

To: Chair and Members of Oxford County Land Division Committee

From: Amy Hartley, Development Planner, Community Planning

Application for Consent B25-60-3 – Martin and Christine Van Ittersum

REPORT HIGHLIGHTS

- The Application for Consent proposes an agricultural lot addition in the Township of Norwich.
- The proposed lot addition will have the effect of increasing the lot area of an existing 'General Agricultural Zone (A2)' parcel fronting on Milldale Road resulting in a lot area of approximately 33 ha (82 ac). The lot to be retained remaining from the lot addition would have a lot area of approximately 20.2 ha (50 ac).
- Planning Staff are not recommending approval of the application as it is not consistent with the policies of the Provincial Planning Statement and does not maintain the intent and purpose of the Official Plan respecting agricultural consents as the resulting retained lot is not of a sufficient size for the type of agricultural use common in the area and is not sufficiently large to maintain flexibility for farm operators to engage in differing types of agricultural operations now and in the future.

DISCUSSION

Background

OWNER: Martin and Christine Van Ittersum
592782 Oxford Road 13, Norwich, ON N0J 1P0

APPLICANT: Jason Stubbe
245129 Milldale Road, Otterville, ON N0J 1R0

LOCATION:

The subject lands are described as Part of Lots 20-21, Concession 7 (South Norwich), in the Township of Norwich. The lands are located at the northeast corner of Oxford Road 13 and Milldale Road and are municipally known as 592782 Oxford Road 13.

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:

Existing Zoning: 'General Agricultural Zone (A2)'

SERVICES: Lot to be Severed – existing private well and septic system
Lot to be Retained – none
Lot to be Enlarged – existing private well and septic system

ROAD ACCESS: Lot to be Retained – paved, County Road (Oxford Road 13)
Lot to be Enlarged – paved, Township Road (Milldale Road)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>	<u>Lot to be Enlarged</u>
Area	21 ha (52 ac)	20.2 ha (50 ac)	12.9 ha (30 ac)
Frontage	526.7 m (1,728 ft)	830.5 m (2,725 ft)	288 m (945 ft)
Depth	401 m (1,316 ft)	508 m (1,667 ft)	309.3 m (1,015 ft)

The Application for Consent proposes to sever approximately 21 ha (52 ac) of vacant agricultural lands to be conveyed to the lot to be the immediate east while retaining a parcel 20.2 ha (50 ac) in size which will continue to be utilized for agricultural purposes. The lot to be severed is currently vacant, while the lot to be enlarged contains a hay storage building, barn, storage building, and an accessory dwelling. The lands proposed to be retained contain a barn, storage building, and accessory dwelling. The lands to be severed and enlarged have direct frontage on Milldale Road while the lands being retained have frontage along Oxford Road 13.

Surrounding lands uses are primarily agricultural with the Village of Springford located to the south of the subject property. A portion of the lot to be severed and the lot to be enlarged are regulated by Long Point Region Conservation Authority and contain natural heritage features consisting of Significantly Important Woodlands and Significant Valleylands as per the Oxford Natural Heritage Systems Study (ONHSS). No new development near these features is being proposed as part of this application, and the proposed consent will not have any impact on these features.

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

Plate 2, Aerial Map (2020), provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicants' Sketch, shows the approximate lands to be severed, enlarged and retained as prepared by the applicants.

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. 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 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:

- a) 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;
- b) 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;
- c) 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
- d) 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.

With respect to the above noted reference to Provincial guidance in 4.3.2 of the PPS, the province has published a document entitled 'Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas' which provides further detail and direction on appropriate types, sizes and intensities of agricultural uses which shall be promoted and protected in accordance with provincial standards.

The guidelines specify that while all types, sizes and intensities of agricultural uses shall be promoted, it is further indicated that this criterion is not intended to suggest that small farm lots may be created. In general, the larger the farm parcel, the more adaptable it is to changing conditions and the more efficient it is to run the farm. Keeping farms large enough to maintain flexibility is key to agricultural viability and to achieving the PPS requirement of protecting prime agricultural areas for long-term use in agriculture.

Official Plan

The subject lands are located within the Agricultural Reserve designation in the County of Oxford Official Plan. In the Agricultural Reserve designation, lands 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.

Oxford County, as part of broader agricultural policy updates recently approved by the Province (February 2024), has established comprehensive, locally tailored Official Plan policies and criteria for permitted uses in prime agricultural areas to further clarify and expand upon the PPS policies and guidelines for such uses. As such, these new OP policies and criteria are consistent with the current Provincial policy direction and are deemed to implement, and largely take the place of, the provincial guidelines for such uses.

