

**To: Chair and Members of Oxford County Land Division Committee**  
**From: Spencer McDonald, Development Planner, Community Planning**

## **Application for Consent** **B25-55-5 – 2180475 Ontario Ltd.**

### **REPORT HIGHLIGHTS**

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- Application B25-55-5 proposes to create a new agricultural business lot, approximately 5,610 m<sup>2</sup> (1.38 ac) in area, while retaining a lot for similar (existing) uses, together with an access easement to reflect a proposed joint access from 37<sup>th</sup> Line.
- A previous application for consent, affecting the subject lands was made, and approved, in 2023, which recently lapsed as a result of not being finalized by the owner/applicant.
- Planning staff are recommending approval of the application, as it is consistent with the Provincial Planning Statement and maintain the intent and purpose of the Official Plan with respect to existing legal non-conforming development in prime agricultural areas.

### **DISCUSSION**

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#### **Background**

OWNER(S): 2180475 Ontario Inc. (Chris & Betsy Jasinski)  
375235 37<sup>th</sup> Line, Embro, ON, N0J 1J0

APPLICANT(S): Tyler & Elli Fallowfield  
963710 Road 96  
Embro, ON, N0J 1J0

LOCATION:

The subject lands are described as Part Lot 4, Concession 4 (West Zorra). The lands are located on the west side of 37<sup>th</sup> Line, between Highway 2 and Road 74 and are municipally known as 375235 37<sup>th</sup> Line.

COUNTY OF OXFORD OFFICIAL PLAN:

|                |                                    |                      |
|----------------|------------------------------------|----------------------|
| Schedule “Z-1” | Township of Zorra<br>Land Use Plan | Agricultural Reserve |
|----------------|------------------------------------|----------------------|

TOWNSHIP OF ZORRA ZONING BY-LAW 35-99:

|                  |                                   |
|------------------|-----------------------------------|
| Existing Zoning: | Special Agri-Business Zone (AB-8) |
| Proposed Zoning: | Special Agri-Business Zone (AB-8) |

EXISTING USE OF SUBJECT PROPERTY:

|                     |                                                                                                                                 |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Lots to be severed: | Vacant                                                                                                                          |
| Lot to be retained  | Existing AB use, consisting of 585.2 m <sup>2</sup> (6,300 ft <sup>2</sup> ) building currently utilized for an ATV dealership. |

PROPOSED USES:

|                     |                                                          |
|---------------------|----------------------------------------------------------|
| Lot to be retained: | ATV dealership recognized through zoning (no change)     |
| Lot to be severed:  | Greenhouse facilities (hoop houses) and landscaping uses |

SERVICES:

The retained lands are serviced with a private well and individually owned and operated septic system. There are no services for the lot to be severed at this time.

ACCESS:

Lots to be severed and retained: Paved, County Road (37<sup>th</sup> Line)

PROPOSAL:

The application for consent proposes the creation of one new Agri-Business lot and the retention of a lot for similar ("AB") use. The lot to be severed and the lot to be retained each comprise approximately 5,610 m<sup>2</sup> (1.38 ac). It is proposed that the lot to be severed (currently vacant) will be used for greenhouse / hoop houses and a landscaping business. The applicant has also indicated that they intend to construct a single-detached dwelling be established on the lot to be severed, together with the landscaping operation.

The lot to be retained is approximately 5,610 m<sup>2</sup> (1.38 ac) in area and will contain an existing warehouse building (currently occupied by an ATV dealership) comprising approximately 585.2 m<sup>2</sup> (6,300 ft<sup>2</sup>).

An access easement has also been requested for the severed lands, over the lot to be retained, to permit the lot to be severed to use the existing driveway access to 37<sup>th</sup> Line on the lot to be retained.

The lot to be severed and the lot to be retained will each have frontage on a County road (37<sup>th</sup> Line), with the existing driveway proposed to serve both the severed and retained lots.

|          | <u>Severed Lot</u>             | <u>Retained Lot</u>            |
|----------|--------------------------------|--------------------------------|
| Area     | 5,610 m <sup>2</sup> (1.38 ac) | 5,610 m <sup>2</sup> (1.38 ac) |
| Frontage | 66 m (216.5 ft)                | 66 m (216.5 ft)                |
| Depth    | 85 m (279 ft)                  | 85 m (279 ft)                  |

Surrounding land uses include a variety of agricultural, agri-business, existing residential and industrial (aggregate) operations all in close proximity to the subject lands.

