

To: Chair and Members of Oxford County Land Division Committee

From: Dustin Robson, Development Planner, Community Planning

Application for Consent B25-54-2 – Townsend Farms Inc.

REPORT HIGHLIGHTS

- The application for consent proposes to separate an existing surplus dwelling from agricultural lands. The applicant is proposing to retain the surplus dwelling on the lot to be retained as a non-farm rural residential use.
- It is proposed that approximately 40 ha (98.8 ac) of agricultural land will be severed. The proposed lot to be retained will be approximately 0.4 ha (1 ac) in size and contain the surplus dwelling.
- Planning staff are recommending approval of the application as it is generally consistent with the policy criteria of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan with respect to agricultural lot creation and non-farm rural residential development in prime agricultural areas.

DISCUSSION

Background

OWNER/APPLICANT: Townsend Farms Inc.
496466 10th Line, Tavistock, ON N0B 2R0

SOLICITOR: Doug Reaume (MTE OLS)
35 Home Street, Stratford, ON N5A 2A5

LOCATION:

The subject lands are described as Part Lots 18-19, Concession 9 (East Zorra), As in 420897, in the Township of East Zorra-Tavistock. The lands are located at the west side of the 10th Line, between Braemar Sideroad and Oxford Road 8, and are municipally known as 496131 and 496139 10th Line.

OFFICIAL PLAN:

Schedule “E-1”	Township of East Zorra-Tavistock Land Use Plan	‘Agricultural Reserve’
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TOWNSHIP OF EAST ZORRA-TAVISTOCK ZONING BY-LAW 2003-18:

Lot to be Severed:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'Special General Agricultural Zone (A2-sp)'

Lot to be Retained:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'Rural Residential Zone (RR)'

SERVICES:

Lots to be Severed and Retained: Existing private well and septic system.

ROAD ACCESS:

Lot to be Severed and Retained: Gravel, Township Road (10th Line)

PROPOSAL:

	<u>SEVERED LOT</u>	<u>RETAINED LOT</u>
Area	40 ha (98.8 ft)	0.4 ha (1 ac)
Frontage	561 m (1,840.6 ft)	53.3 m (175 ft)
Depth	619.6 m (2,032.8 ft)	80 m (262.5 ft)

The application for consent proposes to sever agricultural lands and retain one of the two existing single detached dwellings on the lot to be retained. The lot to be severed comprises approximately 40 ha (98.8 ac), is in agricultural production, and contains a single detached dwelling (circ. 1900) and an accessory building. The lot to be severed would maintain 561 m (1,840.6 ft) of frontage on the 10th Line.

It is proposed that the lot to be retained will be approximately 0.4 ha (1 ac) in area with approximately 53.3 m (175 ft) of frontage on the 10th Line. The lot to be retained would contain an existing single detached dwelling (circ. 1977) and a private well and septic system.

Should the proposed consent be approved, the applicant has also submitted a Zone Change Application to rezone the lot to be retained from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' and rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)'. The proposed special provision would limit the establishment of additional dwellings on the lot to be severed. As part of the requirements, the applicant has provided the necessary documentation confirming ownership of multiple non-abutting farms in Oxford County.

Surrounding land uses are primarily agricultural operations on a variety of lot sizes and configurations.

Plate 1, Location Map and Existing Zoning, indicates the location of the subject lands 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, Aerial Map (2020) with Existing Zoning – Zoomed In, provides an aerial view of the subject lands, with a focus on the lot to be retained.

Plate 4, Applicant's Sketch, depicts the proposed configuration of the lots to be severed and retained, along with the location of existing buildings and structures, as provided by the applicant.

Application Review

2024 Provincial Planning Statement

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 include agricultural uses, agriculture-related uses, and on-farm diversified uses. All types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards. New land uses, including the creation of new lots, shall comply with the Minimum Distance Separation formulae (MDS I).

Furthermore, 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 agriculture-related uses;
- For a surplus farm residence resulting from a farm consolidation, provided that:
 - The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and,
 - The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and,
- For infrastructure facilities and corridors in lieu of an easement or right-of-way.

The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 4.3.3.1(c), 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.

Official Plan

The subject lands are located within the 'Agricultural Reserve' designation according to the Township of East Zorra-Tavistock 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.