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.

Section 3.1.4.2.4 (Creation of Agricultural Lots and Agricultural Lot Additions) sets out the following key objectives for severances for agricultural purposes:

- to provide for agricultural lot sizes and configurations that are suitable for the type of agricultural uses common to the area and ensure flexibility for farm operators to engage in differing types of viable agricultural operations now and in the future;
- to ensure that where agricultural lots are created, they are capable of sustaining a broad range of viable agricultural operations that are common to the area;
- to minimize farmland fragmentation and avoid the creation of irregularly shaped agricultural lots and tillable land areas;
- to ensure MDS formulae are satisfied; and
- to establish appropriate land use planning criteria for evaluating agricultural severance proposals;

Further, this section indicates that the following policy criteria will be used to evaluate proposals to sever agricultural land for:

- agricultural lot additions and farm consolidations, where the land being severed is to be legally consolidated with an abutting existing agricultural lot, to form one lot under identical ownership; and
- the creation of new agricultural lots.

Agricultural use must be the intended use of the lot being severed and/or the lot being enlarged, and the lot being retained, except in the case of a retained lot containing a dwelling rendered surplus as a result of farm consolidation, in accordance with the policies of Section 3.1.5.3.

The severed, retained, and enlarged agricultural lots shall remain sufficiently large to provide the flexibility for existing and future agricultural operations on the lots to respond to changing market conditions and trends in agriculture, such as by:

- changing the commodity produced;
- increasing the scale of operation, and,
- diversifying and/or intensifying production of agricultural commodities.

The agricultural lot size and configuration shall be suitable for the types of agriculture common in the area, as well as the type of agriculture use being proposed. Further, agricultural severances should avoid further fragmentation of agricultural land and consents for farm severance or consolidation purposes must satisfy MDS Formulae.

Agricultural lots shall be sufficiently large to provide the flexibility to accommodate a range of viable agricultural uses and operations over the long term, limit land fragmentation, and minimize potential negative impacts on agriculture. As such, the minimum size of agricultural lots shall be 30 hectares (74.1 acres).

The Ministry of Agriculture, Food and Rural Affairs may be consulted to assist in the evaluation of the farm severance criteria.

In considering the land use planning merits of the proposed consent, regard shall also be had for the following site specific items:

- the amount of tillable land in comparison to total lot size (i.e. lots should be substantially comprised of tillable agricultural land);
- the size and configuration of the proposed lots and tillable areas for cropping and/or livestock purposes; and,
- the presence of farm buildings or structures to support the proposed use.

Zoning By-law

The subject lands are zoned 'General Agricultural Zone (A2)' in the Township of Norwich Zoning By-law, which allows for a wide range of agricultural uses, together with a single detached dwelling, accessory to the farm. The 'A2' zone requires a minimum lot area of 20 ha (49.4 ac) and a minimum lot frontage of 100 m (328 ft) for the development of farm buildings.

It is proposed that the lot to be severed and enlarged will be 33.1 ha (82 ac) in area once consolidated, while the lot to be retained will be 20.2 ha (50 ac) in area, which is consistent with the lot area and frontage provisions of the Zoning By-law for lands zoned 'A2'.

Agency Comments

The Oxford County Public Works Department, Canada Post, Township of Norwich Building Department, and the Township of Norwich Fire Department have indicated no concerns with the proposal.

Long Point Region Conservation Authority indicated that a portion of the lot to be severed and the lot to be enlarged are regulated. It is noted that any proposed development should be consulted with their office to determine if a permit is required.

Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring landowners on January 22, 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

Planning staff have reviewed the applicants' request and are of the opinion that while the proposal does not result in the creation of a new lot nor remove land from agricultural production, the resulting retained lot is not consistent with the intent of the Provincial Planning Statement and does not comply with the Official Plan policies respecting minimum lot area for agricultural lots.

The subject lands are located within a prime agricultural area, as defined by the PPS. Section 4.3 of the PPS directs that prime agricultural areas shall be protected for long-term use for agriculture. Permitted uses and activities within a prime agricultural area include agricultural uses, agriculture-related uses, and on-farm diversified uses, provided that the lots are of a size appropriate for the type of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

Staff are of the opinion that the proposed retained lot is not consistent with the PPS policies as the size of the proposed retained lot (20 ha or 50 acres) would not be in line with provincial guidance. The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas promotes all sizes, types and intensities of farming, however, this is not intended to be misconstrued to suggest that small farm lots may be created. While the Township of Norwich does contain a number of existing undersized agricultural parcels, it is the intent of the policies to not permit the creation of new undersized parcels (either through severance or lot adjustments) and promote the creation of larger farm parcels that are better able to adapt and respond to changing conditions and maintain flexibility. Staff are of the opinion that the creation of a lot that is not sufficiently sized to support the agricultural uses and would limit the ability of the subject lands to respond to future changes in agricultural operations and/or economic conditions.

