

To: Mayor and Members of Township of Zorra Council

From: Spencer McDonald, Development Planner, Community Planning

Application for Zone Change ZN 5-26-02– Hermannus and Driesje Van Dam

REPORT HIGHLIGHTS

- The purpose of the Application for Zone Change is to place the recently created non-farm rural residential lot resulting from consent application B25-66-5 into a 'Rural Residential Zone (RR)', to recognize its use for non-farm rural residential purposes.
- The associated application for consent was conditionally approved by the Oxford County Land Division Committee in February 2026.
- Planning staff are recommending the application be approved as the proposal is consistent with the intent of the Provincial Planning Statement, 2024, and Official Plan policies respecting permitted uses in prime agricultural areas.

DISCUSSION

Background

OWNER: Hermannus and Driesje Van Dam
983081 Perth-Oxford Road, Lakeside, ON, N0M 2G0

AGENT: Patterson Planning Consultants c/o Scott Patterson
6095 Line 66, Monkton, ON, N0K 1P0

SOLICITOR: Luke Szymura
420 Sheldon Drive, Suite 204, Cambridge, ON, N1T 2H9

LOCATION:

The subject lands are described as Part Lot 35, Concession 14 (East Nissouri), in the Township of Zorra. The lands are located on the west side of 29th Line, between Perth-Oxford Road and Road 96, and are municipally known as 297131 29th Line, Township of Zorra.

OFFICIAL PLAN:

Schedule "Z-1" Township of Zorra Land Use Plan Agricultural Reserve

TOWNSHIP OF ZORRA ZONING BY-LAW 35-99:

The lands subject to the zone change application are currently zoned 'General Agricultural (A2) Zone' according to the Township Zoning By-law.

PROPOSAL:

The purpose of the Application for Zone Change is to rezone the 'new' non-farm rural residential lands resulting from B25-66-5. The non-farm rural residential lot is approximately 0.91 ha (2.3 ac) in size, will have 35 m (114.8 ft) of frontage along 29th Line and will be placed in the 'Rural Residential 'RR' zone.

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

Plate 2, Aerial Map (2020), provides an aerial view of the proposed non-farm rural residential lot.

Plate 3, Applicants' Sketch, provides the dimensions of the 'new' rural residential lot (297131 29th Line), as provided by the applicant.

Plate 4, Applicants' Sketch – Aerial, shows an aerial view of the 'new' rural residential lot with approximate dimensions, 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.

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 Zorra 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 physical separated from the remainder of the farm by significant natural heritage features/watercourses;
 - To conserve cultural heritage resources;
 - Proposed lot 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

ZONING BY-LAW

The lands to be retained as a non-farm rural residential lot are currently zoned 'General Agricultural Zone (A2)' according to the Township's Zoning By-law. It is proposed that these lands

be placed into the appropriate 'Rural Residential (RR-sp) Zone' to recognize their use as non-farm rural residential as a result of the recently approved consent application. The lands appear to meet all of the requirements of the 'RR' zone, and no special provisions have been requested as part of this application.

The 'A2' zone permits a variety of agriculture-related 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 lands severed via the related consent application will continue to meet the requirements of the Zoning By-law, and no changes are proposed at this time.

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). As previously identified, The 'new' residential lot would appear to meet the requirements of the Township Zoning By-law.

Agency Comments

The applications were circulated to various agencies considered to have an interest in the proposal.

The Township of Zorra Chief Building Official/Drainage Superintendent, Township of Zorra Director of Public Services, and Oxford County Public Works and the Upper Thames River Conservation Authority (UTRCA) have indicated that they have no comments or objections regarding the proposal.

Public Consultation

Notice of complete application and public notice were provided to the surrounding property owners on February 13th, 2026, and March 4th, 2026, respectively, in accordance with the Planning Act. As of the date of this report, no concerns or objections have been received regarding the subject application.

Planning Analysis

The application for zone change, which look to rezone the 'new' non-farm rural residential lot recently created via related consent application (B25-66-5– approved on February 5, 2026), to 'Rural Residential Zone (RR). The application has been reviewed under the policy direction of the Provincial Planning Statement and the Official Plan.