Plate 1, Location Map and Existing Zoning, shows the location of the subject lands and the existing zoning in the immediate vicinity.

Plate 2, Aerial Map (2020), provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicant's Sketch, shows the location of existing buildings on the subject lands and the approximate configuration and dimensions of both the lots to be severed and the lot to be retained.

## **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 is not intended to be an exhaustive list.

In Oxford County, all lands located outside of designated settlement areas are considered to be a prime agriculture area, with the applicable policies for such areas primarily contained in Section 4.3. of the PPS.

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.

Section 4.3.2 (Permitted Uses) of the PPS permits agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance. Permitted uses within prime agricultural areas shall be compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses may be based on Provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives

According to the PPS, agriculture-related uses are farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Proposed agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

**OFFICIAL PLAN:**

The subject lands are located within the Agricultural Reserve designation according to the Township of Zorra Land Use Plan, as contained in the Official Plan. In the Agricultural Reserve designation, lands are to be developed for a wide variety of agricultural land uses, including general farming, animal or poultry operations, regulated livestock farms, cash crop farms and specialty crop farms, together with associated farm buildings and structures required for the farm. Within the Agricultural Reserve designation, residential uses are also permitted as accessory to the farming operation and shall be permitted only as part of the farm.

Section 3.1.5 of the Official Plan provides policies for non-agricultural uses in the Agricultural Reserve designation. It is an objective of the Official Plan to permit expanded or new non-agricultural uses only where such uses do not conflict with the goal for agricultural policies and to ensure that non-agricultural uses remain clearly secondary to the principal function of food and fibre production in these areas. It is further an objective of the Official Plan to direct non-agricultural uses to designated settlements as a first priority.

In order to maintain the agricultural land resources for agricultural and related uses and to ensure that new commercial, industrial and institutional uses develop on appropriate levels of services, new non-agricultural uses will not be permitted within the Agricultural Reserve designation.

Notwithstanding the foregoing, Section 3.1.5.6 directs that non-agricultural commercial, industrial or institutional uses recognized by existing zoning on the date of the adoption of the Official Plan (May 25, 2022) which are located in the Agricultural Reserve designation will be considered as permitted uses and Area Councils may permit minor expansion or minor change in use, provided the following can be met;

- Existing or proposed water supply and on-site sewage facilities, surface drainage and road access are adequate or will be adequate to serve the proposed development;
- The proposal will be compatible with existing land uses in the vicinity in terms of noise, odour, emissions, vehicular traffic and visual intrusion, and will be required to satisfy the Minimum Distance Separation formula.

Section 3.1.5.6.1 provides development criteria for minor expansion or minor change to existing non-agricultural uses. Among the criteria, site servicing, access, drainage, overall compatibility are highlighted. Further, the policy direction states that site plan approval will be required to ensure land use compatibility considerations.

Section 10.3.5 – Zoning By-Laws and Non-Conforming Uses, provides that non-conforming uses are legally established uses that do not conform to the current land use designations, policies, requirements or zones of the Official Plan and/or Zoning By-Law.

For uses recognized by existing zoning, but that do not conform to this Plan, Areas Councils may permit minor expansion or change in use and the Land Division Committee may consider the granting of consents for existing uses to permit the expansion of the use or readjustment of property boundaries provided that:

- Existing or proposed services including water supply, sewage facilities, stormwater management and road access are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area Council and/or County Council.
- On-site sewage and water facilities shall satisfy the requirements of the County and the Board of Health and the policies of Section 3.2, Environmental Resource Policies and Chapter 4, Growth Management relating to water quality and quantity, as appropriate.
- Parking and loading facilities are adequate or will be made adequate to serve the proposed development to the satisfaction of the Area Council.
- The proposal will be compatible with existing land uses in the vicinity in terms of noise, odour, emissions, vehicular traffic, and visual intrusion and may be required to include measures that reduce nuisances, protect adjacent properties, and improve compatibility of the use with the surrounding area. Proposals may be subject to site plan control to ensure land use compatibility.
- Proposals shall comply with the policies of Section 3.2, Environmental Resource Policies.
- The Land Division Committee may attach such conditions as it deems appropriate to the approval of a development application associated with an existing recognized use.

