

To: Mayor and Members of Township of South-West Oxford Council

From: Laurel Davies Snyder, Development Planner, Community Planning

Application for Zone Change ZN 4-25-05 – Paul Boesterd

REPORT HIGHLIGHTS

- The purpose of this Zone Change application is to fulfill the condition of provisional consent for file B25-26-4 granted by Oxford County Land Division Committee (LDC) on September 5, 2025, requiring that the severed lands be rezoned from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to recognize the new use of the subject property as a non-farm rural residential lot.
- Planning staff are recommending that the application be approved as it is generally consistent with the Provincial Planning Statement (PPS) and maintains the intent and purpose of the Official Plan with respect to non-farm rural residential development in prime agricultural areas.

DISCUSSION

Background

OWNER/APPLICANT: Paul Boesterd
243930 Airport Road, Tillsonburg, ON N4G 4H1

AGENT: White Coad LLP, c/o Gordon Klein
408 Dundas Street, Woodstock, ON N4S 1B9

LOCATION:

The subject property is described as a portion of Part of Lots 13 and 14, Concession 8 (Dereham) in the Township of South-West Oxford. The property is located on the south side of Airport Road, lying between Dereham Line and Plank Line and is municipally known as 243930 Airport Road.

COUNTY OF OXFORD OFFICIAL PLAN:

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

TOWNSHIP OF SOUTH-WEST OXFORD ZONING BY-LAW No. 25-98:

Existing Zoning: 'General Agricultural Zone (A2)'

Requested Zoning: 'Rural Residential Zone (RR)'

PROPOSAL:

The purpose of this zone change is to fulfill one of the conditions of approval for Consent File No. B25-26-4, granted by Oxford County Land Division Committee (LDC) on September 5, 2025. The applicant is proposing to rezone the subject property from 'General Residential Zone (A2)' to 'Rural Residential Zone (RR)' to recognize the new use of the subject property as a non-farm rural residential lot.

The subject property is 0.8 ha (2 ac) in area with approximately 41.8 m (137.1 ft) of frontage on Airport Road, and an approximate depth of 171.8 m (563.6 ft). It contains an existing single detached dwelling served by a private well and septic system, a 29.7 m² (319.7 ft²) shed/carport, a 13.4 m² (144.2 ft²) shed and a 29.7 m² (319.7 ft²) sugar shack. The existing detached dwelling was constructed in approximately 1988, as per assessment records on file.

Land uses to the north, east, south, and west of the subject property are agricultural, and zoned 'General Agricultural Zone (A2)'.

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

Plate 2a, Aerial Map (2020), provides an aerial view of the subject property and immediate vicinity.

Plate 2b, Close-up View (2020 Aerial Map), provides a close-up view of the subject property and existing structures on the subject lands.

Plate 3, Applicant's Sketch, illustrates the proposed configuration and dimensions of the subject property, and existing structures on the subject property, as provided by the applicant.

Plate 4, Draft Reference Plan, illustrates the dimensions of the subject property, as provided by the applicant.

Application Review

2024 PROVINCIAL PLANNING STATEMENT

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 the policy statements issued under the Act. The following outlines the key policies of the Provincial Planning Statement (PPS) that have been considered, but it is not intended to be an exhaustive list.

Section 4.3, Agriculture, 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 property is designated Agricultural Reserve according to the Township of South-West Oxford Land Use Plan as contained in the Official Plan.

Lands in the Agricultural Reserve designation 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 as well as accessory residential uses required for the farm.

Section 3.1.1 establishes that 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 ongoing goal of the Agricultural Reserve designation is to minimize conflict with farm operations, including commercial, industrial, and residential uses. 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.

Section 3.1.5.2, Rural Residential Uses, states that non-farm rural residential development is considered incompatible with agriculture, such that it can create conflicts with farming activities and remove land from agricultural use. As such, only limited non-farm rural residential development in locations within the Agricultural Reserve designation which will not conflict with the Goal for Agricultural Policies as set out in Section 3.1.1 will be supported.

Section 3.1.5.3, Creation of Rural Residential Lots, establishes that non-farm rural residential development outside of a settlement shall be prohibited, except in accordance with the following policies.

The proposed non-farm rural residential development consists of one of the following:

- 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.

