

To: Mayor and Members of Township of East Zorra-Tavistock Council

From: Dustin Robson, Development Planner, Community Planning

Application for Zone Change

ZN 2-25-09 – Mckay

REPORT HIGHLIGHTS

- The zone change application proposes to rezone the retained lot resulting from consent application B25-78-2 from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp).' A special provision is being proposed to permit a reduced minimum lot frontage.
- The related consent application, B25-78-2, was approved by the Oxford County Land Division Committee on April 2, 2026. The subject zone change application is required to fulfill a condition of the consent.
- Planning staff are recommending that the application be approved as it is consistent with the Provincial Planning Statement and maintains the intent and purpose of the Official Plan with respect to farm consolidations and non-farm rural residential development in prime agricultural areas.

DISCUSSION

BACKGROUND

OWNERS:

Tyler and Andrea Mckay
615899 13th Line, Woodstock, ON N4S 7W1

LOCATION:

The subject lands are described as East ½ Lot 15, Concession 12 (East Zorra) Lying East of Part 7, Oxford Road 19. The lands are located at the southwest corner of the 13th Line and Braemar Sideroad intersection. The subject lands are currently municipally addressed as 615899 13th Line.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule "E-1"

Township of East Zorra-Tavistock
Land Use Plan

'Agricultural Reserve'

TOWNSHIP OF EAST ZORRA-TAVISTOCK ZONING BY-LAW 2003-18:

Lot to be Severed:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'General Agricultural Zone (A2)'

Lot to be Retained:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'Special Rural Residential Zone (RR-sp)'

PROPOSAL:

The zone change application proposes to rezone the retained lot resulting from consent application B25-78-2 from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp).' A special provision is being requested to permit a reduced lot frontage of 12.1 m (40 ft) rather than the required 35 m (114.8 ft) lot frontage.

The related consent application, B25-78-2, was approved by the Oxford County Land Division Committee on April 2, 2026. The subject zone change application is required to fulfill a condition of the related consent.

The application for consent proposed a farm consolidation and the retention of a lot for non-farm rural residential use. The lot to be severed comprises approximately 25.4 ha (63 ac), contains an agricultural storage building and a former chicken barn that will be converted into an agricultural storage building, and is in agricultural production. It is proposed that the lot to be severed will be added to the agricultural lot to the immediate south. The lot to be enlarged is approximately 39.6 ha (98 ac) in area, currently contains a livestock (hog) barn and a shed, and is currently in agricultural production. Once merged, the lot to be severed and the lot to be enlarged will result in an agricultural parcel size of approximately 65 ha (160.5 ac), with approximately 1,566.6 m (5,140 ft) of frontage between Braemar Sideroad and the 13th Line.

It is proposed that the lot to be retained will be 0.8 ha (2 ac) in area with approximately 12.1 m (40 ft.) of frontage on the 13th Line. The lot to be retained contains an existing single detached dwelling (circ. 1870) and an accessory building.

An easement is being proposed over the driveway of the lot to be retained. The purpose of the easement is to permit access for the Owner of the lot to be enlarged for the farm storage buildings proposed to remain on the lot to be severed. The proposed easement would be approximately 12.1 m (40 ft) by 227.6 m (747 ft) according to the provided site plan and will generally cover the area of the existing driveway.

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) with Existing Zoning, provides an aerial view of the subject lands and immediate vicinity.

Plate 3, Aerial Map (2020) with Existing Zoning - Zoomed In, provides an aerial view of the subject lands and immediate vicinity as well as the approximate location of the proposed easement.

Plate 4, Applicants' Sketch, depicts the proposed configuration of the lots to be severed, enlarged, and retained, along with the location of existing buildings and structures, as provided by the applicants.

Plate 5, Applicants' Sketch – Lot to be Retained, depicts the zoomed in configuration of the lot to be retained, along with the location of existing buildings and structures, as provided by the applicants.

APPLICATION REVIEW

2024 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on October 20, 2024. In respect of the exercise of any authority that affects a planning matter, section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Section 4.3 (Agriculture) of the PPS directs that prime agricultural areas shall be protected for long term agricultural use.