TOWNSHIP OF ZORRA ZONING BY-LAW:

The subject lands are currently zoned 'Special Agri-Business Zone (AB-8)' in the Township of Zorra Zoning By-law, which permits a wide variety of uses including a service shop, a contractor's yard and a landscaping business. The 'AB-8' zone requires a minimum lot area of 0.4 ha (1 ac)

and a minimum lot frontage of 45 m (216.5 ft). Both the lot to be severed and the lot to be retained appear to meet all relevant provisions of the Zoning By-law.

The lot to be retained is proposed to remain in the 'Special Agri-Business Zone (AB-8)' as no new development is being contemplated at this time. The 'AB-8' zone requires a minimum lot frontage of 45 m (216.5 ft), minimum lot depth of 60 m (196.9 ft) and minimum lot area of 0.4 ha (1 ac).

AGENCY COMMENTS:

Township of Zorra Chief Building Official / Drainage Superintendent has commented that the 2023 application for consent satisfied the conditions associated with the proposal at that time. Any additional requirements will be identified through a future site plan application as the lot proposed to be severed is developed.

Township of Zorra Public Services Department has indicated they have no objection to the application. Detailed comments on each development will be provided at the site plan approval stage. The Township will not assume responsibility for any stormwater management facility on the site should one be required.

Oxford County Public Works Department provided comments indicating no objection to the proposal.

PUBLIC CONSULTATION:

Notice of the consent application was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on November 20, 2025. At the time of writing this report, no comments or concerns had been received from the public.

## **Planning Analysis**

The application for consent, which proposes to create one (1) new lot for agri-business purposes, while retaining a lot for similar purposes, has been reviewed under the policy direction of the Provincial Planning Statement and the Official Plan.

Section 4.3.3 of the PPS provides direction for lot creation and lot adjustments in prime agricultural areas and indicates that agricultural-related uses will be limited to a minimum size needed to accommodate the use and appropriate range of sewage and water services. Considering the proposed consent will facilitate the creation of a new 'AB' lot from the limits of the existing 'AB' lot and is not proposed to expand any limit of lands currently zoned for 'AB' uses, Planning staff consider the proposed consent consistent with the PPS.

For uses recognized by existing zoning, but that do not conform to the Official Plan, Section 10.3.5 of the Official Plan provides that the Land Division Committee may consider the granting of consents for existing uses to permit the expansion of the use or readjustment of property boundaries provided that a number of policy criteria relating to land use compatibility are addressed. Planning staff are of the opinion that the proposal satisfies the policy criterion, and, in this instance, the new lot creation can be considered appropriate. The proposed new lot can

accommodate required private on-site servicing, stormwater management, parking and open space. As previously identified, the proposed new lot is surrounded by existing agri-business lots, agricultural lands, industrial uses and aggregate operations and is not anticipated to have any negative impact on these, or any other properties in the immediate vicinity.

Respecting compatibility, it is anticipated that both the subject application will facilitate future agri-business uses (currently recognized by zoning) that will compliment the surrounding area and not interfere with the broader agricultural community. Details such as signage, lighting, drainage, building placement and parking will be addressed via site plan approval once development plans are advanced by the applicant.

A condition to address the proposed access easement has been included as a recommended condition, as it is understood that the access will be utilized to service both the severed and retained lands. The accommodation of this request is not anticipated to create any negative impacts on the proposed or existing uses.

In light of the foregoing, it is the opinion of this Office that the proposal, which will facilitate the creation of a new lot for agri-business purposes is generally consistent with the policies of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan. As such, Planning staff are satisfied that the proposal can be supported from a planning perspective, subject to the recommended conditions.