Section 3.1.5.3 sets out policies to evaluate new or expanded lots for non-farm rural residential development resulting from severance proposals including:

- that they shall be as small as possible, and will generally not exceed 0.8 ha (2 ac);
- that existing or proposed individual on-site water services and individual on-site sewage services are demonstrated to be adequate to serve the proposed non-farm rural residential use;
- a proposal for non-farm rural residential development shall satisfy the requirements of MDS I, or not further reduce an existing insufficient setback; and,
- the proposed rural residential development shall have direct frontage on a permanent public road maintained year-round at a reasonable standard of construction.

ZONING BY-LAW

The subject property is currently zoned 'General Agricultural Zone (A2)' in the Township of South-West Oxford Zoning By-law No. 25-98, which permits a variety of uses, including agricultural land uses.

To recognize the new use of the lands as non-farm rural residential, the proposed zoning for the subject lands is 'Rural Residential Zone (RR)'. The 'RR' zone permits residential uses including a single detached dwelling and requires a minimum lot area of 0.28 ha (0.69 ac), a minimum lot frontage of 35 m (114.8 ft), and a minimum lot depth of 80 m (262.5 ft). The subject property is

0.8 ha (2 ac) in area with approximately 41.8 m (137.1 ft) of frontage on Airport Road, and an approximate depth of 171.8 m (563.6 ft). Based on the sketch and Draft Reference Plan submitted by the applicant (Plates 3 and 4), the subject property appears to comply with the relevant provisions of the 'RR' zone in the Township Zoning By-law.

The maximum cumulative area for accessory buildings on Residential zones outside of a Settlement Area is a maximum of 10% of the lot area, or 225 m² (2,421 ft²) of gross floor area, whichever is the lesser. The property contains three (3) residential accessory buildings including a 29.7 m² (319.7 ft²) shed/carport, a 13.4 m² (144.2 ft²) shed and a 29.7 m² (319.7 ft²) sugar shack for a cumulative total area of 72.8 m² (783.6 ft²), which is within the maximum permitted lot coverage for accessory buildings.

AGENCY COMMENTS

The application was circulated to several public agencies considered to have an interest in the proposal. All comments received through the circulation process are summarized below.

Township of South-West Oxford Fire & Emergency Services, Township of South-West Oxford Public Works Department, Township of South-West Oxford Building Department, Long Point Region Conservation Authority, County of Oxford Public Works, and Canada Post indicated that they reviewed the application and do not have any comments or concerns.

PUBLIC CONSULTATION

Notice of Complete Application and Notice of Public Meeting regarding the application for Zone Change were provided to surrounding property owners in accordance with the requirements of the Planning Act on February 3, 2026, and February 25, 2026, respectively. At the time of writing this report, Staff had not received any comments regarding the application.

Planning Analysis

The application for zone change proposes to rezone the retained lands resulting from consent application B25-26-4 from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to recognize the use of the lands for non-farm rural residential purposes.

Planning staff have reviewed the application under policy direction of the Provincial Planning Statement and the Official Plan. Planning staff are satisfied that rezoning the subject property from 'A2' to 'RR' complies with the policies of the PPS regarding the creation of new residential lots in agricultural areas resulting from farm consolidation. The proposal also appears to maintain the general intent of the Official Plan which permits limited non-farm rural residential development within the Agricultural Reserve designation, subject to the policies in Section 3.1.5.3, Creation of Rural Residential Lots. Specifically, the on-site water services and individual on-site sewage services are adequate to serve the proposed non-farm rural residential use, there are no issues with the requirements of MDS I, the proposed rural residential development has direct frontage on Airport Road (a permanent public road maintained year-round), and, the applicant is proposing the retention of 0.8 ha (2 ac) of land for non-farm rural residential use, which is consistent with the minimum required lot area and area required for private servicing, while minimizing the amount of land removed from agricultural production.

Based on the Draft Reference Plan submitted by the applicant, the subject lands appear to comply with the provisions the 'RR' zone as contained in the Township of South-West Oxford Zoning By-law with respect to lot area, lot frontage, and lot depth.

It is the opinion of this Office that the application to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' is consistent with the policies of the PPS and maintains the intent of the Official Plan with respect to non-farm rural residential development in prime agricultural areas, and Planning staff recommend that the application be approved.

RECOMMENDATIONS

It is recommended that the Council of the Township of South-West Oxford approve the zone change application submitted by Paul Boesterd, whereby the lands described as a portion of Part of Lots 13 and 14, Concession 8 (Dereham), Township of South-West Oxford, are to be rezoned from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to fulfil a condition of consent B25-26-4.

