

To: Chair and Members of Oxford County Land Division Committee

From: Laurel Davies Snyder, Development Planner, Community Planning

## Application for Consent B25-46-4 – Robleigh Farms Limited

### REPORT HIGHLIGHTS

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- This Application for Consent proposes to sever a dwelling made surplus through farm consolidation. The applicant is proposing to retain the surplus dwelling on the lot to be retained as a non-farm rural residential use.
- It is proposed that approximately of 47.6 ha (117.6 ac) of agricultural land will be severed. The proposed lot to be retained will be approximately 0.57 ha (1.4 ac) in size and contain the surplus dwelling, as submitted by the applicant and illustrated by Plate 3.
- Planning staff are recommending approval of the application as it is generally consistent with the policy criteria of 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

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#### Background

OWNER: Robleigh Farms Ltd.  
564207 Karn Road, Ingersoll, ON N5C 3J5

APPLICANT: Robert Gordon Cowell  
564226 Karn Road, Ingersoll, ON N5C 3J5

LOCATION:

The subject lands are described as Part Lots 13-14 Concession Broken Front, Township of South-West Oxford. The lands are located on the north side of Karn Road, between Calloway Line and Church Line and are municipally known as 564211 Karn Road.

OFFICIAL PLAN:

Lot to be Severed

|                |                                                |                      |
|----------------|------------------------------------------------|----------------------|
| Schedule "S-1" | Township of South-West Oxford<br>Land Use Plan | Agricultural Reserve |
|----------------|------------------------------------------------|----------------------|

Lot to be Retained

|                |                               |                      |
|----------------|-------------------------------|----------------------|
| Schedule "S-1" | Township of South-West Oxford | Agricultural Reserve |
|                | Land Use Plan                 |                      |

TOWNSHIP OF SOUTH-WEST OXFORD ZONING BY-LAW 25-98:

Lot to be Severed: 'General Agricultural Zone (A2)'

Lot to be Retained: 'General Agricultural Zone (A2)'

SERVICES:

Lots to be Severed and Retained: private septic, private well

ROAD ACCESS:

Lots to be Severed and Retained: Paved Township Road (Karn Road)

PROPOSAL:

|               | <u>SEVERED LOT</u>  | <u>RETAINED LOT</u> |
|---------------|---------------------|---------------------|
| Area          | 47.6 ha (117.6 ac)  | 0.57 ha (1.4 ac)    |
| Frontage      | 596 m (1,955.4 ft)  | 95 m (311.7 ft)     |
| Average Depth | 864 m (2,834.65 ft) | 60 m (197 ft)       |

The Application for Consent proposes to sever agricultural lands and retain one of the two existing single detached dwellings on the lot to be retained. The lot to be severed comprises approximately 47.6 ha (117.6 ac) and contains a 360 m<sup>2</sup> (3,875 ft<sup>2</sup>) shop, 240 m<sup>2</sup> (2,583 ft<sup>2</sup>) drive shed, and single detached dwelling (circ. 1860) and private well and septic system and is in agricultural production (cash crops). The applicant has indicated that the shop and drive shed are being used to store agricultural equipment only and do not contain any other uses.

It is proposed that the lot to be retained will be 0.57 ha (1.4 ac) in area with approximately 95 m (311.7 ft) of frontage on Karn Road. The lot to be retained contains an existing single detached dwelling (circ. 1923) and a private well and septic system.

If the proposed consent is approved, the applicant will be required to submit a Zone Change Application to rezone the lot to be retained from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp)' to recognize the change in land use and permit a reduced lot depth resulting from the proposed severance. The applicant will also be required to rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to recognize the continued use as agricultural with a special provision to limit the establishment of additional dwelling units on the lot to be severed and enter into an agreement with the County of Oxford regarding the special provision.

Surrounding land uses include agricultural uses to the south, a rural residential property (zoned 'Residential Existing Zone (RE)) on Karn Road abutting the proposed lot to be retained, rural residential properties to the north (zoned 'Rural Residential Zone (RR)'), and residential properties zoned 'RE' to the east of the lot to be severed (on Galloway Line).