Further, Section 4.3.3 (Lot Creation and Lot Adjustments) discourages the creation of new lots in prime agricultural areas and provides only four instances where such lot creation may be permitted, as summarized below:

- for agricultural uses, provided the lots are of a sufficient size for the type of production common in the area and are sufficiently large enough to maintain flexibility in adapting the operation in the future;
- for agricultural-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
- infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights of way.

The policies of the PPS also direct that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons, which are defined to mean consents for the purpose of easements, corrections of deeds, quit claims and minor boundary adjustments that do not result in the creation of a new lot.

OFFICIAL PLAN

The subject lands are located within the 'Agricultural Reserve' designation according to the Township of East Zorra-Tavistock Land Use Plan in the Official Plan.

According to Section 3.1.1, the goal of the Agricultural Reserve policies is to ensure prime agricultural lands are preserved for food and fibre production by avoiding the fragmentation of the land base, by minimizing conflict between agricultural and non-agricultural uses, and by supporting the needs of the agricultural community by permitting land uses which are complementary to, and supportive of, agriculture.

The goal of the Agricultural Reserve designation is to minimize conflict with farm operations and non-farm uses, including commercial, industrial, and residential. Further, a strategic aim of the Agricultural Reserve policies is to prevent situations of land use conflict in the agricultural designations by careful management of non-farm uses, including rural residential development, recreational uses, commercial and industrial uses, and aggregate resource extraction.

The policies of Section 3.1.5.3 (Creation of Rural Residential Lots) permit the consideration of non-farm rural residential lots in the following circumstances:

- i) A proposal to rezone an existing industrial (with the exception of aggregate or limestone industrial), commercial, or institutionally zoned lot to a residential use, provided such lot does not exceed 1 ha (2.5 acre) in area. Where such lot is larger than 1 ha (2.5 acre) in area, consideration may only be given to rezoning for agricultural use, in accordance with the policies of Section 3.1.5.1; or,
- ii) A proposal to create a lot for a residence surplus to a farming operation as a result of farm consolidation, provided that:
 - a) The proposal is to retain an existing permanent, habitable dwelling that was constructed prior to December 13, 1995, where such dwelling is contained on an agricultural lot that is to be legally consolidated with an abutting agricultural lot, to form one larger agricultural lot under identical ownership, or;
 - b) The proposal is to retain an existing permanent, habitable dwelling, where the farm owner owns multiple agricultural lots which may or may not abut, and providing:
 - The lot containing the surplus dwelling proposed to be severed contains a minimum of 2 existing dwellings, and all such dwellings were constructed prior to December 13, 1995;
 - The resulting agricultural lot is owned by the farm owner; and,
 - The resulting agricultural lot is rezoned to prohibit the future construction of a new residential dwelling of any type and an agreement for such prohibition is also registered on the property title. The requirement for the Zoning By-law amendment and agreement, as noted above, shall be implemented through conditions imposed by the County's Land Division Committee at the time that provisional consent approval is given.

If the proposal to create a non-farm rural residential lot qualifies under one of the listed scenarios above, then the proposal shall be reviewed against the following criteria:

- The proposal shall not result in the severance of the only dwelling from an agricultural lot, except in the case of a farm consolidation involving the merger of abutting agricultural lots as one larger lot under identical ownership, where one of the agricultural lots to be consolidated is vacant, but the existing zoning would permit the construction of an accessory dwelling on that lot.
- The lands shall be zoned for agricultural use.
- The proposed non-farm rural residential lot shall not be located within a Quarry Area, Limestone Resources, or Sand and Gravel Resource Area.
- The proposed non-farm rural residential lot shall not be located within a Future Urban Growth Area designation.