Staff are of the opinion that the application conforms with the relevant policies of the Official Plan as they pertain to the severance and consolidation of agricultural lands and the retention of a lot for non-farm rural residential purposes with respect to the policies noted previously in this report.

In light of the foregoing, it is the opinion of this Office that the proposal to rezone the recently created non-farm residential lot to the 'Rural Residential (RR)' zone, to recognize the lot continued use for non-farm rural residential purposes, is appropriate. No special provisions are required as the proposed non-farm rural residential lot will comply with the relevant revisions of the RR zone. The proposal identified for the application is consistent with the policies of the Provincial Planning Statement and is in keeping with the intent and purpose of the Official Plan.

Once the required reference plan describing the lot has been provided and mapping has been prepared, the implementing by-law will be brought to Council for final approval.

RECOMMENDATION

It is recommended that the Council of the Township of Zorra approve-in-principle the proposed Zoning By-law amendment submitted by Hermannus and Driesje Van Dam, for lands described as Part of Lot 35, Concession 14 (East Nissouri) and municipally known as 297131 29th Line, Township of Zorra into the 'Rural Residential (RR) Zone' to recognize its use as a non-farm rural residential lot.

SIGNATURES

Authored by: *Original Signed by*

Spencer McDonald, MCIP, RPP
Development Planner

Reviewed by: *Original Signed by*

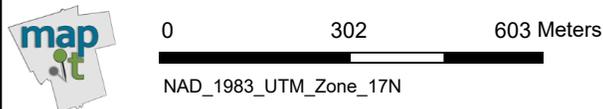
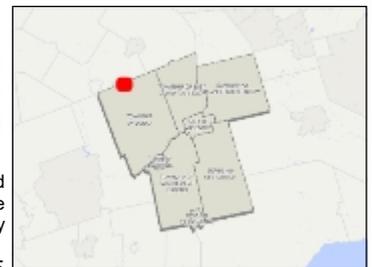
Eric Gilbert, MCIP, RPP
Manager of Development Planning



