

To: Mayor and Members of Township of Norwich Council

From: Amy Hartley, Development Planner, Community Planning

Application for Zone Change

ZN 3-26-01 – Estate of Alfred Julius Mayorcsak

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone the subject property from ‘Special General Agricultural Zone (A2)’ to ‘Special General Agricultural Zone (A2-sp)’ to permit the development of a dwelling on an undersized agricultural parcel.
- The subject property is approximately 11.3 ha (28 ac) in area and is currently vacant of all buildings or structures.
- Planning staff are recommending support of the proposal as it is generally consistent with the Provincial Planning Statement and maintains the intent and purpose of the Official Plan respecting development of undersized agricultural lots.

DISCUSSION

BACKGROUND

OWNERS: Estate of Alfred Julius Mayorcsak
176 Norwich Road, Delhi, Ontario N4B 2W5

AGENT/APPLICANT: 1079481 Ontario Inc. (c/o Lynda Poredos)
772119 Summerville Line, Otterville, Ontario N0J 1R0

LOCATION:

The subject land is described as Part of Lot 7, Concession 11 (South Norwich), in the Township of Norwich. The subject lands are located at the north east corner of Potters Road and Summerville Line and do not have a municipal address but can be located at PIN: 00049-0008.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “N-1” Township of Norwich Land Use Plan Agricultural Reserve

TOWNSHIP OF NORWICH ZONING BY-LAW 07-2003-Z:

Current Zoning: 'General Agricultural Zone (A2)'

Proposed Zoning: 'Special General Agricultural Zone (A2-sp)'

PROPOSAL:

The purpose of this application is to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a dwelling on an undersized agricultural parcel comprising an area of approximately 11.3 ha (28 ac).

The applicants are proposing to rezone the subject lands to allow for the future development of a dwelling on private services. The area in which the applicants have identified would be an appropriate location for the future dwelling is located towards the northwest portion of the property and avoids the regulated area around the Singer Drain, the proposed building envelope is approximately 1 acre in size.

The subject lands are partially regulated by Long Point Regional Conservation Authority, specifically, the Singer Drain. The proposed location of the building envelope avoids the open drain and is anticipated not to have any impact.

The subject lands are currently vacant and have been used for agricultural purposes previously. Surrounding land uses are predominantly agricultural with some non-farm rural residential parcels fronting in the vicinity.

Plate 1, Location Map with Existing Zoning indicates the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, Subject Lands (2020 Air Photo), shows an aerial view of the subject lands and the approximate location of the proposed building envelope.

Plate 3, Applicant's Sketch, identifies the intended location of the proposed building envelope on the subject lands, as submitted by the applicant.

APPLICATION REVIEW

2024 Provincial Planning Statement

The 2024 Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions shall be consistent with all policy statements issued under the Act. The following outlines the key PPS policies that have been considered, but it is not intended to be an exhaustive list.

Section 4.3 of the PPS directs that planning authorities are required to use agricultural system approach and further that prime agricultural areas shall be protected for long term agricultural use. In prime agricultural areas, permitted uses and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. All types, sizes and intensities of

agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

The PPS defines agricultural uses to mean the growing of crops, including nursery, biomass and horticulture crops, as well as the raising of livestock and animals for food, fur or fibre including poultry and fish, apiaries, agro-forestry, maple syrup production and associated on-farm buildings and structure including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

An agricultural system is comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. More specifically, it contains agricultural land base comprised of prime agricultural areas, including specialty crop areas, it may also include rural lands that help to create a continuous productive land base for agriculture and an agri-food network which includes agricultural operations, infrastructure, services, and assets important to the viability of the agri-food sector.

Official Plan

The subject site is located within the Agricultural Reserve designation according to the Township of Norwich Land Use Plan, as contained in the County Official Plan.