- The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with Section 3.1.5.3, which permits a lot for a surplus residence subject to the area of the new lot being limited to a minimum size needed to accommodate the uses and appropriate sewage and water services. Non-farm rural residential lots shall generally not exceed 0.8 ha (2 ac) in size. Proposals to exceed 0.8 ha (2 ac) shall demonstrate the following:
 - The additional area is required to accommodate individual on-site water services and individual on-site sewage services;
 - The lands have topographic limitations for agricultural use;
 - The lands are physically separated from the remainder of the farm by significant natural heritage features/watercourses;
 - The additional area is required to conserve cultural heritage resources;
 - Proposed lots will not exceed 1 ha (2.5 ac) in size;
- The proposal can demonstrate the ability to provide adequate on-site private services.
- Compliance with Minimum Distance Separation formulae (MDS);
- The proposed non-farm rural residential lot shall have direct frontage on a permanent public road maintained year-round and receives approval for access through the appropriate road authority;
- Compliance with relevant Environmental Resource policies;
- Any enlarged agricultural lot that would result from a proposal for non-farm rural residential development through farm consolidation shall comply with the applicable policies of Section 3.1.4.2.4;
- The proposed non-farm rural residential lot may only contain an existing barn or other farm structures where they are suitable to be used as accessory structures to a residential use and have been formally converted such that they are no longer suitable for the housing of livestock or poultry or storage/handling of manure, and/or are protected pursuant to the Ontario Heritage Act; and,
- Where a barn or other farm structure exists within the immediate vicinity of a non-farm rural residential lot to be created through a farm consolidation, the demolition or formal conversion of such structure shall be required, to ensure it cannot be used for the housing of livestock or poultry or storage/handling of manure in the future.

Pursuant to Section 3.1.6, consents for severance involving agricultural uses and non-agricultural uses, including rural residential uses, may be considered for the following legal or technical reasons:

- To create or alter any private easement or right-of-way;
- To correct or confirm valid title for an agricultural lot which is held in distinct and separate ownership;
- To make minor adjustments to the boundaries between abutting lots to conform to existing patterns of exclusive use and occupancy, or to rectify problems created by the encroachment of buildings, structures, individual on-site water services and individual on-site sewage services on abutting lots; or,
- To permit the severance of non-farm rural residential zoned lands, where they will be legally consolidated with an abutting agricultural lot to form one lot under identical ownership and rezoned for agricultural purposes.

ZONING BY-LAW

The subject lands are currently zoned 'General Agricultural Zone (A2)' in the Township of East Zorra-Tavistock Zoning By-Law. The 'A2' zone permits a variety of agricultural uses, including a farm, a regulated farm, and a single detached dwelling if accessory to a farm or a regulated farm.

The 'A2' zone requires a minimum lot area of 30 ha (74.1 ac) and a minimum lot frontage of 100 m (328.1 ft). Once merged, the newly enlarged lot will be approximately 65 ha (160.5 ac) with approximately 1,566.6 m (5,140 ft) of frontage between Braemar Sideroad and the 13th Line.

The lot to be enlarged is currently zoned 'Special General Agricultural Zone (A2-21). In 2023, the lot to be enlarged was rezoned from A2 to A2-21 (ZN2-23-2) in order to include a special provision that reduced the required Minimum Distance Separation II (MDS II) setback for a proposed hog barn expansion. The special provision reduced the required MDS II setback to both Type A Uses (single detached dwellings) and Type B Uses (golf course).

The lot to be retained is proposed to be used for non-farm rural residential purposes and will be required to be rezoned to recognize the use of the lands as such. The 'Rural Residential Zone (RR)' requires a minimum lot area of 2,800 m² (30,139 ft²), a minimum lot frontage of 35 m (114.8 ft), and a minimum lot depth of 80 m (262.5 ft). The lot to be retained is proposed to have an area of 0.8 ha (2 ac) and lot frontage of approximately 12.1 m (40 ft) on the 13th line. A special provision would be required to permit the proposed minimum lot frontage of 12.1 m (40 ft).

AGENCY COMMENTS

The Township Director of Public Works has indicated no concerns but did advise that if any alterations to the driveway within the municipal right-of-way are planned that they must meet the Township Entrance Policy and be approved by the Township Public Works Department.

The Township Chief Building Official has advised of the following comments:

- Surveyors Real Property Report for the residential portion of the lot;
- Sight Triangle (7 m x 7 m) to be dedicated to the Township;
- Existing pad to the south of the residential lot to be cut back to the satisfaction of the Township;
- Access easement to be registered on title;
- Converting existing poultry barn to non-animal housing; and,
- Owner to ensure hydro does not extend across property lines to livestock facility

The Township Fire Chief, the Upper Thames River Conservation Authority (UTRCA), Bell Canada, Southwestern Public Health, Hydro One, and Canada Post have indicated no concerns with the proposal.