A strategic aim of the Agricultural Reserve policies is to prevent situations of land use conflict in the agricultural designation 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) apply to the evaluation of non-farm rural residential development proposals in the following land use designations and overlays: Agricultural Reserve, Environmental Protection Area, Open Space, Future Urban Growth, and Quarry Area.

Non-farm rural residential development shall be considered to include both the severed and retained lots, in the case of consent, and lands subject to rezoning for residential purposes, in the case of zoning by-law amendment applications.

Section 3.1.5.3 outlines that the development of non-farm rural residential lots outside of a settlement shall be prohibited except in accordance with the following:

- A proposal to create a lot for a residence surplus to a farming operation as a result of farm consolidation, provided that:
 - 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,
 - 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.
- 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 subject to the application must be zoned for agricultural use.
- The proposed rural residential lot shall not be located within the Quarry Area designation, or an area identified as a Limestone Resource or Sand and Gravel Resource Area.
- The proposed residential lot shall not be located within a Future Urban Growth Area.
- Non-farm rural residential lots shall be as small as is practical in order to preserve the County's agricultural land base. Severance proposals to create new or expanded lots for non-farm rural residential development will generally not exceed 0.8 ha (2 acres). Proposals seeking to create lots larger than this area limit will only be considered where it can be demonstrated that 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 or are physically separated from the remainder of the farm by significant natural heritage features and areas and/or watercourses, or to conserve cultural heritage resources. In no case shall a new or expanded non-farm rural residential lot exceed 1 ha (2.5 acres) in area.
- 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.
- The proposed rural residential development shall have direct frontage on a permanent public road maintained year-round at a reasonable standard of construction. New vehicular access to any road shall be in accordance with the requirements of authority having jurisdiction over the road, including the applicable policies.
- The heritage policies intended to recognize and conserve heritage resources in the agricultural areas of the County can be met.

For the purpose of considering the creation of a non-farm rural residential lot where a landowner owns multiple non-abutting farms in Oxford County, staff are to ensure that the owner is a bona fide farmer. The Official Plan contains a definition of a "farm owner" which is defined as:

"An individual, partnership, or corporation which:

- a) Owns, is employed on, and manages an agricultural operation consisting of one or more agricultural lots;*
- b) Earns a majority of their income from farming (the scale of the agricultural operation should be capable of generating reasonable operating profit under "normal" economic conditions);*
- c) Spends a majority of their workday in the day-to-day operation of the farm on a full-time, year-round or extended seasonal basis;*
- d) Demonstrates a continuing commitment to the farm operation and long-term farming, such as through sustainable farming practices, on-going farm maintenance and improvement (i.e., drainage, erosion control, soil improvement, fencing etc.), and direct investment in equipment, buildings, and crops; and,*
- e) Must have a valid Farm Business Registration Number."*

Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' in the Township of East Zorra-Tavistock Zoning By-Law. The 'A2' zone permits a variety of agricultural-related uses, including a farm and 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 lot to be severed would be approximately 40 ha (98.8 ac) in area, with a frontage of approximately 561 m (1,840.6 ft) on the 10th Line.

The lot to be retained is proposed to be used for non-farm rural residential purposes and will be rezoned to recognize the use of the lands accordingly. 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). The lot to be retained is proposed to have an approximate area of 0.4 ha (1 ac), frontage of approximately 53.3 m (175 ft) on the 10th Line, and an average depth of 80 m (262.5 ft).

Should the Application for Consent be approved by the Land Division Committee, the applicant has submitted a Zone Change Application that, in addition to rezoning the lot to be retained from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR),' would also rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp).' The special provision attached to the 'A2-sp' zone would prohibit any additional dwellings on the lot to be severed. The zoning would still retain the ability to have one single detached dwelling accessory to a farm on the lot to be severed.

Agency Comments

The Township Chief Building Official has indicated that an as-built survey stamped by an Ontario Land Surveyor (OLS) of the lot to be retained showing all buildings, structures, septic, and well will be required. A drainage reapportionment will also be required.

The Oxford County Public Works Department, the Township Fire Chief, the Township Public Works Manager, Hydro One, and Canada Post, have indicated no concerns with the proposal.

Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring landowners on November 20, 2025 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, which proposes the severance of agricultural lands and the retention of a lot for non-farm rural residential use, containing an existing dwelling, has been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the County Official Plan.

