

To: Mayor and Members of Township of Norwich Council

From: Amy Hartley, Development Planner, Community Planning

Application for Zone Change ZN 3-25-20 – Robert Bilger

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone the subject property from 'Residential Existing Lot Zone (RE)' to 'Rural Residential Zone (RR)' to place the whole of the lands in a consistent zoning category.
- It is proposed that the subject lands, known as 144675 Potters Road, be consolidated with the abutting parcel located at 144679 Potters Road. The applicant has applied to the Land Division Committee for a cancellation certificate to facilitate the merger of properties.
- Once the lands are consolidated and zoned accordingly, it is the intent to demolish the existing dwellings and replace them with one single detached dwelling.
- Planning staff are recommending approval of the application as the proposal is consistent with the policies of the Provincial Planning Statement and maintains the general intent and purpose of the Official Plan respecting existing non-farm rural residential development.

DISCUSSION

BACKGROUND

OWNERS: Robert Bilger
144679 Potters Road, Tillsonburg, ON N4G 4G7

AGENT: Chris DeClark
15 Goshen Road, Tillsonburg, ON N4G 4G7

LOCATION:

The subject lands are described as Part of Lot 27, Concession 12 (South Norwich) being Part 1, 41R-5681 and Part 1, 41R-7649, in the Township of Norwich. The subject property is located on the north side of Potters Road lying between Lorraine Avenue and Union Line and is municipally known as 144679 Potters Road.

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:

Existing Zoning: 'Residential Existing Lot Zone (RE)'

Proposed Zoning: 'Rural Residential Zone (RR)'

PROPOSAL:

The applicant is proposing to consolidate the subject lands (144679 Potters Road) with the abutting parcel located at 144675 Potters Road. The application for zone change proposes to rezone the subject property from 'Residential Existing Lot Zone (RE)' to 'Rural Residential Zone (RR)' to place the whole of the lands once consolidated into one zoning. It is intended that the existing dwellings be demolished and a new single detached dwelling be constructed.

The subject lands are approximately 0.36 ha (0.86 ac) in area and contain a single detached dwelling with an attached garage and a detached storage building. This application is being considered in conjunction with an application for cancellation certificate to cancel a previous consent (B136-04) which will allow the applicant to merge the subject lands with the abutting property located at 144675 Potters Road resulting in a total lot area of 1.0 ha (2.5 ac).

Surrounding land uses are predominantly agricultural uses with existing non-farm rural residential parcels along Potters Road. The Tillsonburg Theatre is located to the east, and the urban boundary of the Town of Tillsonburg is located to the west.

Plate 1, Location Map and Existing Zoning, indicates the location of the subject property 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 surrounding uses as existing in the Spring of 2020.

Plate 3, Applicant's Sketch, identifies the subject lands 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.

Section 4.3 of the PPS directs 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.

Section 4.3.2.3 of the PPS directs that new permitted land uses, including creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae.

OFFICIAL PLAN

The subject lands are designated Agricultural Reserve according to the Township of Norwich Land Use Plan in the County Official Plan.

Lands designated Agricultural Reserve 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 farm buildings and structures necessary to the farming operation, and accessory residential uses required for the farm.

According to Section 3.1.1, the goal of the Agricultural Reserve policies is to ensure prime agricultural areas are preserved for food and fibre production by avoiding further 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 directly related to and supportive of agricultural uses in the area, where appropriate.

Further, a strategic aim of the Agricultural Reserve policies is to prevent situations of land use conflict in the prime agricultural area through careful management of non-farm uses, including rural residential development, recreational uses, commercial and industrial uses and aggregate resource extraction.

ZONING BY-LAW

The subject property is zoned 'Residential Existing Lot Zone (RE)' in the Township of Norwich Zoning By-law. The 'RE' zone permits a single detached dwelling, home occupation and accessory uses in accordance with the provisions of the by-law.

The 'RE' zone recognizes the lot area and lot frontage of residential lots that existed prior to the passing of the by-law. Further, a 10 m (32.8 ft) front yard and 15 m (49.2 ft) rear yard setback.

The applicant is proposing to rezone the subject lands from 'RE' to 'RR' to consolidate the zoning with the abutting parcel to which it is proposed to be added to. It appears that the subject lands, once consolidated, will comply with the 'RR' provisions of the Township Zoning By-law.

AGENCY COMMENTS

The application for zone change was circulated to various agencies considered to have an interest in the proposal and no comments were received with respect to the application.

PUBLIC CONSULTATION

Notice of Complete Application and Notice of Public Meeting for the zone change application were provided to the public and surrounding property owners in accordance with the requirements of the Planning Act on December 19, 2025, and January 13, 2025. At the time of writing this report, no comments were received from the public as a result of these circulations.

Planning Analysis

The application for zone change proposes to rezone the subject lands from 'Residential Existing Lot Zone (RE)' to 'Rural Residential Zone (RR)' to ensure that the whole of the lands have consistent zoning when consolidated. The applicant has applied for a cancellation certificate of a previous severance (B136-04) in order to facilitate the merger of the subject lands with the abutting property located at 144675 Potters Road. Both properties contain a single detached dwelling; it is proposed that both dwellings will be removed and replaced with a new single detached dwelling on the consolidated lands.

As the proposal will reduce the number of non-agricultural uses within the Agricultural Reserve designation by consolidating two non-farm rural residential parcels into one parcel, staff are of the opinion that the proposal is consistent with the policies of the 2024 PPS. The existing parcels comply with the Minimum Distance Separation (MDS) setbacks, and staff are satisfied that a new dwelling will also comply with the required setbacks.

Staff are also satisfied that the proposal is in keeping with the intent and purpose of the Official Plan. The subject lands and abutting parcel to which it is proposed to be consolidated with are existing lots within the Agricultural Reserve designation, no new lots will be created as a result of the applications which is consistent with Section 3.1.5.3 in the Official Plan.

The abutting property located at 144675 Potters Road is currently zoned 'Rural Residential Zone (RR)'. As noted, once the parcels are consolidated the zoning will be consistent across both properties which will assist with the issuance of permits as intended. It is staff's opinion that the subject lands currently will comply with the 'RR' Zoning provisions, and no site-specific provisions are required.

In light of the foregoing, Planning staff are satisfied that the proposal is consistent with the policies of the Provincial Planning Statement and meets the general intent and purpose of the Official Plan, and can be given favourable consideration.

RECOMMENDATIONS

It is recommended that the Council of the Township of Norwich approve the zone change application submitted by Robert Bilger, whereby the lands described as Part of Lot 27, Concession 12 (South Norwich) being Part 1, 41R-5681 and Part 1, 41R-7649 in the Township of Norwich to rezone the subject lands from 'Existing Residential Lot Zone (RE)' to 'Rural Residential Zone (RR)'.

SIGNATURES

Authored by: *"Original Signed by"*

Amy Hartley
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





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



Plate 3: Applicant's Sketch

File Nos: B136-04x & ZN 3-25-20 (Bilger)

Pt Lt 27, Concession 12 (South Norwich); 144675 and 144679 Potters Road, Township of Norwich

SKETCH PLAN

Use this page for sketch if survey plan is not available.

Return this sketch with application form.

Without this sketch the application cannot be processed.

Scale:

KEY MAP