PUBLIC CONSULTATION

Notice of complete application and notice of the public meeting for the proposal was circulated to neighbouring landowners on January 28, 2026 and April 16, 2026, respectively, in accordance with the requirements of the Planning Act. As of the date of this report, no comments or concerns had been received from the public.

Planning Analysis

The subject zone change application and the associated application for consent, which proposes the severance of agricultural lands and the retention of a lot for non-farm rural residential use, containing an existing dwelling, have been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the Official Plan.

It is proposed that approximately 25.4 ha (63 ac) of agricultural land will be severed and merged with the existing farm parcel to the immediate south, which is approximately 39.6 ha (98 ac) in area, for a total farm parcel size of approximately 65 ha (160.5 ac). The resulting agricultural lot size and configuration is consistent with the PPS direction of maintaining farm parcels of adequate size to adapt to changing agricultural conditions.

The retained parcel will be approximately 0.8 ha (2 ac) in area and will be used for non-farm rural residential purposes. As previously outlined, the creation of a lot for a surplus residence is permitted as part of a farm consolidation subject to the area of the new lot being limited to a minimum size needed to accommodate the uses and appropriate sewage and water services. Given the lot size, staff are generally satisfied that the proposal is consistent with the policies of the PPS regarding non-farm rural residential uses and lot creation in prime agricultural areas.

The subject zone change application proposes to rezone the lot to be retained from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp)' to recognize its proposed use as a non-farm rural residential lot. A special provision is being requested to permit a reduced minimum lot frontage of 12.1 m (40 ft). In the opinion of staff, the developed area of the lot is sufficient to accommodate the necessary private servicing, off-street parking, and amenity space. Further, the proposal has been reviewed by the Township Fire Chief who has not indicated any concern with the proposed 12.1 m (40 ft) frontage when it comes to access to the site for the Township fire apparatuses. As such, staff are satisfied that the proposed frontage is appropriate in this instance.

In light of the foregoing, it is the opinion of this Office that the proposal is consistent with the policies of the PPS and maintains the intent of the Official Plan and Planning staff recommend that the subject zone change application be approved-in-principle.

The proposed amending zoning by-law will be brought forward for Council's consideration once the associated reference plan has been received to generate the appropriate by-law schedules.

RECOMMENDATIONS

It is recommended that the Council of the Township of East Zorra-Tavistock approve-in-principle the zone change application submitted by Tyler and Andrea McKay (File No. ZN 2-25-09) whereby the lands described as East ½ Lot 15, Concession 12 (East Zorra) Lying East of Part 7, Oxford Road 19, Township of East Zorra-Tavistock are to be partially rezoned from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp).'