The creation of a lot for a surplus residence is permitted provided that the owner owns multiple farms within Oxford County. Given the farm ownership and proposed lot size of the non-farm rural residential lot, staff are generally satisfied that the proposal is consistent with the policies of the PPS regarding non-farm rural residential uses and lot creation in prime agricultural areas.

The applicant has provided documentation confirming ownership of multiple non-abutting farms in Oxford County. The subject lands contain two single detached dwellings, both of which were constructed prior to December 13, 1995, and which are accessory to a cash crop operation. Staff are also satisfied that the applicant complies with the definition of a farm owner as per the Official Plan.

It is proposed that approximately 40 ha (98.8 ac) of agricultural land will be severed and would contain one single detached dwelling and a residential accessory building. The lot to be severed will continue to be used for agricultural purposes, will not result in further fragmentation of agricultural land, and will continue to allow flexibility for future changes in the type of farm operation beyond its current use. The resulting agricultural lot size and configuration is consistent with the PPS and Official Plan direction of maintaining farm parcels of adequate size to adapt to changing agricultural conditions.

The proposed lot to be retained will be approximately 0.4 ha (1 ac) in area and will be used for non-farm rural residential purposes. As previously outlined, the creation of a lot for a surplus residence is permitted as part of a farm consolidation 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, up to a maximum of 0.8 ha (2 ac). Given the lot size, staff are generally satisfied that the proposal is consistent with the policies of the Official Plan and PPS regarding non-farm rural residential uses and lot creation in prime agricultural areas.

The lot to be retained will require a zone change from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to recognize its proposed use as a non-farm rural residential lot. The lot to be severed will also be required to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp).' The special provision for the lot to be severed would prohibit additional dwellings on the lands and would apply to all dwellings, including a second single detached dwelling, an additional residential unit, and a converted dwelling. The lands would retain the ability to have one single detached dwelling that is accessory to the farm and would allow the ability for the existing dwelling to be replaced in the future, if required.

In light of the above, it is the opinion of this Office that the proposal to sever an agricultural lot and retain a lot for non-farm residential use is consistent with the policies of the PPS and generally maintains the intent and purpose of the Official Plan. As such, Planning staff are satisfied that the proposal can be supported from a planning perspective, subject to the recommended conditions.

RECOMMENDATIONS

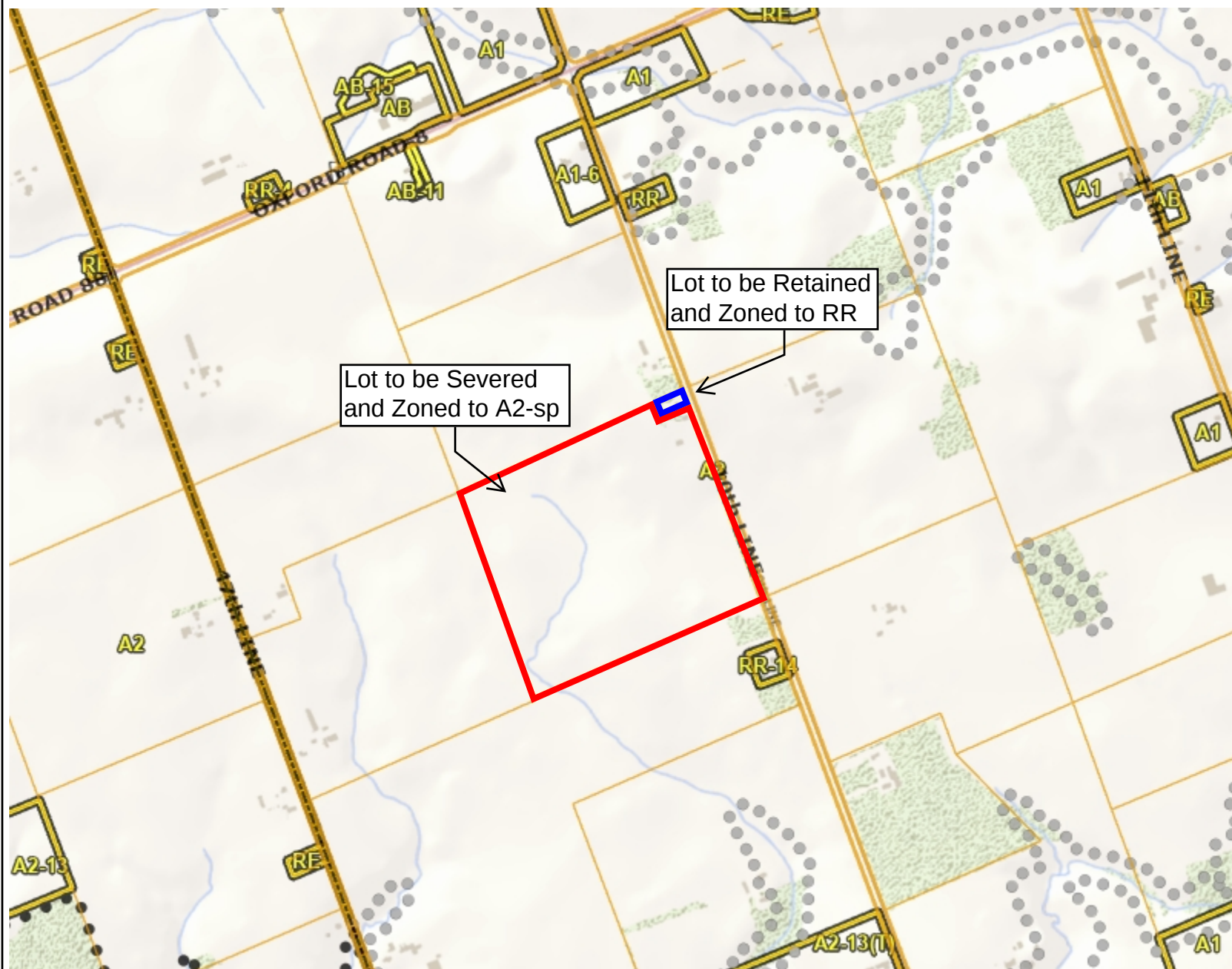
Whereas the application for consent is consistent with the 2024 Provincial Planning Statement and complies with the policies of the County of Oxford Official Plan, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:

- 1. The lot to be retained and the lot to be severed be appropriately zoned, to the satisfaction of the Township of East Zorra-Tavistock.**
- 2. If required, the Owner shall enter into a standard Severance Agreement with the Township of East Zorra-Tavistock, to the satisfaction of the Township.**

- 3. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O., 1990, at the Owner's expense, to the satisfaction of the Township of East Zorra-Tavistock.**
- 4. The Owner shall provide an As-Built Survey stamped by an Ontario Land Surveyor (OLS) for the lot to be retained showing the dimensioned location of all buildings, structures, wells, and septic components on the lands, to the satisfaction of the Township of East Zorra-Tavistock.**
- 5. The Clerk of the Township of East Zorra-Tavistock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.**
- 6. The Owner shall enter into an agreement with the County of Oxford to prohibit the construction of a new residential dwelling of any type, including additional residential units, on the agricultural lot to be severed, more particularly described as Part Lots 18-19, Concession 9 (East Zorra), As in 420897 (i.e. the agricultural lot to be severed); Township of East Zorra-Tavistock, County of Oxford (the "Remnant Farm Property").**

SIGNATURES

Authored by:	Original Signed By	Dustin Robson, MCIP, RPP Development Planner
Approved for submission:	Original Signed By	Heather St. Clair, MCIP, RPP Senior Planner



Legend

Parcel Lines

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

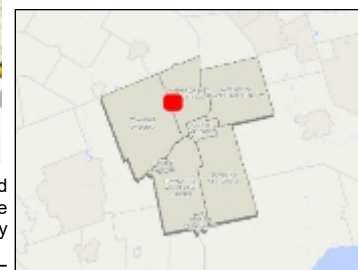
Zoning Floodlines

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



0 409 818 Meters

NAD_1983_UTM_Zone_17N



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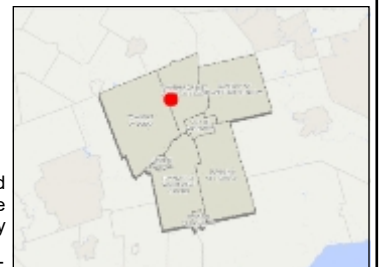
October 2, 2025