SIGNATURES

Authored by: *"Original Signed By"* Laurel Davies Snyder, RPP, MCIP
Development Planner

Approved for submission: *"Original Signed By"* Eric Gilbert, MCIP, RPP
Manager of Development Planning

Plate 1: Location Map with Existing Zoning

File No.: ZN 4-25-05 (Boesterd)

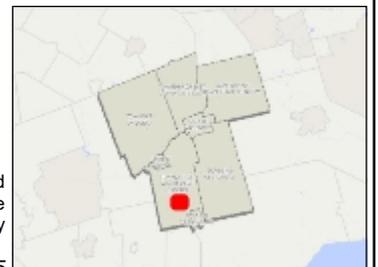
Part Lots 13-14, Concession 8 (Dereham), 243930 Airport Road, Township of South-West Oxford



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)

Notes



0 383 766 Meters

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

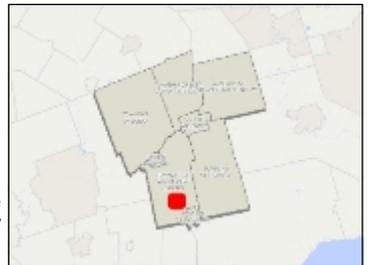
May 13, 2025



Legend

- Parcel Lines**
 - Property Boundary
 - - - Assessment Boundary
 - Unit
 - Road
 - - - Municipal Boundary
- Zoning Floodlines Regulation Limit**
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 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
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Notes



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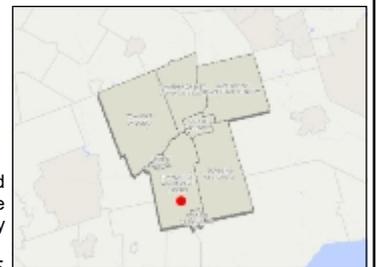
May 13, 2025



Legend

- Zoning Floodlines
- Regulation Limit
- ♦♦ 100 Year Flood Line
- ▲ 30 Metre Setback
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- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



0 48 96 Meters

NAD_1983_UTM_Zone_17N



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August 25, 2025

Oct 14, 2025

Airport Rd.