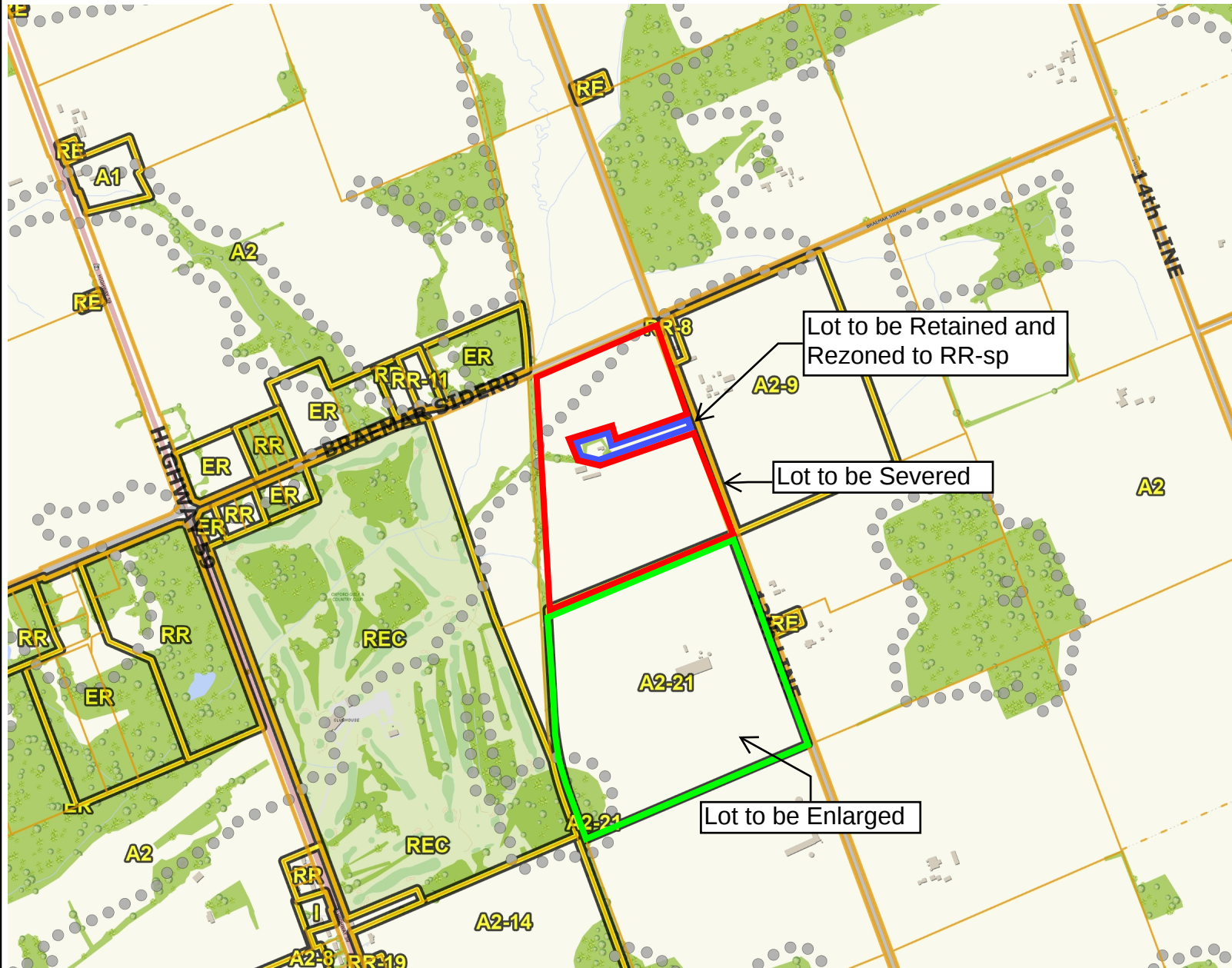
SIGNATURES

Authored by: Original Signed By

Dustin Robson, MCIP, RPP
Development Planner

Approved for submission: Original Signed By

Eric Gilbert, MCIP, RPP
Manager of Development Planning



Legend

Parcel Lines

- Municipal Boundary
- Property Boundary
- - - Assessment Boundary
- Road
- Unit

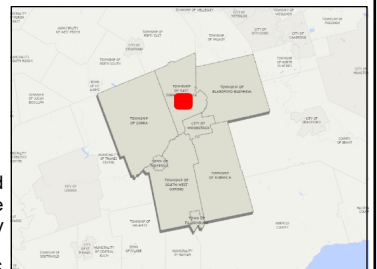
Zoning Floodlines

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



