

To: Chair and Members of Oxford County Land Division Committee
From: Spencer McDonald, Development Planner, Community Planning

Application for Consent B26-17-5 – Brent and Cindy Hartman

REPORT HIGHLIGHTS

- The Application for Consent proposes a farm consolidation, whereby an agricultural parcel with an approximate area of 11.3 ha (28 ac) is to be severed and added to the 29 ha (72 ac) agricultural parcel to the immediate west.
- The proposed lot to be retained will be approximately 0.8 ha (2 ac) in area and contains a single detached dwelling built in approximately 1977.
- 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 farm consolidations and non-farm rural residential development in prime agricultural areas.

DISCUSSION

Background

OWNERS: Brent and Cindy Hartman
435871 43rd Line, Embro, ON, N0J 1J0

LOCATION:

The subject lands are described as Part Lot 15, Concession 6 (West Zorra), in the Township of Zorra. The lands are located on the south side of Road 84, between 41st Line and 43rd Line, and are municipally known as 844254 Road 84, Township of Zorra.

OFFICIAL PLAN:

Schedule “Z-1”	Township of Zorra Land Use Plan	‘Agricultural Reserve’
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TOWNSHIP OF ZORRA ZONING BY-LAW 35-99:

Lot to be severed:
Existing Zoning: 'Limited Agricultural Zone (A1)'
Proposed Zoning: 'General Agricultural Zone (A2)'

Lot to be retained:
Existing Zoning: 'Limited Agricultural Zone (A1)'
Proposed Zoning: 'Rural Residential Zone (RR)'

Lot to be enlarged:
Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'General Agricultural Zone (A2)'

SERVICES:

Lots to be retained: Existing private well and septic system
Lot to be severed: No services
Lot to be enlarged: No services

ROAD ACCESS:

Lot to be severed: Paved, County Road (Road 84)
Lot to be retained: Paved, County Road (Road 84)
Lot to be enlarged: Gravel, Township Road (41st Line)

PROPOSAL:

Lot Dimensions	Lot to be Severed	Lot to be Enlarged	Lot to be Retained
Area	11.3 ha (28 ac)	29 ha (72 ac)	0.8 ha (2 ac)
Frontage	310 m (1,017 ft)	Irregular	82.9 m (272 ft)
Depth	300 m (984 ft)	Irregular	97.5 m (320 ft)

The Application for Consent proposes a farm consolidation and the retention of a lot for non-farm rural residential use. The lot proposed to be severed comprises approximately 11.3 ha (28 ac) and is under agricultural (cash cropping) production. It is proposed that the lot to be severed will be added to the agricultural lot to the immediate west. The lot to be enlarged is approximately 29 ha (72 ac) and is currently vacant.

Once merged, the lot to be severed and the lot to be enlarged will result in an agricultural parcel size of approximately 40.3 ha (99.5 ac), with frontage on both Road 84 and 41st Line.

It is proposed that the lot to be retained will be 0.8 ha (2 ac) in area with approximately 82.9 m (272 ft.) of frontage on Road 84. The lot to be retained contains an existing single detached dwelling (circ. 1977) and a detached accessory structure. The lands to be retained are serviced by a private well and septic system.

At this time, a Zone Change Application has not been received by the Township, however, pending approval of the consent application, a zoning by-law amendment should be included as

a condition of approval for the retained lot to change the zoning from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)'. Additionally, a zone change should be required for the lot to be severed to place it into the 'General Agricultural Zone (A2)' to match the existing zoning on the lot to be enlarged.

Existing uses in proximity to the subject lands are predominately agricultural operations on a variety of lot sizes and configurations. Stonehaven Golf Course is located to the immediate northwest of the proposed lot to be enlarged.

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

Plate 2, Aerial Map (2025), provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicants' Sketches, shows the approximate configuration of the lands to be severed, retained and enlarged as proposed 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. 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.

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;
 - 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;
- In no case will the proposed lot 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) can be achieved;
- 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 enlarged are currently zoned 'General Agricultural Zone (A2)' in the Township of Zorra Zoning By-Law. The 'A2' zone permits a variety of agricultural 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). Once merged, the newly enlarged lot will approximately 40.3 ha (99.5 ac) in area, with frontage on both Road 84 and 41st Line and will meet the provisions of the 'A2' zone with respect to lot area, frontage, and depth.