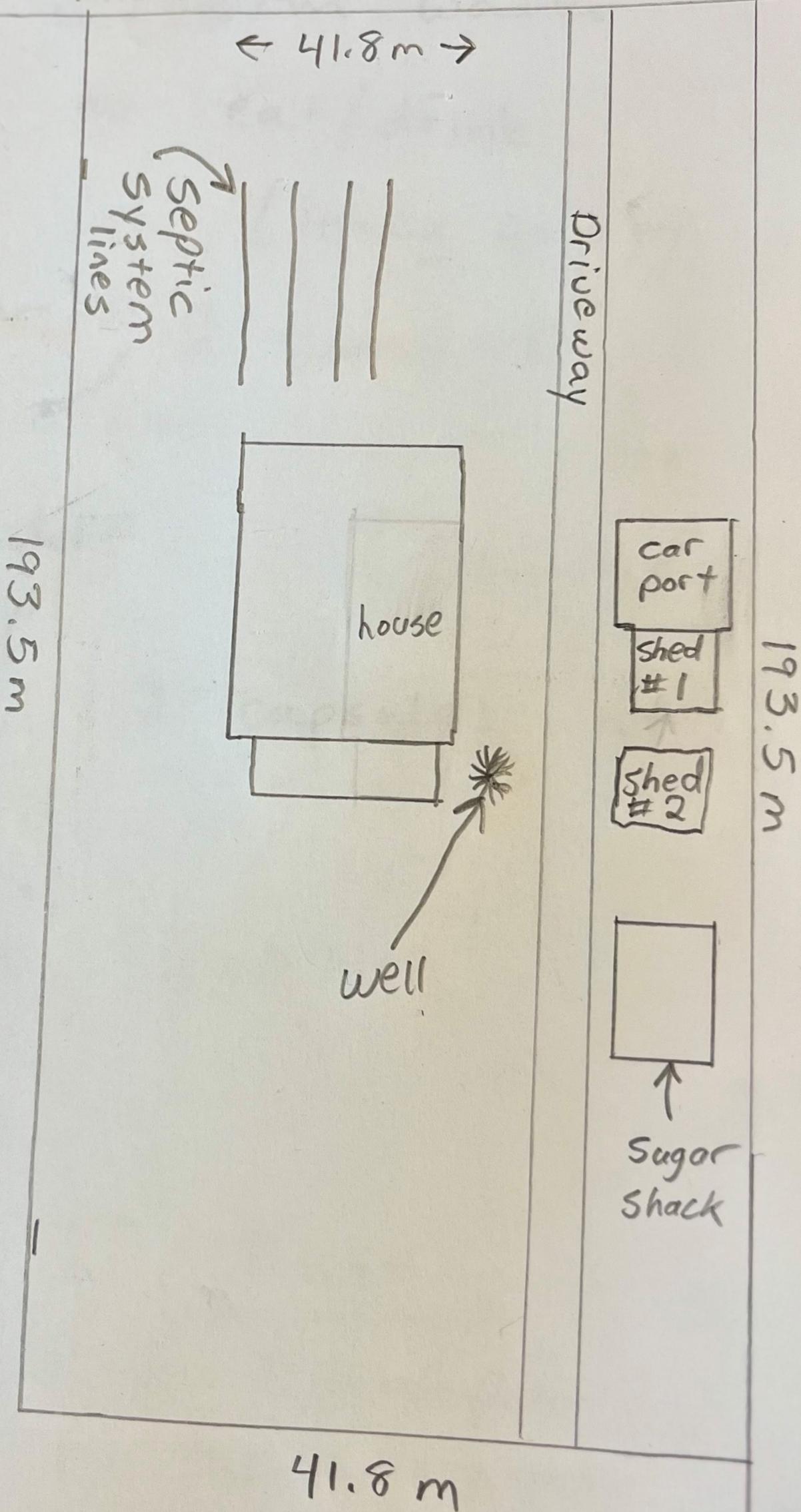
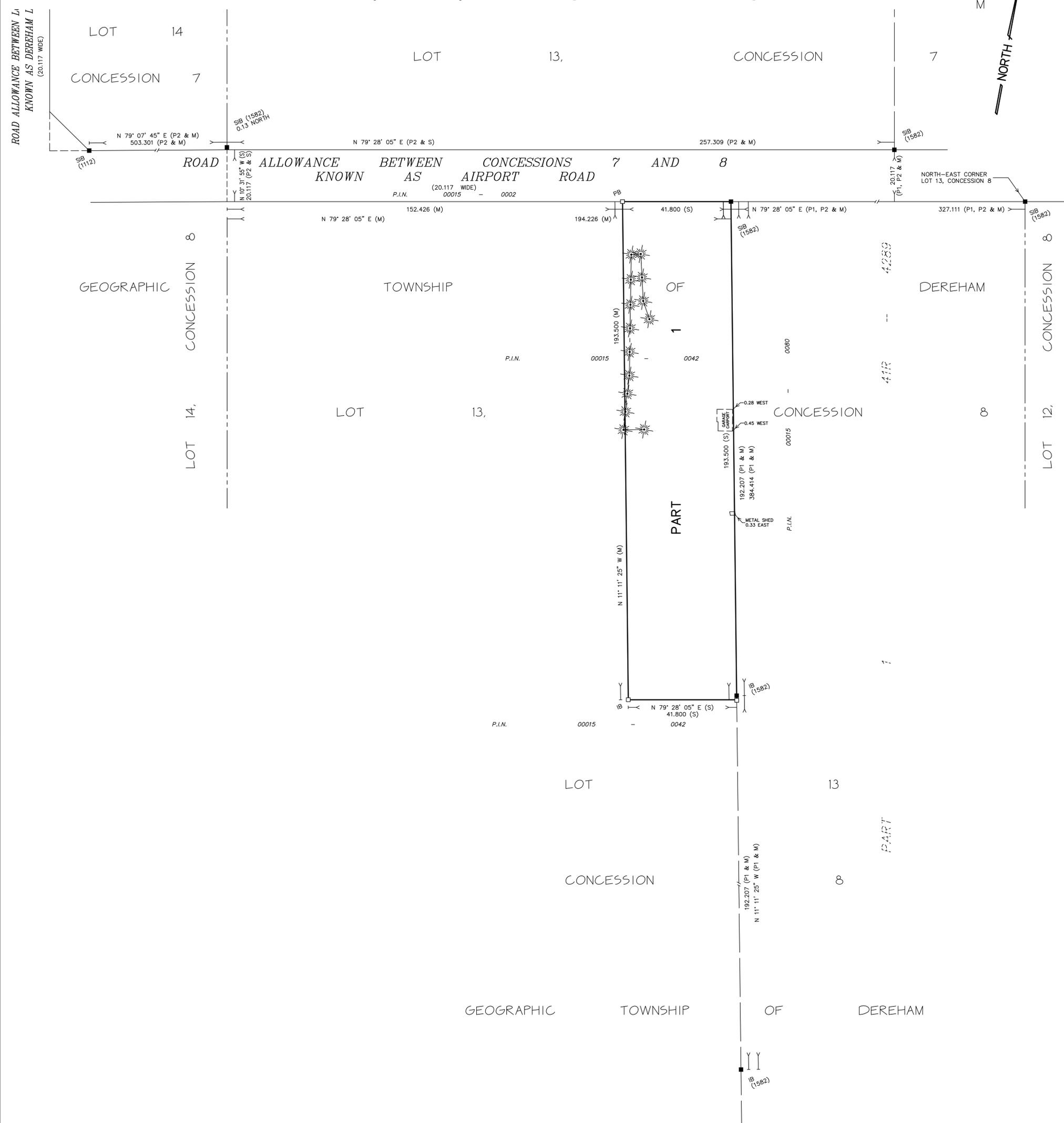