In the Agricultural Reserve designation lands are to be developed for a wide variety of agricultural land uses, such as general farming, animal or poultry operations, regulated livestock farms, cash crop farms and specialty crop farms. Permitted uses also include woodlands, market gardening, tobacco farming, nurseries and orchards, together with farm buildings and structures necessary to the farming operation, and accessory residential uses required for the farm.

Section 3.1.4.2.3 of the Official Plan (as recently amended via OPA 269) outlines key objectives that apply to existing undersized agricultural lots:

- To ensure the primary function of existing undersized agricultural lots is for agricultural purposes
- To encourage consolidation of exiting undersized agricultural lots with abutting lots to form one larger agricultural lot under identical ownership;
- To ensure manure generated by smaller livestock and/or poultry operations not regulated by the Nutrient Management Act is appropriately managed.

The policies related to existing undersized agricultural parcels shall apply to all existing agricultural lots that are smaller than 16 ha (39.5 ac) in area. Further, existing undersized agricultural lots may be primarily used for a use permitted in Section 3.1.4.1, however development of a residential dwelling and/or other buildings shall not be permitted, except in accordance with the policies of Section 3.1.4.2.3.1.

Section 3.1.4.2.3.1 provides policy framework to allow Area Municipalities to consider the establishment of a dwelling and/or agricultural buildings and structures on an existing undersized agricultural lot through a site-specific amendment to the Area Municipal Zoning By-law.

The Area Municipality may permit a dwelling and/or agricultural buildings and structures where it has been demonstrated that the proposed building envelope satisfies the following criteria:

- i) Has frontage on, or direct vehicular access to, a public road, maintained year-round, at a reasonable standard of construction;

- ii) Is the minimum size required to accommodate the dwelling and associated outdoor amenity areas, driveway and individual on-site water services and individual on-site sewage services and shall not exceed 0.4 ha (1 acres);
- iii) Is located so as to minimize the loss of tillable agricultural land and potential impacts on existing and future agricultural uses on surrounding lots (e.g., MDS II setback requirements) and to maximize the continued and/or potential future use of the lot for agricultural purposes (e.g., by locating on lands with existing constraints for agriculture, wherever possible, and not creating small or irregularly shaped areas for tillage and cropping);
- iv) Complies with MDS I requirements;
- v) Where development or site alteration is proposed within or adjacent to natural heritage features and areas, it is supported by an Environmental Impact Study, in accordance with the requirements of Section 3.2; and,
- vi) Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

Zoning By-law

The subject property is currently zoned 'General Agricultural Zone (A2)' according to the Township's Zoning By-law.

The 'General Agricultural Zone (A2)' permits a wide range of agricultural uses including farming, on-farm composting facilities, on-farm diversified uses (subject to further provisions of the Zoning By-law), as well as single detached dwellings accessory to the farm operation. The 'A2' zone requires a minimum lot area of 20 ha (49.4 ac) and a minimum lot frontage of 100 m (328.1 ft) in order to develop the property for any farm related buildings.

Section 5.9 of the Zoning By-law provides that an existing vacant lot, zoned 'A2', held under distinct and separate ownership and having a lot area of at least 16 ha (39.5 ac) may be used and a building or structure may be erected, altered, or used, provided that all other requirements of the Zoning By-law are complied with.

The Zoning By-law also provides that Minimum Distance Separation formula II requirements and Minimum Distance Separation formula I requirements shall be applied to the development of livestock barns and new farm residences, respectively.

Additionally, the subject lands do contain an open drain (Singer Drain) which is regulated by Long Point Conservation Authority. LPRCA regulates a 30 m setback from open watercourses. As the proposed building envelope and residential development is located outside of this area, staff are satisfied that the regulated can be avoided.

Agency Comments

Township of Norwich Fire Department indicated no concerns with the subject application.

Township of Norwich Building Services indicated that a building permit is required for the construction of the dwelling, MDS I calculations will need to be submitted at the building permit application submission. Additionally, the required setbacks from the regulated area and municipal drain will be reviewed at the time building permit applications are received.

County of Oxford Public Works noted that no new entrances onto Potters Road will be permitted.