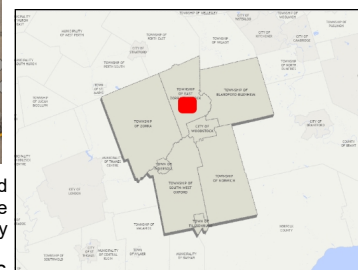
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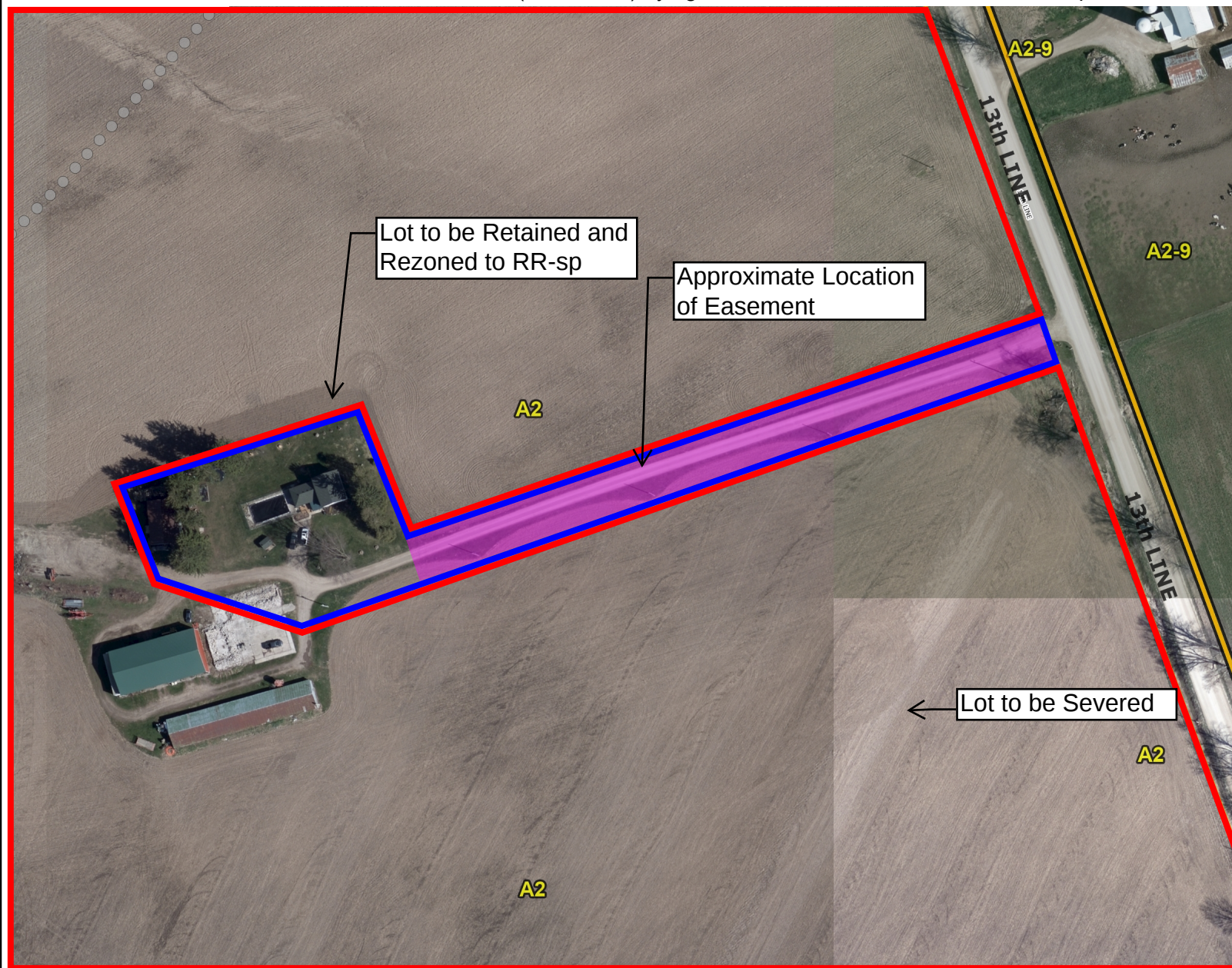
NAD_1983_UTM_Zone_17N



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

January 27, 2026





Legend

Parcel Lines

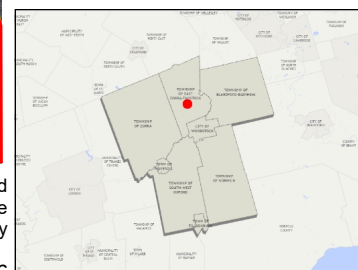
- Municipal Boundary
- Property Boundary
- - - Assessment Boundary
- Road
- Unit

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)