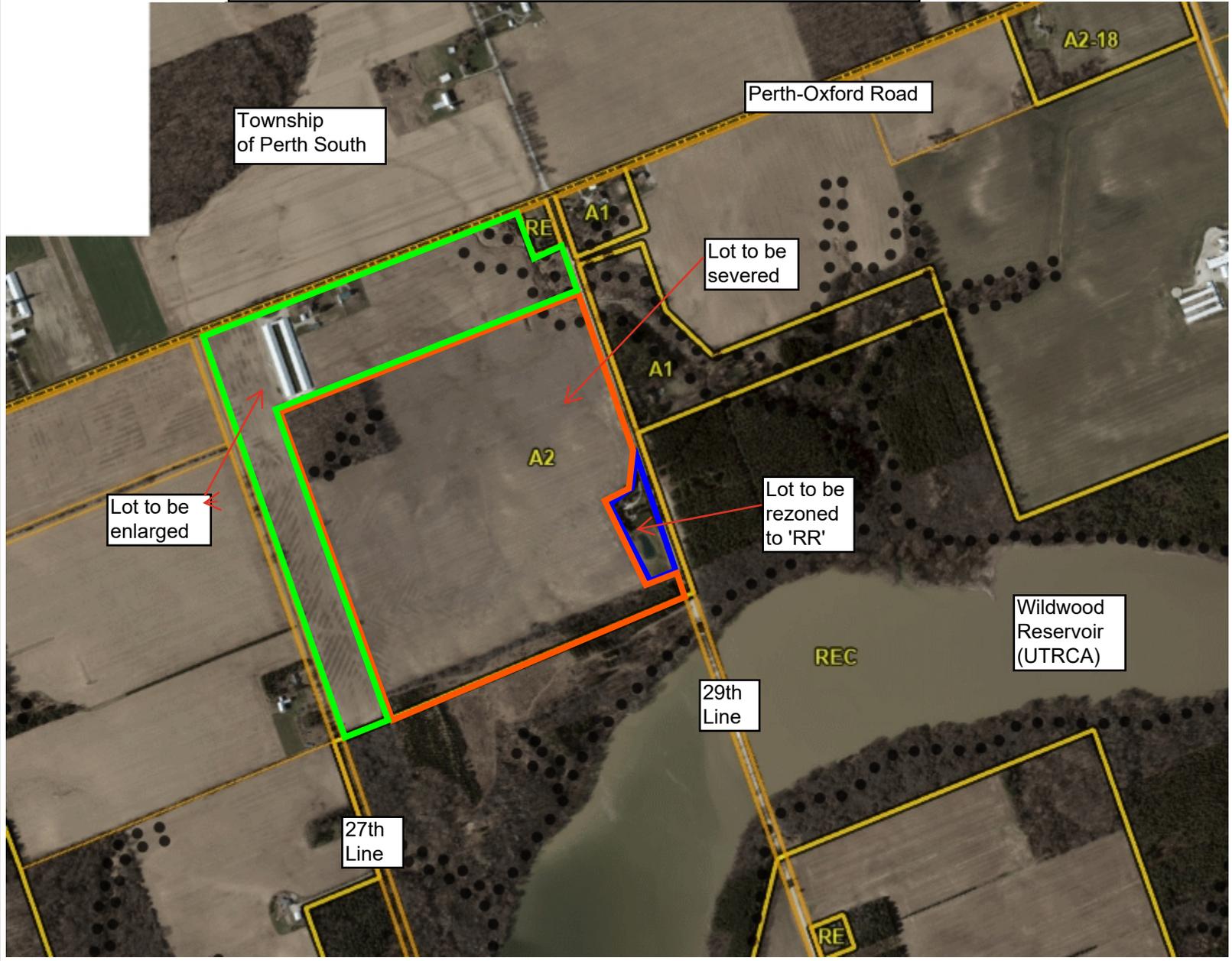
Legend

- 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



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



Legend

Parcel Lines

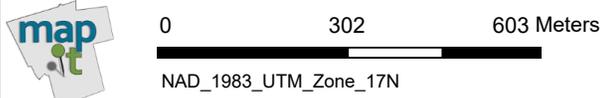
- Municipal Boundary
- Property Boundary
- Assessment Boundary
- Road
- Unit

Zoning Floodlines Regulation Limit

- 100 Year Flood Line
- 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines

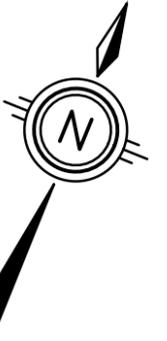
Land Use Zoning (Displays 1:16000 to 1:500)