## **RECOMMENDATIONS**

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**Whereas the application for consent is consistent with the 2024 Provincial Planning Statement and conforms with the County of Oxford Official Plan and is appropriately zoned. we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:**

- 1. The Owner shall be required to provide an easement for the purpose of driveway access to be established over the lot to be retained in favour of the lot to be severed and that an easement agreement be established and registered on first title, containing appropriate provisions for the maintenance of the shared access laneway, to the satisfaction of the Secretary-Treasurer of the Land Division Committee and the County of Oxford Public Works Department.**
- 2. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.**

## **SIGNATURES**

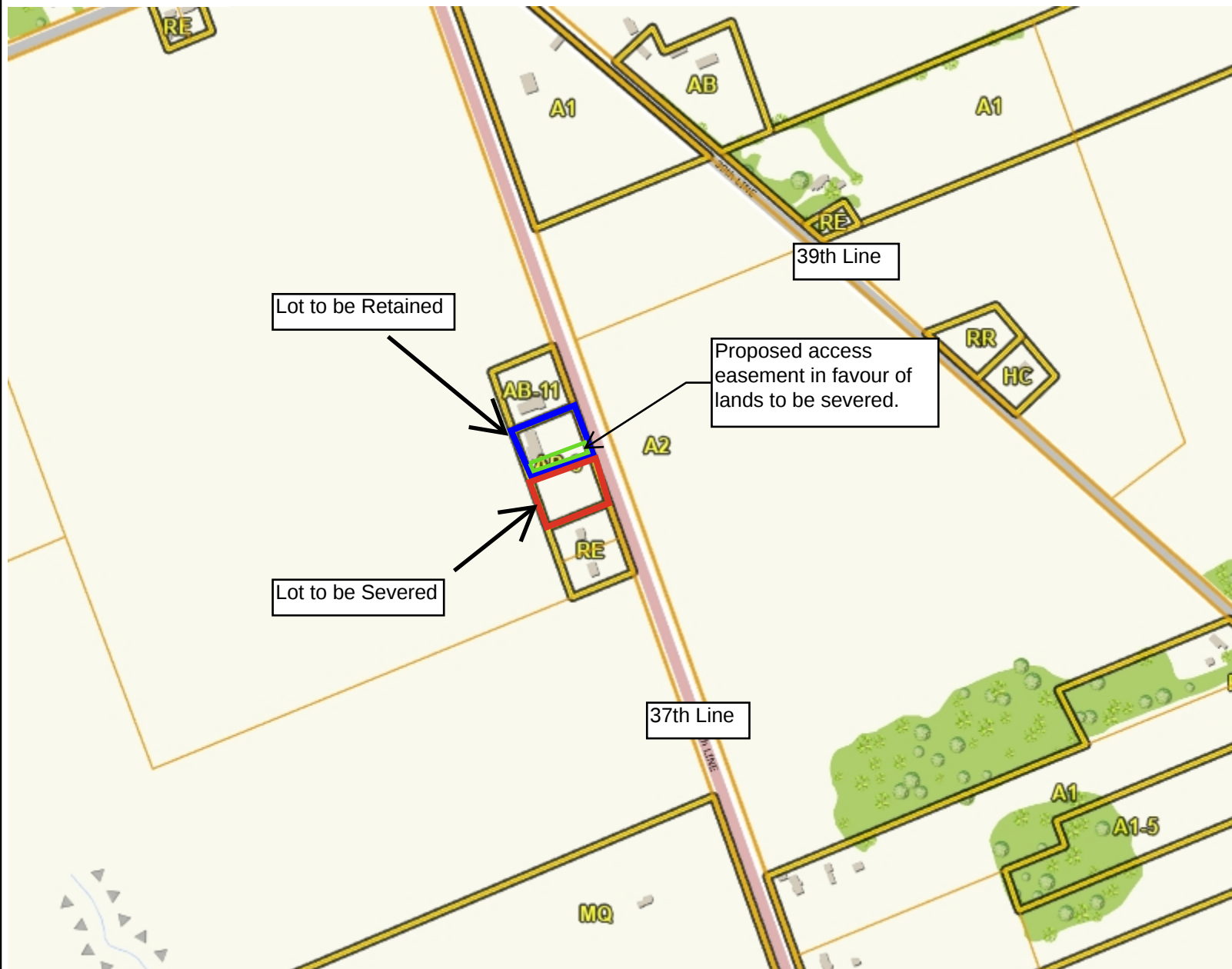
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**Authored by:** Original Signed By