Plate 1, Location Map with Existing Zoning, shows the location of the proposed lots to be severed and retained, and the existing zoning in the immediate vicinity.

Plate 2a, Aerial Map (2020), provides an aerial view of the proposed lots to be severed and retained, and the surrounding area.

Plate 2b, Close-Up Aerial Map (2020), provides an aerial view of the proposed lots to be severed and retained, along with the location of accesses, and existing buildings and structures.

Plate 3, Applicant's Sketch, depicts the proposed lots to be severed and retained, along with the location of existing buildings and structures, as provided 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 is not intended to be an exhaustive list.

Section 4.3 (Agriculture) of the PPS directs that prime agricultural areas shall be protected for long term agricultural use. In prime agricultural areas, permitted uses 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. New land uses, including the creation of new lots, shall comply with the Minimum Distance Separation formulae (MDS I).

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 agriculture-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 creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 4.3.3.1(c), 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.

### Official Plan

The subject lands are located within the 'Agricultural Reserve' designation according to the Township of South-West Oxford 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, 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; and,
- 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.

For the purpose of considering the creation of a non-farm rural residential lot where a landowner owns multiple non-abutting farms in Oxford County, staff are to ensure that the owner is a bona fide farmer. The Official Plan contains a definition of a "farm owner" which is defined as:

*An individual, partnership, or corporation which:*

- a) *owns, is employed on, and manages an agricultural operation consisting of one or more agricultural lots;*

- b) Earns a majority of their income from farming (the scale of the agricultural operation should be capable of generating reasonable operating profit under "normal" economic conditions);*
- c) Spends a majority of their workday in the day-to-day operation of the farm on a full-time, year-round or extended seasonal basis;*
- d) Demonstrates a continuing commitment to the farm operation and long-term farming, such as through sustainable farming practices, on-going farm maintenance and improvement (i.e., drainage, erosion control, soil improvement, fencing etc.), and direct investment in equipment, buildings, and crops; and,*
- e) Must have a valid Farm Business Registration Number.*

### Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' in the South-West Oxford 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). The proposed lot to be severed will have an approximate area of 47.6 ha (117.6 ac), an approximate frontage of 596 m (1,955.4 ft) and an average depth of 864 m (2,834.65 ft).

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 m<sup>2</sup> (30,139 ft<sup>2</sup>), 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 0.57 ha (1.4 ac), frontage of approximately 95 m (311.7 ft) on Karn Road, and a depth of 60 m (197 ft). Accordingly, a special provision will be required to permit the proposed reduced lot depth of 60 m in lieu of the minimum required lot depth of 80 m for RR zoned properties.

### Agency Comments

The Township of South-West Oxford Building Services Staff, Township of South-West Oxford Fire Chief, the Township of South-West Oxford Drainage Superintendent, the Township of South-West Oxford Works Superintendent, Oxford County Public Works Department, and the Upper Thames River Conservation Authority (UTRCA) reviewed the application and indicated that they do not have any questions or concerns regarding the proposal.

The Township of South-West Oxford Building Services Staff also commented that the applicants will need to confirm the location of the existing septic system (wholly contained on the lot to be retained) and confirm the setback of the structures to remain on the lot to be severed from the lot to be retained.

### Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring landowners on November 20, 2025 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 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, has been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the County Official Plan.

The creation of a lot for a dwelling made surplus through farm consolidation is permitted provided that the owner owns multiple farms within Oxford County. Given the farm ownership and proposed lot size of the non-farm rural residential lot, 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 applicant has provided documentation confirming ownership of two non-abutting farms in the Township of South-West Oxford. The subject lands contain two single detached dwellings, both of which were constructed prior to December 13, 1995, and which are accessory to a cash crop operation. Staff are also satisfied that the applicant complies with the definition of a farm owner as per the Official Plan.

It is proposed that approximately 47.6 ha (117.6 ac) of agricultural land will be severed and would contain one (1) single detached dwelling and two agricultural accessory buildings. The lot to be severed will continue to be used for cash crop agricultural purposes, will not result in further fragmentation of agricultural land, and will continue to allow flexibility for future changes in the type of farm operation beyond its current use.