For comparison, the minimum farm parcel size typically recommended by the Province for the types of agricultural operations common in Oxford (i.e. cash cropping and livestock) is 40 ha (100 ac). Further, according to 2021 Agricultural Census data, the size of agricultural operations in the County has continued to increase, with the average size now being 87 ha (215 ac) per farm operation (which may be comprised of multiple farm parcels).

Given that the proposal would seek to facilitate the adjustment of parcel lines and the creation of an agricultural lot that would be undersized relative to the nature and size of agricultural operations relative to provincial directives and that the lot would have limited flexibility to adapt to future changes in agricultural operations, Planning staff do not consider the proposal to be consistent with the Provincial Planning Statement.

With respect to the Official Plan policies for lot additions and the creation of new agricultural lots, it is the intent of the Official Plan policies to maintain viable farm operations and minimize farmland fragmentation. One of the key mechanisms through which Oxford County ensures agricultural lots are sufficiently large to provide the flexibility to accommodate a range of viable agricultural uses and operations over the long term, limit land fragmentation, and minimize potential negative impacts on agriculture, is by maintaining the minimum required farm parcel size of 30 ha (74.1 ac) for lots to be severed and retained, as set out in Section 3.1.4.2.4.

Oxford County has maintained a minimum agricultural lot area requirement of 30 ha (74.1 ac) in the Official Plan since at least 1995. While this minimum lot area is lower than the typical 40 ha (100 ac) provincial standard for southwestern Ontario, Oxford County has been able to demonstrate to the satisfaction of the Province (i.e. including through the most recent agricultural policy updates approved in 2024) that the somewhat lower minimum size threshold of 30 ha (74.1 ac) will still achieve provincial objectives (i.e. preventing further land fragmentation and splitting of existing farm lots) in the Oxford County context, while also providing greater flexibility for the reconfiguration of existing agricultural lots and/or lot additions. That said, it should be recognized that 30 ha (74.1 ac) represents the minimum agricultural parcel size, and proposals to adjust or create farm parcels may still require larger lot areas to address the various evaluation criteria noted above (i.e. amount of workable land, presence of environmental features, lot configuration etc.).

It is the opinion of staff that the proposal does not satisfy the various criteria outlined in Section 3.1.4.2.4 of the County Official Plan. The proposed lot to be retained, with an area of 20.2 ha (50 ac), is not sufficiently sized to maintain flexibility to permit a change in commodities produced or the scale of operation or to facilitate the diversification and/or future intensification of the agricultural operation. As such, staff are of the opinion that the proposed lot size would not be appropriate for the variety of farming types that are common to the area or to maintain the flexibility to support a range of viable agricultural operations in the future.

The Township of Norwich Zoning By-law does permit a minimum lot area in the 'General Agricultural Zone (A2)' of 20 ha (49.4 ac) rather than the required 30 ha (74.1 ac) as required in the Official Plan policies. The Township Zoning By-law has maintained a lesser lot area for agricultural parcels as the Township of Norwich specifically, has the largest number of undersized agricultural lots. As such, the By-law was drafted in a way that would not preclude owners of existing undersized lots from requiring a zone change or minor variance in order to recognize a deficient lot area and receive building permits for their property. Nevertheless, the provisions of the Zoning By-law are not the mechanism or criteria used to assess whether a new agricultural parcel should be created. While the proposed lot to be retained would meet the provisions of the Township Zoning By-law, the policies of the Official Plan take precedence over the Zoning By-law with respect to assessing agricultural lot creation.

In light of the foregoing, while the resulting lot to be enlarged would be an appropriate size to accommodate agricultural uses, the remaining lot to be retained would not be of a sufficient size to accommodate to maintain flexibility and support a scale of operation that could respond to diversification or future intensification. The proposed lot adjustment would result in the lot to be retained being 20.2 ha (50 ac) in size which would set an undesirable precedent for the prime agricultural area in Oxford County. The proposed lot addition cannot be supported from a land use planning perspective, and it is recommended that the application not be given favourable consideration.