Spencer McDonald, MCIP, RPP  
Development Planner

**Approved for submission:** Original Signed By

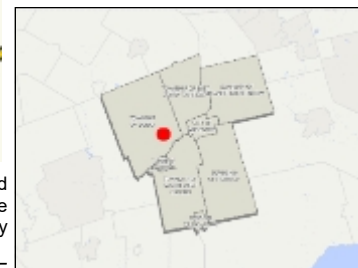
Eric Gilbert, MCIP, RPP  
Manager of Development Planning



## Legend

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

## Notes



0 192 383 Meters

NAD\_1983\_UTM\_Zone\_17N



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

October 30, 2025



## Legend

- Parcel Lines**
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  - Assessment Boundary
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  - Municipal Boundary
- Zoning Floodlines**
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## Notes



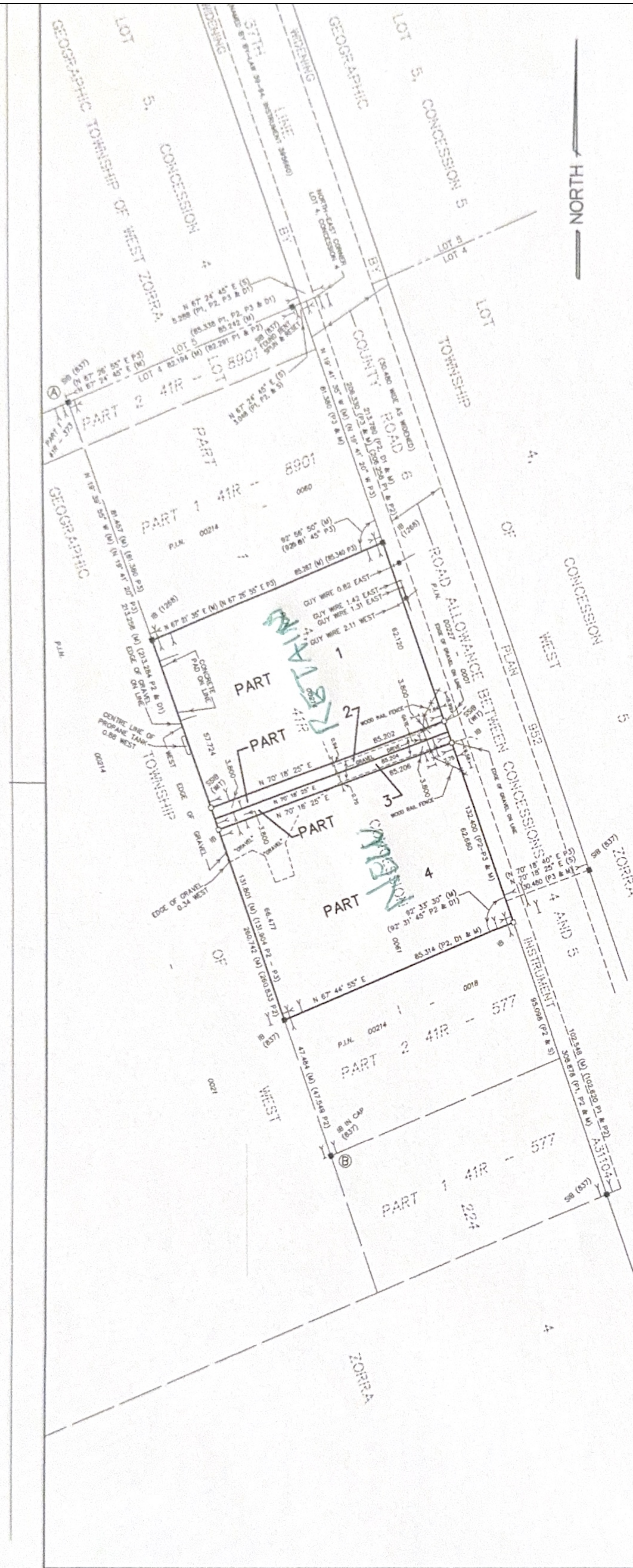
0 96 192 Meters

NAD\_1983\_UTM\_Zone\_17N



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October 30, 2025



1. REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE DECEMBER 15, 2023

PLAN 41R-10609

RECEIVED AND DEPOSITED

DATE 2024/01/10

Latoya Coleman

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ONTARIO (S.N. 40)