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



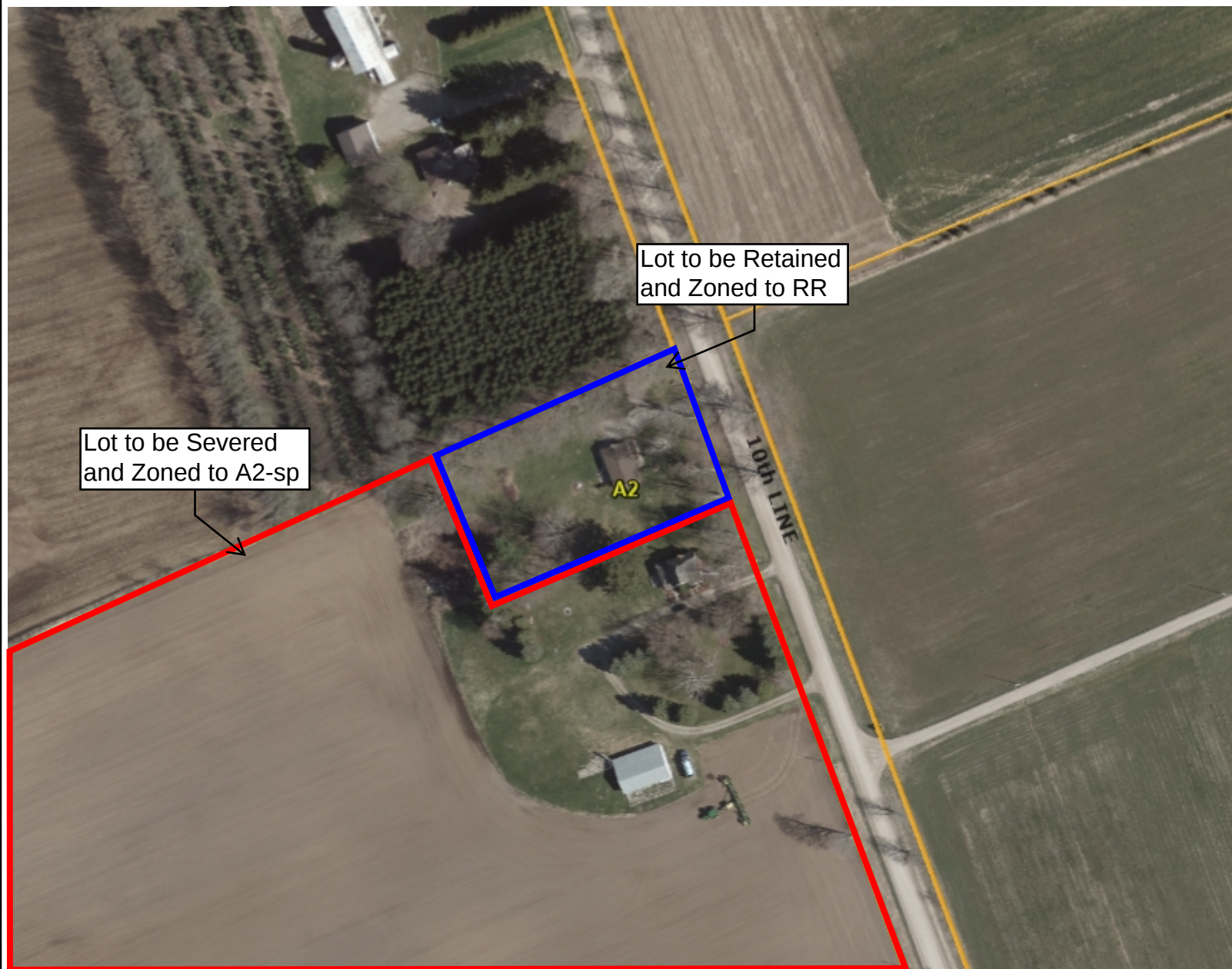
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NAD_1983_UTM_Zone_17N



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October 2, 2025



Legend

Parcel Lines

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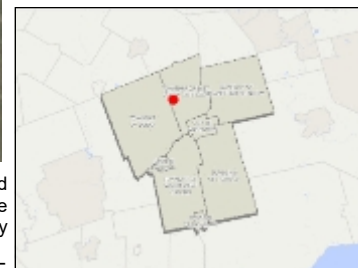
Zoning Floodlines

Regulation Limit

- ♦♦ 100 Year Flood Line
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Notes