Notes



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NAD_1983_UTM_Zone_17N



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February 27, 2026

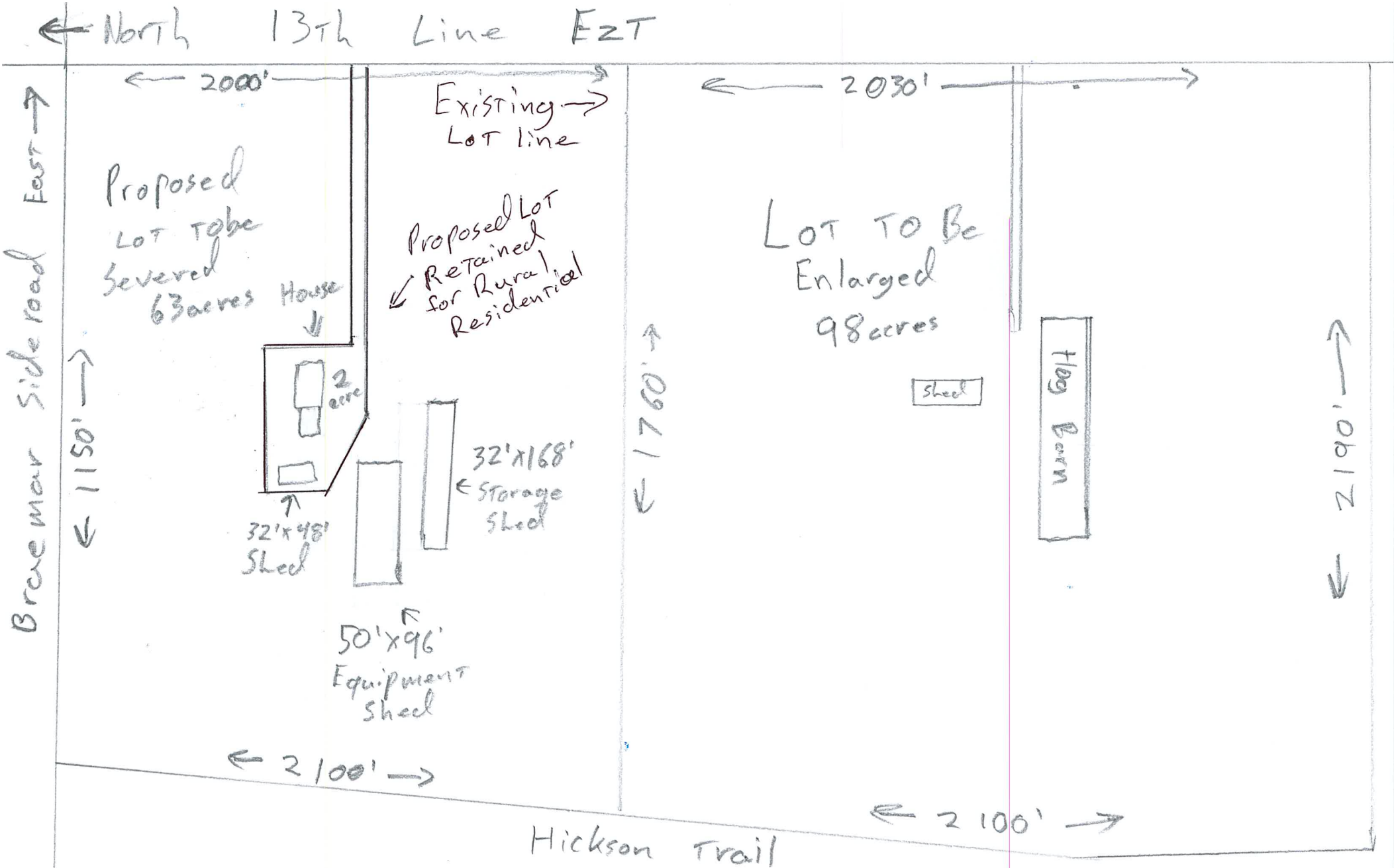


Plate 4: Applicants' Sketch

File No. B25-78-2 and ZN 2-25-09 (Mckay)

E 1/2 Lot 15, Concession 12 (East Zorra) Lying E of Part 7, Oxford Road 19, Township of East Zorra-Tavistock - 615899 13th Line

