

To: Chair and Members of Oxford County Land Division Committee

From: Amy Hartley, Development Planner, Community Planning

Application for Consent B25-69-3 – Mark Gagnon

REPORT HIGHLIGHTS

- The purpose of the application for consent is to separate two parcels that have inadvertently merged on title.
- The lot to be severed and retained are non-farm rural residential parcels, each containing a single detached dwelling.
- Planning staff are recommending approval of the application as it is consistent with the Provincial Planning Statement and maintains the intent and purpose of the Official Plan as it pertains to severances for legal or technical reasons.

DISCUSSION

Background

OWNER: Mark Gagnon
465091 Curries Road, Norwich, ON N4S 7V8

LOCATION:

The subject lands are described as Part of Lot 17, Concession 5 (East Oxford) being Parts 1 and 2, 41R-3095 and Part 1, 41R-2051, in the Township of Norwich. The subject lands are located on the north side of Curries Road lying between Highway 59 and Middletown Line and are municipally known as 465085 and 465091 Curries Road.

OFFICIAL PLAN:

Schedule "N-1"	Township of Norwich Land Use Plan	Agricultural Reserve
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TOWNSHIP OF NORWICH ZONING BY-LAW 07-2003-Z:

Lot to be Severed and Retained: 'Residential Existing Zone (RE)'

SERVICES: Lot to be Severed – private septic and well
Lot to be Retained – private septic and well

ROAD ACCESS: paved County Road, Curries Road

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	3,052.4 m ² (0.75 ac)	4,578.6 m ² (1.13 ac)
Frontage	36.5 m (120 ft)	54.8 m (180 ft)
Depth	83.4 m (273.8 ft)	83.4 m (273.8 ft)

The purpose of the application for consent is to separate two parcels that have inadvertently merged on title following the purchase of both properties by the same owner. It is noted that the proposal is not to sever the properties exactly as they were before but to increase the interior side yard width of the lot to be retained to allow for adequate access to the rear yard via the west side of the property.

The lot to be severed and the lot to be retained each contain a single detached dwelling with an attached garage. The lot to be retained contains a portion of the Ranson Drain, however, as no new development is proposed, there will be no impact on the drain. Surrounding land uses are predominantly agricultural with some non-farm rural residential parcels located along Curries Road.

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

Plate 2, Subject Lands (2020 Air Photo), provides an aerial view of the property and surrounding lands in the immediate area.

Plate 3, Applicant's Sketch, provides the dimensions of each lot, as proposed by the applicant, as well as the location of the existing buildings on the lands and private services.

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 lands to be severed and retained are designated 'Agricultural Reserve', as shown on Schedule 'N-1' – Land Use Plan for the Township of Norwich as contained in the Official Plan.

The policies regarding boundary adjustments for lands used for non-farm rural residences in areas designated Agricultural Reserve are outlined in Section 3.1.6 (Consents for Legal or Technical Reasons) in the Official Plan. Specifically, these policies permit consents for, among other matters, 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, private water supply or private sewage disposal facilities on abutting lots.

Proposals which have the effect of adding agricultural land to an existing residentially zoned property will satisfy the policies related to maximum lot size in Section 3.1.5.3, which directs that expanded non-farm rural residential lots will be as small as is practical in order to preserve the County's agricultural land base. Severance proposals to expand lots for non-farm rural residential use will generally not exceed 0.8 ha (2 ac) in area. Proposals seeking to sever parcels larger than this limit will only be permitted where it can be demonstrated that the additional area is required to accommodate a private water supply or on-site sewage facilities, where the topography of the area has limitations for agriculture or where the proposed lots are physically isolated by natural features such as streams.

Zoning By-law

The existing non-farm rural residential parcels are zoned 'Residential Existing Lot Zone (RE)' in the Township of Norwich Zoning By-law. The 'RE' zone recognizes existing residential parcels within the rural area. One single detached dwelling is permitted on an 'RE' zoned property and the lot area is recognized as either existing at the date of passing of the Zoning By-law, or created by a boundary adjustment.

Within the 'RE' zone, an interior side yard minimum width of 1.5 m (4.9 ft) on the narrow side where a garage is attached is required. As noted, the applicant has proposed the severance to include an additional 3.0 m (10 ft) on the west side of the retained lands to allow for adequate driveway access to the rear yard.

Agency Comments

Upper Thames Region Conservation Authority (UTRCA) noted that the lot to be retained is regulated due to the presence of a watercourse, being the Ranson Drain. However, as the severance is to separate two parcels, there are no concerns with the subject application. It is noted for the owner that future development may require further review and a permit from UTRCA.

Public Consultation

Public Notice of the application was circulated to neighbouring property owners on February 19, 2026, 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 proposes to separate two parcels that have inadvertently merged as a result of the applicant purchasing both parcels in the same name. Additionally, the applicant is proposing to include an additional 3.0 m (10 ft) along the west side of the lot to be retained to allow for adequate driveway access to the rear yard for maintenance purposes.