The lot to be retained will be used for non-agricultural rural residential purposes and will have an approximate area of 0.57 ha (1.4 ac), consistent with the Official Plan policy direction limiting the size of non-farm rural residential lots. The lot area and lot frontage as proposed are consistent with the provisions for a property zoned 'Rural Residential Zone (RR)', however, the proposed lot depth of 60 m (197 ft) is 20 m (65.7 ft) less than the required minimum lot depth of 80 m (262.5 ft).

The applicants have indicated that the lot configuration and dimensions of the lot to be retained – and specifically, the proposed lot depth – is required to accommodate the retention of the existing shop on the lot to be severed while still providing a sufficient setback, as illustrated by [Plate 2b](#) and [Plate 3](#). Given that the proposed area of the lot to be retained is just over double the minimum lot size for 'RR' lots, staff is of the opinion that the proposed lot to be retained appears to have sufficient area for infrastructure, access, drainage, and amenity space. Planning Staff note that the Township of South-West Oxford Building Services Staff require that the applicant confirm the location of the existing septic system on the lot to be retained and that it is wholly contained on the lot to be retained and confirm the setback of the structures to remain on the lot to be severed from the lot to be retained. This has been included as a Condition for the Committee's consideration.

The lot to be retained will require a zone change from 'General Agricultural Zone (A2)' to 'Special Rural Residential Zone (RR-sp)' to recognize its proposed use as a non-farm rural residential lot, and the proposed dimensions (i.e. reduced lot depth). The lot to be severed will require a zone change from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to recognize the continued use as agricultural. The special provision for the lot to be severed is required to prohibit additional dwellings on the lands. This provision would apply to all dwelling types, including a second single detached dwelling, an additional residential unit, and a converted dwelling. The lands would retain the ability to have one single detached dwelling that is accessory to the farm and would allow for the existing dwelling to be replaced in the future if required.

In light of the above, it is the opinion of this Office that the proposal to sever an agricultural lot and retain a lot for non-farm residential use is consistent with the policies of the PPS and generally maintains the intent and purpose of the Official Plan with respect to dwellings made surplus through farm consolidations. As such, Planning staff are satisfied that the proposal can be supported from a planning perspective, subject to the recommended conditions of approval.

## **RECOMMENDATIONS**

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**Whereas the application for consent is consistent with the 2024 Provincial Planning Statement and complies with the policies of the County of Oxford Official Plan, 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 lot to be retained and the lot to be severed be appropriately zoned to the satisfaction of the Township of South-West Oxford.**
- 2. The Owners shall confirm the location of the existing septic system on the lot to be retained (to be wholly contained on the lot to be retained) and confirm the setback of the structures to remain on the lot to be severed from the lot to be retained the satisfaction of the Township of South-West Oxford.**
- 3. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.**
- 4. The Owner shall enter into an agreement with the County of Oxford to prohibit the construction of a new residential dwelling of any type, including additional residential units, on the agricultural lot to be severed, described as Part Lots 13-14 Concession Broken Front, Township of South-West Oxford, County of Oxford (the "Remnant Farm Property").**