0 51 102 Meters

NAD_1983_UTM_Zone_17N



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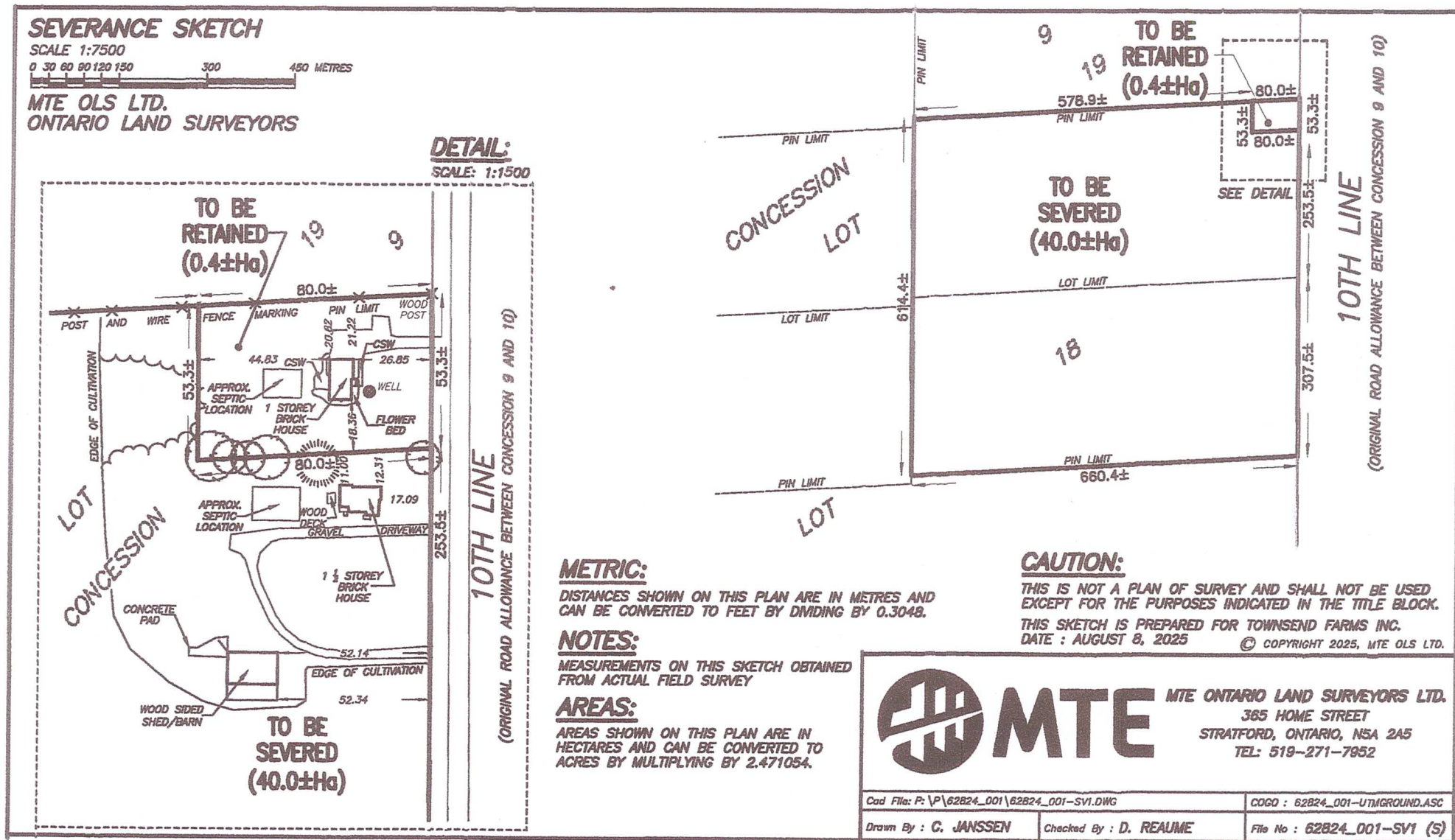


Plate 4: Applicant's Sketch
 File No. B25-54-2 and ZN2-25-05 (Townsend Farms Inc.)
 Part Lots 18-19, Concession 9 (East Zorra), As in 420897, Township of East Zorra-Tavistock - 496131 and 496139 10th Line