← North 13th Line E2T

Proposed Lot
To be Retained

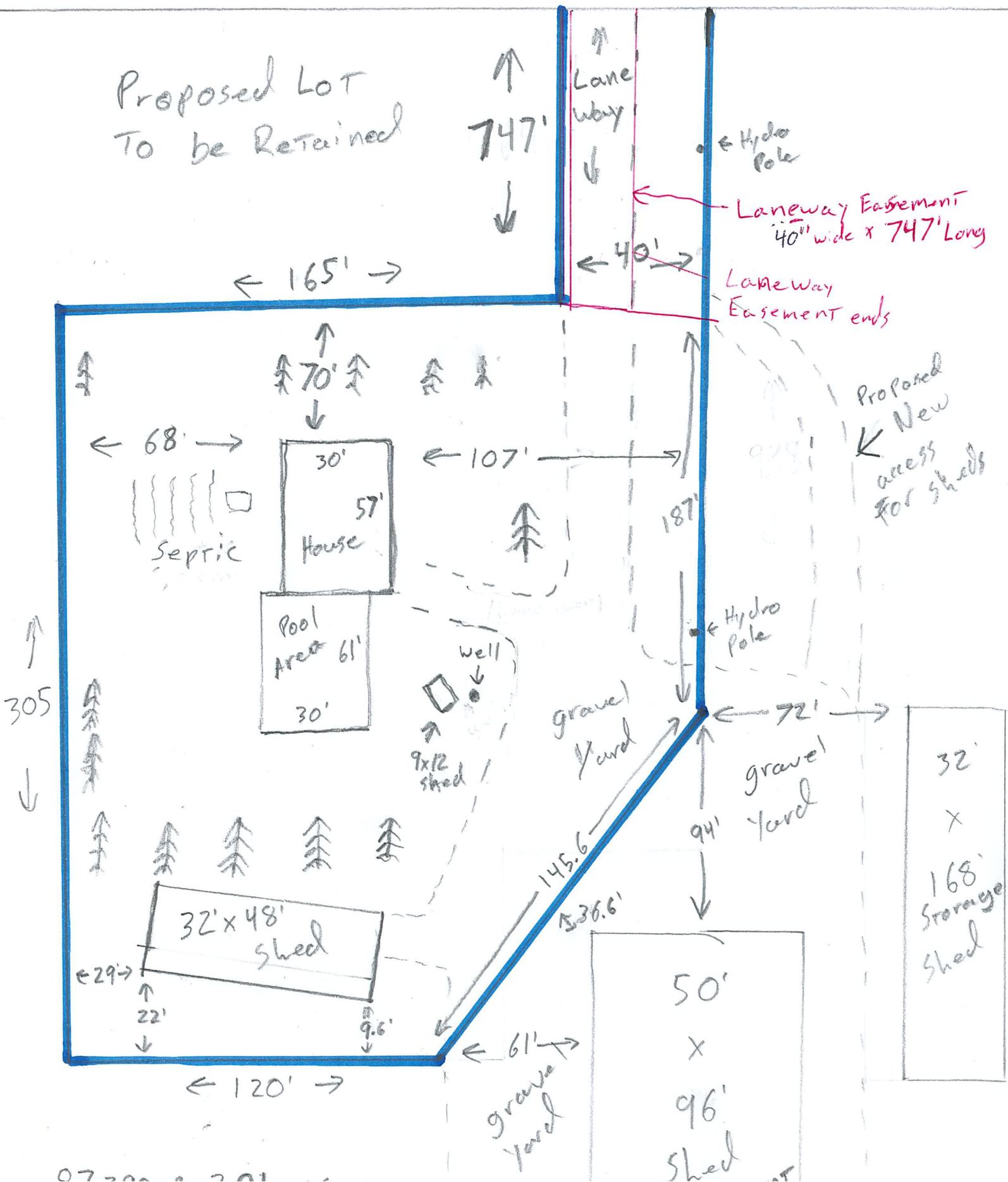


Plate 5: Applicants' Sketch - Lot to be Retained

File No. B25-78-2 and ZN 2-25-09 (Mckay)

E 1/2 Lot 15, Concession 12 (East Zorra) Lying E of Part 7, Oxford Road 19, Township of East Zorra-Tavistock - 615899

13th Line