| PART | LOT        | CONCESSION | P.I.N.             | AREA          |
|------|------------|------------|--------------------|---------------|
| 1    | PART OF #4 | 4          | PART OF 00214-0081 | 0.51 HECTARES |
| 2    | PART OF #4 | 4          | PART OF 00214-0081 | 0.03 HECTARES |
| 3    | PART OF #4 | 4          | PART OF 00214-0081 | 0.03 HECTARES |
| 4    | PART OF #4 | 4          | PART OF 00214-0081 | 0.55 HECTARES |

PARTS 1, 2, 3, & 4 COMPRISE ALL OF P.I.N. 00214-0081

**PLAN OF SURVEY OF  
PART OF LOT 4  
CONCESSION 4  
GEOGRAPHIC TOWNSHIP OF WEST ZORRA  
TOWNSHIP OF ZORRA  
COUNTY OF OXFORD**

SCALE - 1: 750

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

KIM HUSTED SURVEYING LTD.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT

(1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM

(2) - THIS SURVEY WAS COMPLETED ON THE 13th DAY OF DECEMBER, 2023

DECEMBER 15, 2023  
DATE

KIM HUSTED  
ONTOARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-455996.

| POINT | NORTHING    | EASTING    |
|-------|-------------|------------|
| A     | 4773894.128 | 509464.415 |
| B     | 4773648.702 | 509552.122 |

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

**NOTES**

(1) - BEARINGS ARE GRID, DERIVED ON GPS OBSERVATIONS ON MONUMENTS "A" AND "B" SHOWN HEREON HAVING A GRID BEARING OF N 19° 39' 55" W G.T.M. ZONE 17, NAD83 (CSRS)

(2) - TO CONVERT (P1), (P2) & (P3) BEARINGS TO GRID BEARINGS  
- ADD 00° 00' 35" TO THE NORTHWEST BEARINGS  
- SUBTRACT 00° 00' 35" FROM THE NORTHEAST BEARINGS

(3) - DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.999520651

**LEGEND**

|        |         |                                    |
|--------|---------|------------------------------------|
| ■      | DENOTES | SURVEY MONUMENT FOUND              |
| □      | DENOTES | SURVEY MONUMENT SET                |
| SB     | DENOTES | STANDARD IRON BAR                  |
| IB     | DENOTES | IRON BAR                           |
| RB     | DENOTES | ROUND IRON BAR                     |
| CM     | DENOTES | CONCRETE MONUMENT                  |
| (WIT.) | DENOTES | WITNESS                            |
| (P1)   | DENOTES | DEPOSITED PLAN 41R-224             |
| (P2)   | DENOTES | DEPOSITED PLAN 41R-577             |
| (P3)   | DENOTES | DEPOSITED PLAN 41R-8901            |
| (D1)   | DENOTES | INSTRUMENT 503685, PLAN 00214-0081 |
| (B37)  | DENOTES | W.A. BAKER O.L.S.                  |
| (L268) | DENOTES | T. BROOKS O.L.S.                   |
| (P)    | DENOTES | HEADLAMP                           |
| (S)    | DENOTES | SET                                |
| P.I.N. | DENOTES | PROPERTY IDENTIFIER NUMBER         |
| ●      | DENOTES | UTILITY POLE                       |
| —      | DENOTES | GUY WIRE                           |

**KIM HUSTED SURVEYING LTD.**  
ONTARIO LAND SURVEYOR  
30 HARVEY STREET, TILLSBURG ONTARIO, N4G 3J8  
PHONE: 519-842-3638 FAX: 519-842-3639

|                   |                                                 |                                  |
|-------------------|-------------------------------------------------|----------------------------------|
| PROJECT: 23-19033 | 2180475 ONTARIO INC.<br>375235 37th LINE, ENBRD | REP: DWS, SES<br>FFB<br>CXL, JCO |
|-------------------|-------------------------------------------------|----------------------------------|

From: Chris Jasinski Chris@cjasin.ca  
Subject: Hammerhead  
Date: Aug 25, 2025 at 8:03:48 AM  
To: Betsy Jasinski betsyjasinski@me.com