## **SIGNATURES**

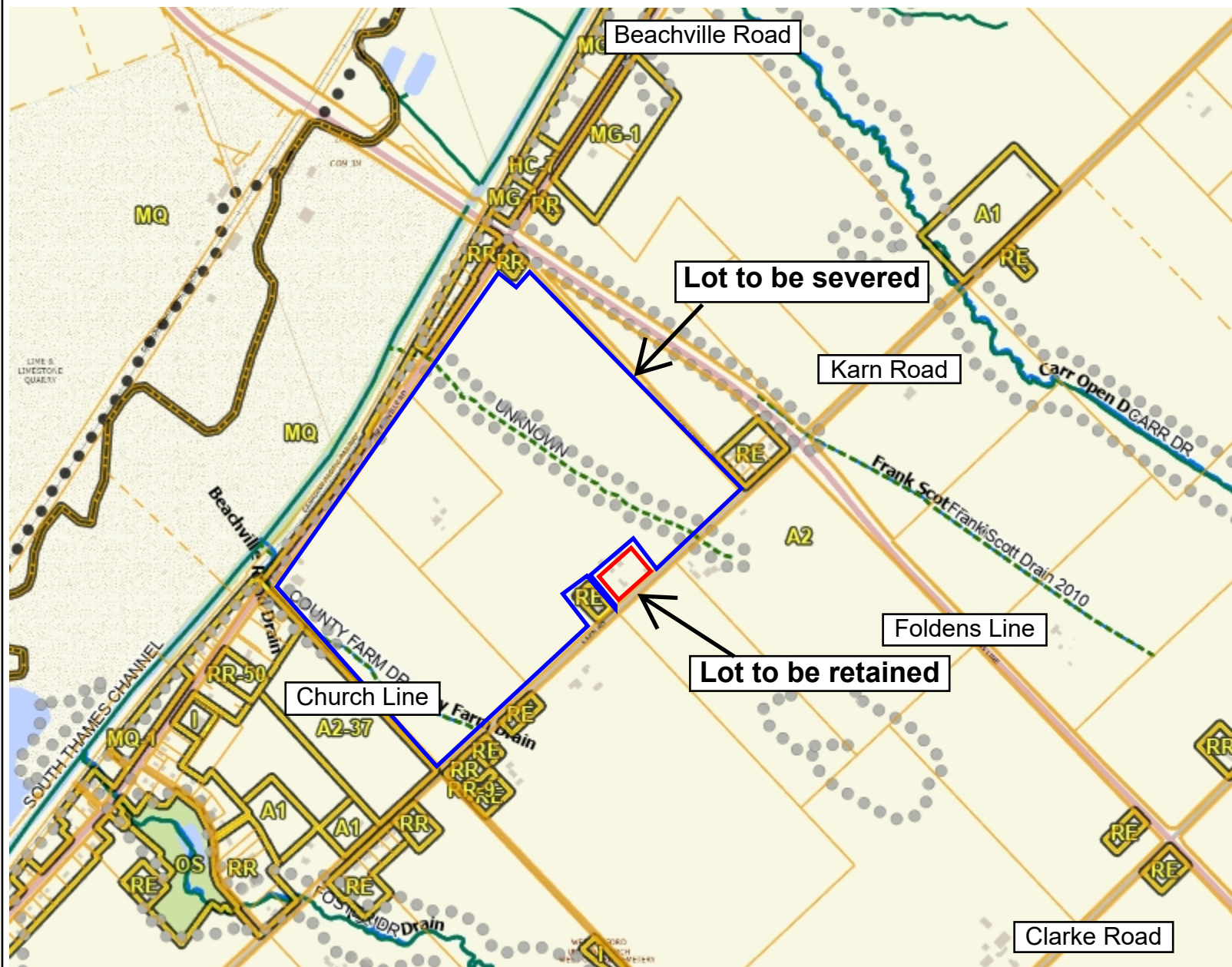
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**Authored by:** Original Signed By

Laurel Davies Snyder, 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)**
- Constructed Drains**
  - Open or Unknown
  - Closed/Tiled
- SWOX Constructed Drains**
  - Open
  - Closed/Tiled

## Notes



0 383 766 Meters

NAD\_1983\_UTM\_Zone\_17N



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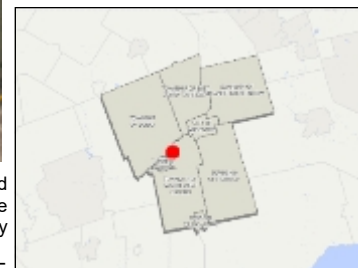
October 20, 2025



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0 192 383 Meters

NAD\_1983\_UTM\_Zone\_17N



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## Notes



0 48 96 Meters

NAD\_1983\_UTM\_Zone\_17N



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October 20, 2025

Plate 3: Applicant's Sketch  
 B25-46-4 (Robleigh Farms Ltd.)  
 Part Lots 13 and 14 Concession Broken Front,  
 564211 Karn Road,  
 Township of South-West Oxford