Long Point Region Conservation Authority noted that while the property contains areas that are subject to flooding and erosion hazards associated with Singer Drain, the proposed building envelope would be outside of the regulated area. Development within 6 m from the top of the Singer Drain bank is not permitted.

Public Consultation

Notice of complete application and notice of public meeting regarding the application for zoning amendment were circulated to surrounding property owners on March 6, 2025 and March 31, 2026, respectively, in accordance with the requirements of the Planning Act. As of the date of this report, no comments or concerns have been received from the public.

Planning Analysis

The applicants are proposing to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the development of a single detached dwelling on an existing undersized agricultural parcel comprising an area of approximately 11.3 ha (28 ac).

Planning staff have reviewed the proposal to rezone the subject lands to permit an accessory dwelling unit on an undersized agricultural parcel and are generally satisfied that the proposal is consistent with the policy direction of the PPS to provide for additional housing options that will not adversely effect surrounding agricultural uses.

Regarding the policies of the Official Plan pertaining to the development of undersized agricultural parcels, Planning staff are satisfied that the location of the dwelling as proposed by the applicants is appropriate and generally conforms with the relevant policies of the Official Plan. The proposed location of the dwelling and associated amenity areas will have frontage on a public road (Summerville Line) and result in minimal loss of tillable land and complies with MDS I setbacks. The proposed dwelling location generally minimizes the loss and fragmentation of the tillable area, avoids regulated areas surrounding the municipal drain and will not preclude the balance of the parcel from being used for continued agricultural purposes. The proposed location is located in close proximity to existing non-farm rural residential development and as such the impact of the dwelling on future livestock operations for surrounding agricultural operations is minimized.

The applicants have proposed the building envelope offset from the west property line approximately 15.25 m (50 ft). While staff would prefer to have the building envelopes abut against existing property lines, the intent behind offset is to avoid the regulated setback from the municipal drain (Singer Drain). The by-law has been drafted to reflect the proposed envelope.

The draft zoning by-law contains provisions to ensure that the dwelling and associated accessory buildings, amenity space and area for the provision of private services are located as proposed in the application and restricted to a building envelope that does not exceed 0.4 ha (1 ac), in accordance with the policy objectives of the Official Plan.

As such, Planning staff are satisfied that the proposal to permit the dwelling is generally consistent with the Provincial Planning Statement and maintains the intent of the Official Plan regarding the development of undersized agricultural parcels. Planning staff are supportive of the application and recommend approval. An amending by-law has been prepared to outline the 0.4 ha building envelope and recognize the lot area of the subject lands.

RECOMMENDATIONS

It is recommended that the Council of the Township of Norwich approve the zone change application submitted by the Estate of Alfred Julius Mayorcsak, whereby the lands described as Part of Lot 7, Concession 11 (South Norwich), in the Township of Norwich are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-60)' to facilitate the construction of a single-detached dwelling on an undersized agricultural parcel.

SIGNATURES

Authored by: *"Original Signed by"*

Amy Hartley
Development Planner

Approved for submission: *"Original Signed by"*

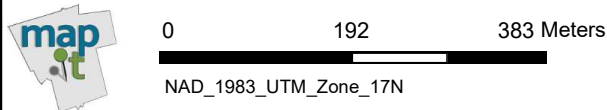
Eric Gilbert, RPP, MCIP
Manager of Development Planning



