mentioned further that all other yard setbacks are being met, only the lot depth is being requested to be varied. Further, he pointed to the sketch provided by the applicant (Plate 3) which shows that each of the proposed building envelopes on each lot meets the minimum front yard, rear yard and side yard setbacks and that an appropriately sized dwelling can be accommodated on each lot in question. Further, the front yard setbacks of each of the dwellings will be similar as the other dwellings in the surrounding area.

B20-03-6

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

'Granted'

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

A20-15-6

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.

B20-04-6

Moved by: C. van Haastert
Seconded by: J. Lessif

'Granted'

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.

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

A20-16-6

Moved by: C. van Haastert
Seconded by: J. Lessif

'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.

B22-64-6; A22-13-6 & B22-65-6; A22-14-6 – Astro Homes Inc.
(Lot 10 & Part Lot 11, Block 54, Plan 279, in the Town of Ingersoll)

The application for consent proposes to create 2 residential infills lot by severing 2 recently constructed semi-detached dwellings into separately conveyable parcels. Both lots to be severed will be approximately 305 m² (3,283 ft²) in area. No new development is proposed as a result of the applications.

The applicant has also applied for variances from Section 7.2, Lot Frontage of the Town's Zoning By-law to vary the lot frontage of both lots from the required 9 m (29.5 ft) to 8.22 m (27 ft.).

R. Versteegen reviewed the staff Planning Report. He indicated that the subject lands are designated as Low Density Residential and zoned 'Residential Type 2 Zone (R2)' in the Town of Ingersoll Zoning By-law. In Planning staff's opinion the applications are consistent with the 2020 Provincial Policy Statement, comply with the County Official Plan, and are appropriately zoned aside from the requested minor variances. No comments or concerns were received as a result of public circulation.

R. Versteegen advised that the lots in question were created through a previous consent (& minor variance) and that the intended use of both lots was to accommodate a semi-detached dwelling on both lots). Additional late correspondence was received from the Town of Ingersoll Chief Building Official regarding a small change to their recommendation requesting a survey to confirm the location of the common wall and submission of a grading plan. This change has been reflected in the Notice of Decision. Accordingly, Planning staff are recommending approval of the applications subject to the attached conditions.

In response to C. van Haastert, R. Versteegen indicated that the change of Condition 3 & 4 from the Town was in addition to the standard conditions within the report.

B22-64-6

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

'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 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. The Owner shall submit a recent survey to confirm the location of the common wall, driveways, sanitary/storm and water lines, and also confirm lot sizes, zone provisions, and building setbacks to the satisfaction of the Town of Ingersoll.
4. The Owner shall submit a grading plan for each proposed lot to the satisfaction of the Town of Ingersoll.
5. 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. The Land Division Committee did not receive any comments from the public respecting this application.

A22-13-6

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

'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.

B22-65-6

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

'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 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. The Owner shall submit a recent survey to confirm the location of the common wall, driveways, sanitary/storm and water lines, and also confirm lot sizes, zone provisions, and building setbacks to the satisfaction of the Town of Ingersoll.
4. The Owner shall submit a grading plan for each proposed lot to the satisfaction of the Town of Ingersoll.

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

A22-14-6

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

'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 J. Lessif the Committee meeting adjourned at 11:10 a.m.

"Original Signed by"

CHAIRPERSON