RECOMMENDATIONS

Whereas the application for consent is not consistent with the 2024 Provincial Planning Statement (PPS), and does not comply with the policies of the County of Oxford Official Plan, we are of the opinion that the application should not be given favourable consideration as the proposal to facilitate an agricultural lot addition that would result in a parcel that is not of a suitable size to be consistent with the policies of Section 4.3.3 of the Provincial Planning Statement and Section 3.1.4.2.4 of the Official Plan.

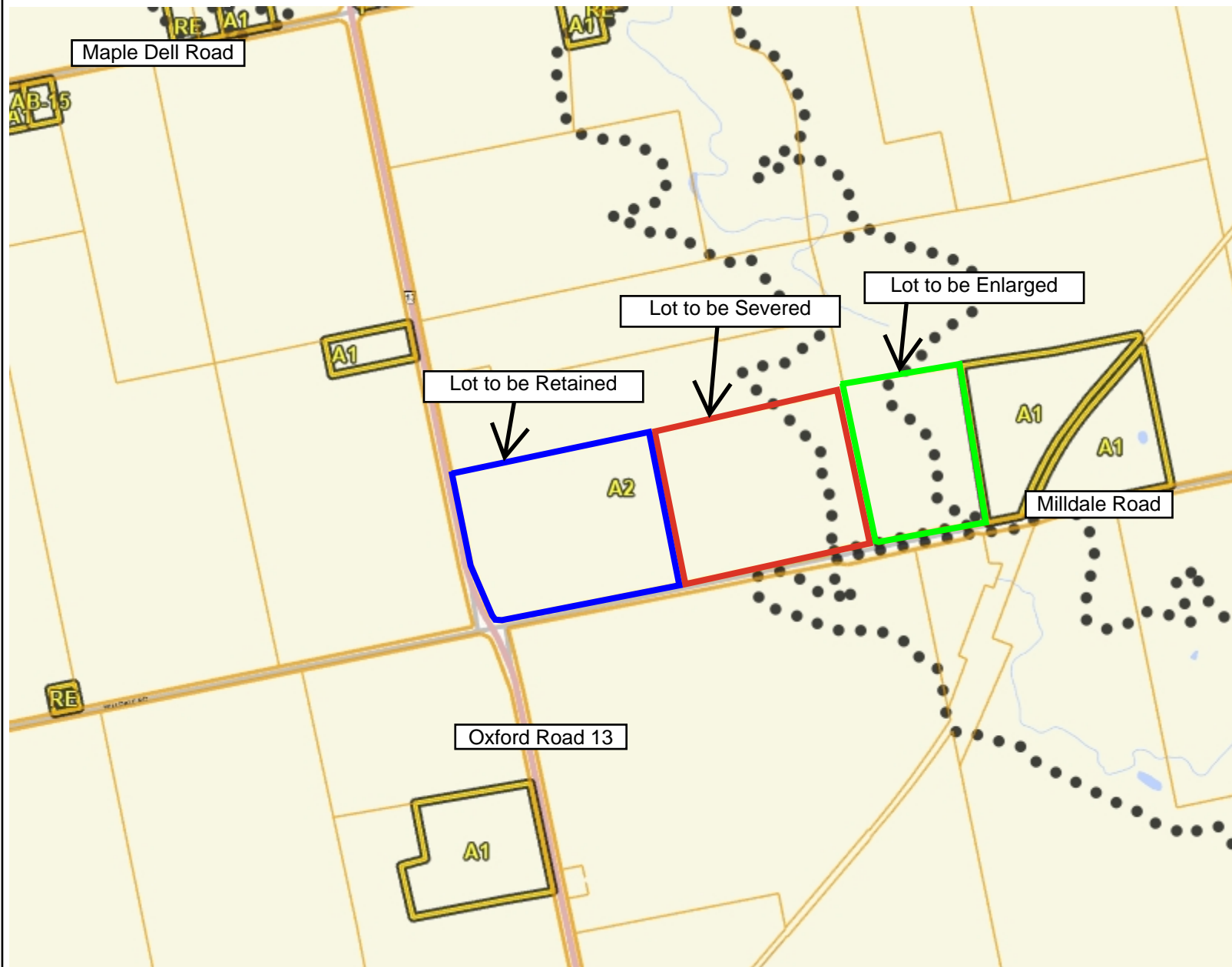
SIGNATURES

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**
 - 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