Planning staff have reviewed the applicant's request and are of the opinion that the proposal to sever the lands to generally reflect how they had existed prior to the merger, represents a technical severance that will not result in the creation of a new lot and can therefore be considered appropriate in this instance.

Further, the proposed lot areas for the lot to be severed and retained will comply with the minimum lot area zone provisions for a rural residential parcel on a private septic system, which is 2,800 m² (0.7 ac). The additional 3.0 m (10 ft) of frontage proposed to be added to the lot to be retained is appropriate as it will bring the property into compliance with the required interior side yard width.

While the eastern portion of the lot to be retained is regulated by UTRCA due to the presence of the Ranson Drain, comments provided by UTRCA noted no objections to the subject application as there is no proposed development near or within the regulated area. The owner is reminded that future development or building may require further review or permits.

In light of this, Planning staff are satisfied that the proposed technical severance to separate two parcels that have inadvertently merged is consistent with the Provincial Planning Statement and maintains the intent and purpose of the Official Plan regarding legal and technical severances in the Agricultural Reserve and can be given favourable consideration from a planning perspective.

RECOMMENDATIONS

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 and the lands are 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. If required, drainage assessment re-apportionment be undertaken, pursuant to Section 65 of The Drainage Act, R.S.O., 1990, at the Owner('s) expense, to the satisfaction of the (Municipality).
2. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial and otherwise, have been complied with.

SIGNATURES

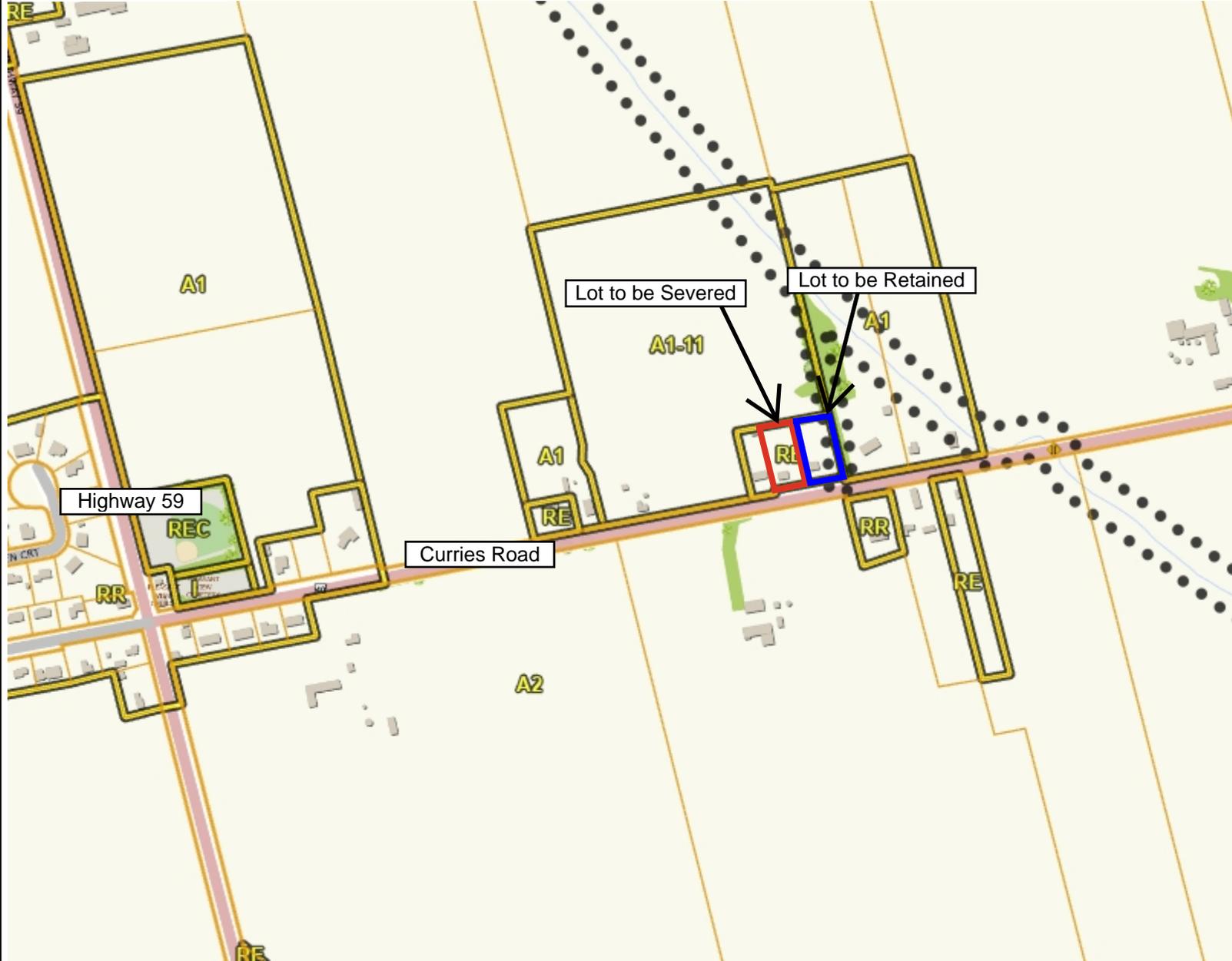
Authored by:

Original Signed By

Amy Hartley
Development Planner

Approved for submission: *Original Signed By*

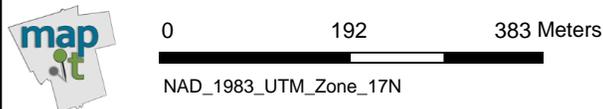
Heather St. Clair, MCIP, RPP
Senior Development Planner



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

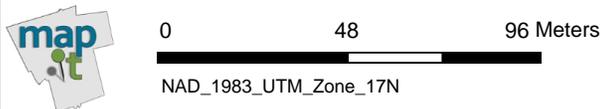
December 19, 2025



Legend

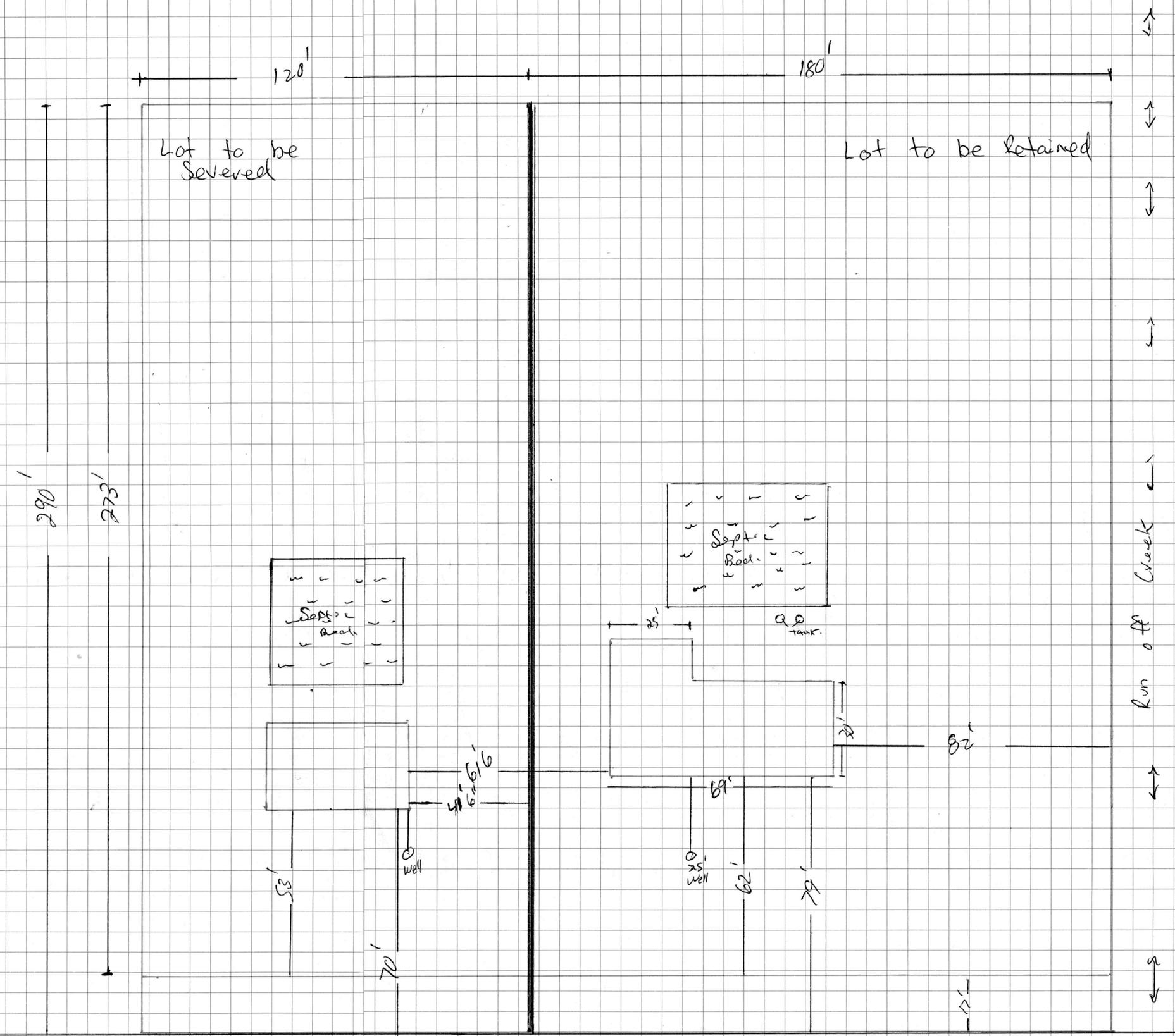
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SCALE 1 CM \Rightarrow 10'



Count + Road # 40

Open Ditch