Plate 4: Draft Reference Plan
File No.: ZN4-25-05 (Boesterd)
Part Lots 13-14, Concession 8 (Dereham), 243930 Airport Road, Township of South-West Oxford



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
 DATE _____
 REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF OXFORD (No. 41)
 JAMIE G. DOCKX O.L.S.

PLAN 41R-
 RECEIVED AND DEPOSITED
 DATE _____

PART		SCHEDULE		
PART	LOT	CONCESSION	P.I.N.	AREA
1	PART OF 13	8	PART OF 00015-0042	0.809 HECTARES

PLAN OF SURVEY OF
 PART OF LOT 13
 CONCESSION 8
 GEOGRAPHIC TOWNSHIP OF DEREHAM
 TOWNSHIP OF SOUTH-WEST OXFORD
 COUNTY OF OXFORD

SCALE - 1: 750
 METRIC
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
 KIM HUSTED SURVEYING LTD.

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT
 (1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM
 (2) - THIS SURVEY WAS COMPLETED ON THE _____
 DATE _____ JAMIE G. DOCKX
 ONTARIO LAND SURVEYOR
 THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER _____

INTEGRATION DATA

ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK, UTM, ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0)
 COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10

POINT	NORTHING	EASTING
ORP A	XXXXXXXX	XXXXXXXX
ORP B	XXXXXXXX	XXXXXXXX

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN
 RESULTANT TIE BETWEEN "ORP A" AND "ORP B" IS 1000.00 N 45° 00' 00" E

NOTES

(1) - BEARINGS ARE GRID, DERIVED ON GRID OBSERVATIONS ON MONUMENTS "ORP A" AND "ORP B" SHOWN HEREON HAVING A GRID BEARING OF N 00° 18' 40" E (UTM, ZONE 17, NAD83 CSRS) (2010.0)
 (2) - TO CONVERT (P1) AND (P2) BEARINGS TO GRID BEARINGS
 - ADD 00° 12' 25" TO THE NORTHWEST BEARINGS
 - SUBTRACT 00° 12' 25" FROM THE NORTHEAST BEARINGS
 (3) - DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR 0.9996

LEGEND

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SB	DENOTES STANDARD IRON BAR
SSB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
RB	DENOTES ROUND IRON BAR
PB	DENOTES PLASTIC BAR
(WT)	DENOTES WITNESS
(1122)	DENOTES A.J. MOCKENZIE, O.L.S.
(1582)	DENOTES KIM HUSTED SURVEYING LTD.
(P1)	DENOTES DEPOSITED PLAN 41R-4289
(P2)	DENOTES SKETCH BY KIM HUSTED SURVEYING LTD. PROJECT: 07-7910, DATED: MAY 30, 2007
(M)	DENOTES MEASURED
(S)	DENOTES SET
P.I.N.	DENOTES PROPERTY IDENTIFICATION NUMBER

KIM HUSTED SURVEYING LTD.
 A wholly owned subsidiary of J.D. Barnes Limited
 30 Harvey St., Tillsonburg, ON N4G 3J8
 T: (519) 842-3638 F: (519) 842-3639 www.jdbarnes.com

DRAWN BY: WLP	CHECKED BY: XXX	REFERENCE NO.: 25-53-1068-00
PAUL BOESTERD (C/O GORDON KLEIN)		DATED: 10/20/25