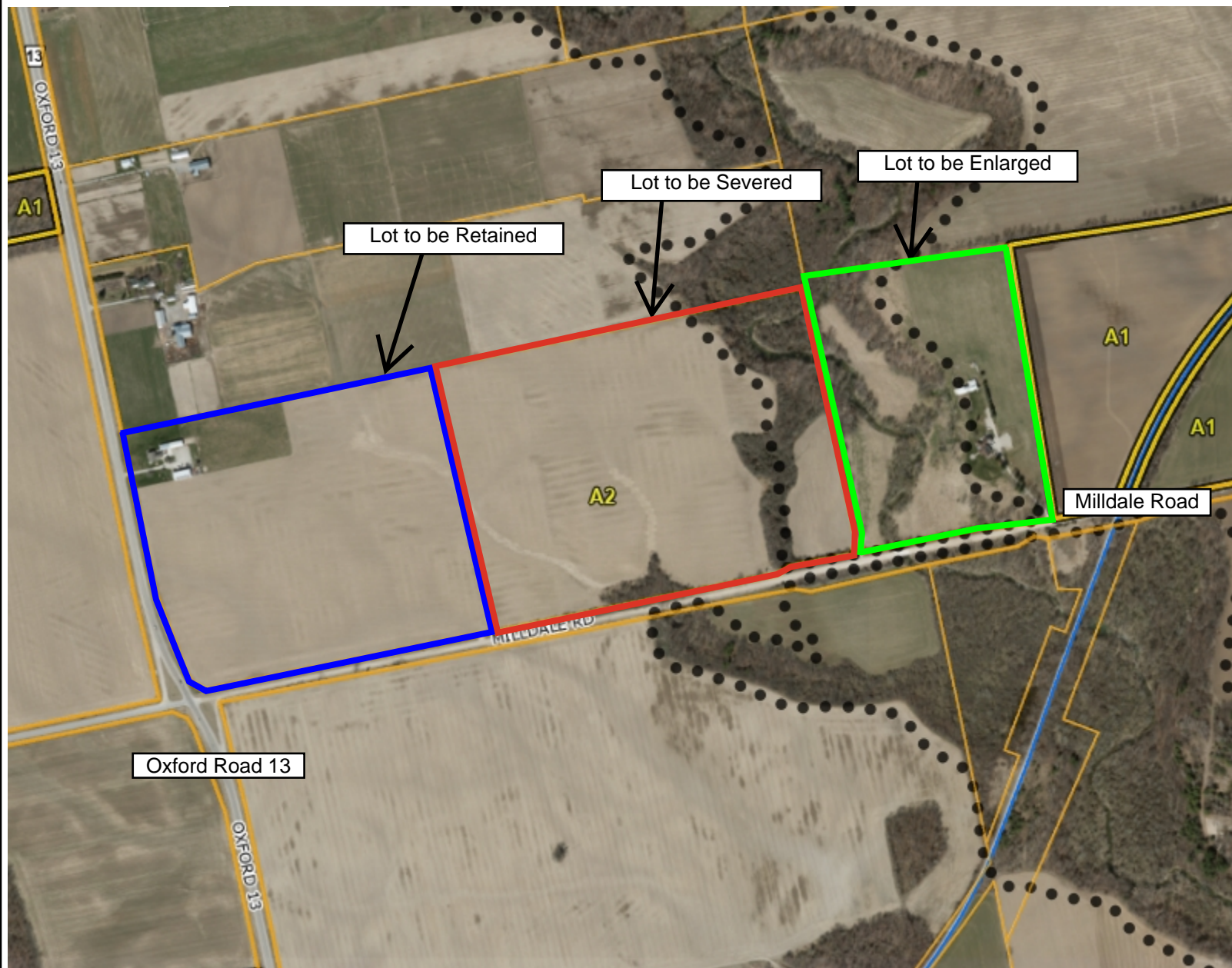
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NAD_1983_UTM_Zone_17N



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October 8, 2025



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)
- ★ Watermain Breaks
- ✱ Service Breaks
- Watermain**
 - Watermain
 - Raw Watermain
 - Proposed Watermain
 - <all other values>
- Gravity Watermain
- ◆ Production Well
- Active Monitoring Well
- ★ Sanitary Pipe Break
- Sanitary Gravity Main**
 - Collector, In Service
 - Drain, In Service
 - Interceptor, In Service
 - Overflow, In Service
 - Trunk, In Service
 - Vent, In Service
 - Local, In Service
 - Proposed Sanitary Main
 - <all other values>

Notes



0 220 440 Meters

NAD_1983_UTM_Zone_17N



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January 20, 2026

Area to Boundary Adjust:

52 +/- acres to move from 592682⁷ Oxford Rd 13, Norwich ON to 245129 Milldale Rd, Otterville, ON. 592682 to remain 50 acres.



592782