Legend

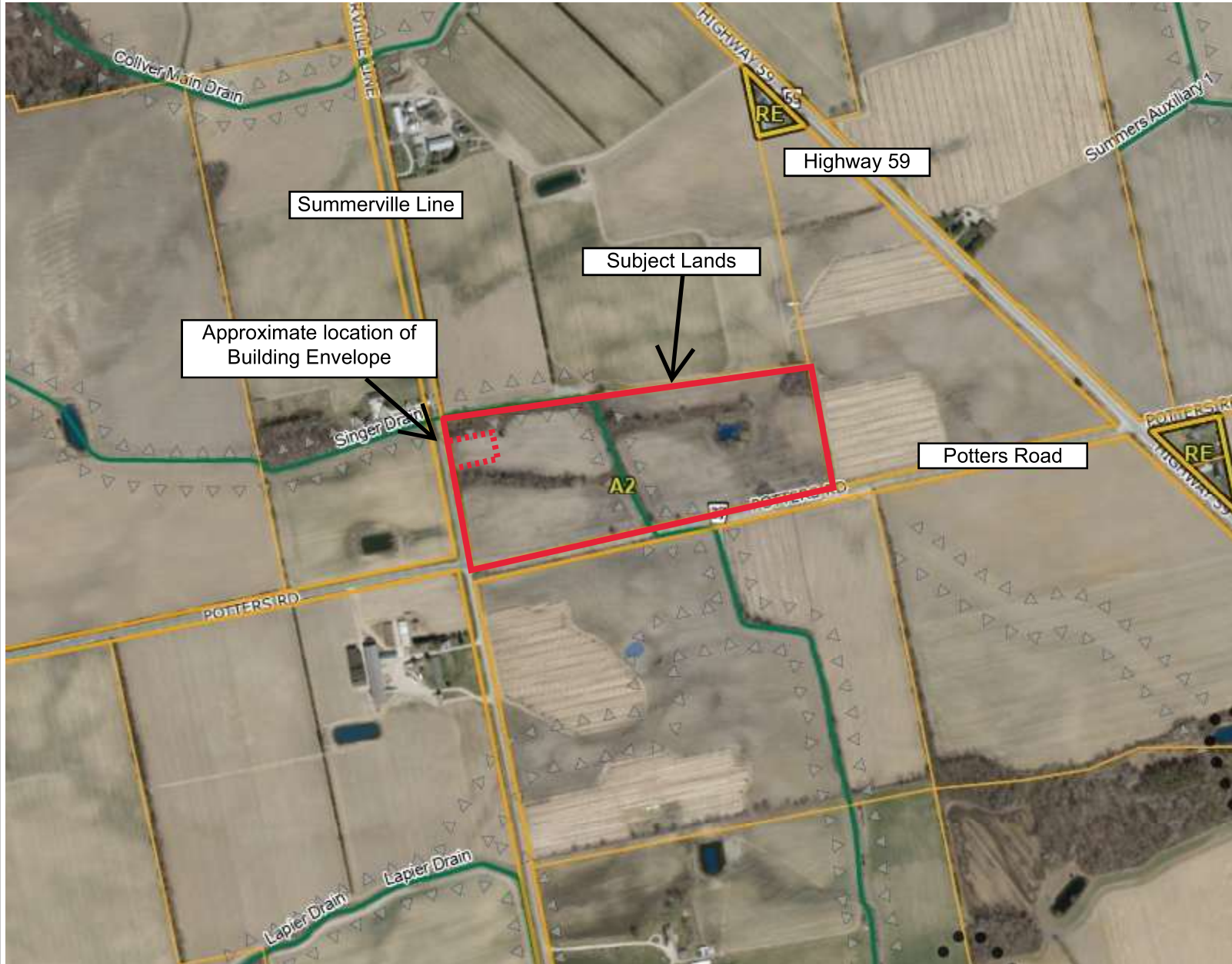
- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to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

Notes



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

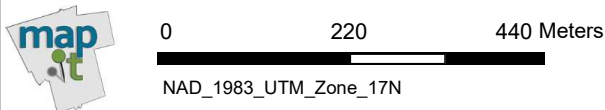
March 6, 2026



Legend

- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- 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)
- Constructed Drains**
 - Open or Unknown
 - Closed/Tiled

Notes



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

March 25, 2026

Plate 3: Applicant's Sketch
File No.: ZN 3-26-01 (Estate of Alfred Julius Mayorcsak)
Part of Lot 7, Concession 11 (South Norwich); PIN: 00049-0008, Township of Norwich