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December 8, 2025

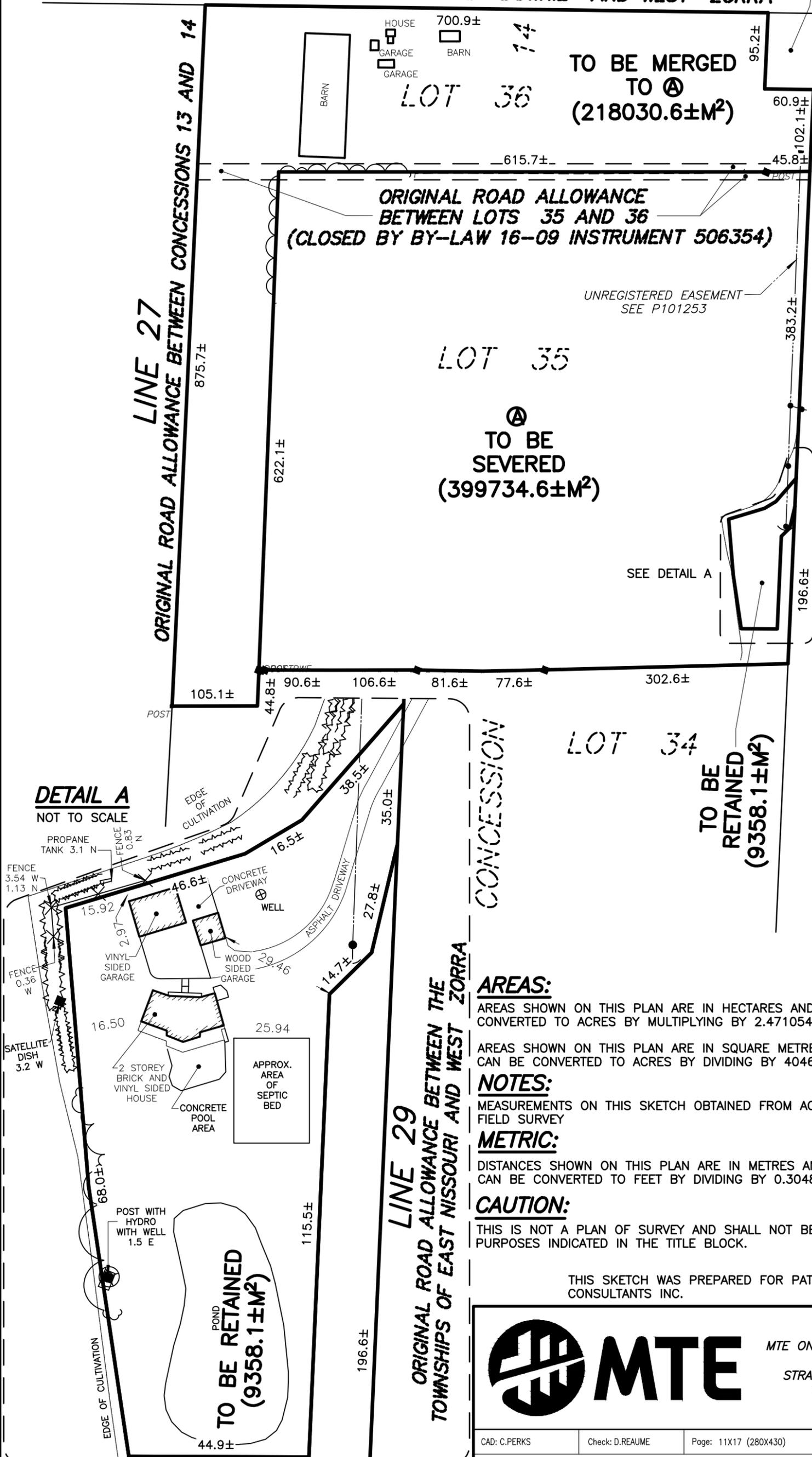


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 ONTARIO LAND SURVEYORS

OXFORD - PERTH ROAD
 ORIGINAL ROAD ALLOWANCE BETWEEN
 THE TOWNSHIPS OF AND DOWNIE AND WEST ZORRA

PART 1
 PLAN
 41R-663

ORIGINAL ROAD ALLOWANCE BETWEEN THE TOWNSHIPS OF EAST NISSOURI AND WEST



TO BE MERGED
 TO **A**
 (218030.6±M²)

ORIGINAL ROAD ALLOWANCE
 BETWEEN LOTS 35 AND 36
 (CLOSED BY BY-LAW 16-09 INSTRUMENT 506354)

UNREGISTERED EASEMENT
 SEE P101253

LOT 35

A
 TO BE
 SEVERED
 (399734.6±M²)

SEE DETAIL A

LOT 34

TO BE
 RETAINED
 (9358.1±M²)

CONCESSION

ORIGINAL ROAD ALLOWANCE BETWEEN THE
 TOWNSHIPS OF EAST NISSOURI AND WEST ZORRA

AREAS:

AREAS SHOWN ON THIS PLAN ARE IN HECTARES AND CAN BE CONVERTED TO ACRES BY MULTIPLYING BY 2.471054.

AREAS SHOWN ON THIS PLAN ARE IN SQUARE METRES AND CAN BE CONVERTED TO ACRES BY DIVIDING BY 4046.8564.

NOTES:

MEASUREMENTS ON THIS SKETCH OBTAINED FROM ACTUAL FIELD SURVEY

METRIC:

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

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.

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Plate 4 - Applicants' Sketch - Aerial
File No. ZN5-26-02- Van Dam
Conc. 14 E, Pt. Lot 35 (East Nissouri), 297131 29th Line, Township of Zorra