The lot to be retained is proposed to be used for non-farm rural residential purposes and will be required to be rezoned to recognize the use of the lands as such. 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). Based on the information provided by the

applicant, the proposed retained lot would appear to meet all the requirements of the 'RR' zone in the Township Zoning By-law.

The lands being severed are currently zoned 'Limited Agricultural Zone (A1)' in the Township Zoning By-law. The 'A1' zone requires a minimum lot area and frontage existing as of the date of passing of the Township Zoning By-law or created through a boundary adjustment. The lands being severed and conveyed to the immediate west are required to be rezoned into the 'General Agricultural (A2) Zone', and a condition speaking to this has been included in this report.

Agency Comments

The Township Director of Corporate and Protective Services, the Township Director of Public Services, the Upper Thames River Conservation Authority (UTRCA), Hydro One and Oxford County Public Works have indicated no concerns with the proposal.

The Township Chief Building Official/Drainage Superintendent commented that drainage reapportionment will be required as a condition of the consent.

Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring property owners on May 21, 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, which proposes a farm consolidation and the retention of a lot for non-farm rural residential use, has been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the Oxford County Official Plan.

It is proposed that a total of approximately 11.3 ha (28 ac) of agricultural land will be severed and added to the existing farm parcel to the immediate west, which is approximately 29 ha (72 ac) in area, for a total farm parcel size of approximately 40.3 ha (99.5 ac). The resulting agricultural lot size and configuration is consistent with the PPS's direction of maintaining farm parcels of adequate size to adapt to changing agricultural conditions.

The retained parcel will be approximately 0.8 ha (2 ac) in area and will be used for non-farm rural residential purposes. As previously outlined, 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 size needed to accommodate the use and appropriate sewage and water services. Given the lot size of the proposed retained lot does not exceed 0.8 ha (2 ac), staff are 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 proposal also appears to maintain the general intent of the Official Plan. The newly enlarged parcel will continue to be used for agricultural purposes, will not result in further fragmentation of agricultural land, and the increase in parcel size will aid in flexibility for future changes in the type of farm operation beyond its current capabilities. Once merged, the lot to be severed and enlarged will maintain the minimum lot area, frontage, and depth requirements of the 'A2' zone.

The lot proposed to be retained will require a zone change from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' to recognize its use as a non-farm rural residential lot. Accordingly, a condition addressing this has been included in this report for Committee's consideration. Similarly, and as previously identified, the lands being severed will also be required to be rezoned from 'A1' to 'A2' to match the zoning on the enlarged lot ('A2').

In light of the above, it is the opinion of this Office that the proposal to consolidate abutting farm parcels 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.

RECOMMENDATION

Whereas the application for consent is consistent with the 2024 Provincial Planning Statement, and complies with 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:

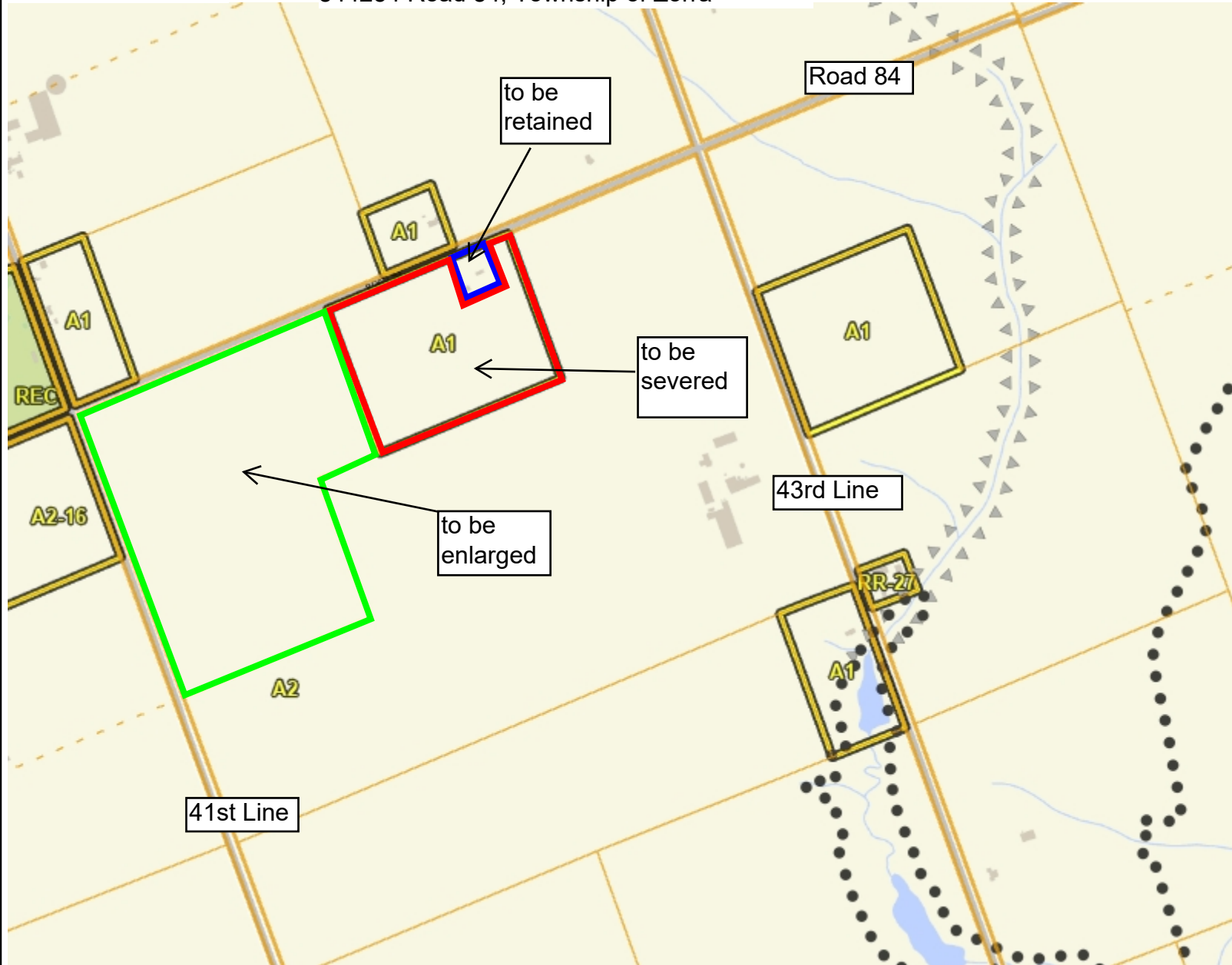
B26-17-5

- 1. The lots to be severed and retained be appropriately zoned to the satisfaction of the Township of Zorra.**
- 2. The parcel intended to be severed shall be conveyed to the abutting landowner to the immediate west and be consolidated with said owner's existing property. Any additional transactions with regard to the severed parcel must comply with Section 50(3) & (5) of the Planning Act, R.S.O., 1990, as amended, and be reflected on the certificate.**
- 3. If required, a drainage assessment reapportionment be undertaken, pursuant to Section 65 of the Drainage Act, R.S.O., 1990, at the owners' expense, to the satisfaction of the Township of Zorra.**
- 4. The Clerk of the Township of Zorra advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.**

SIGNATURES

Authored by: *"Original Signed By"* Spencer McDonald, MCIP, RPP
Development Planner

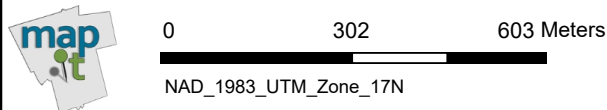
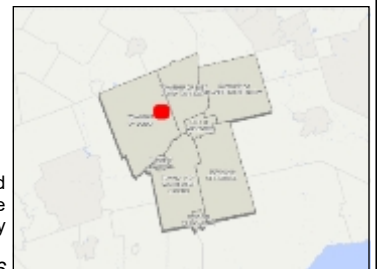
Approved for submission: *"Original Signed By"* Heather St. Clair, MCIP, RPP
Senior Development Planner



Legend

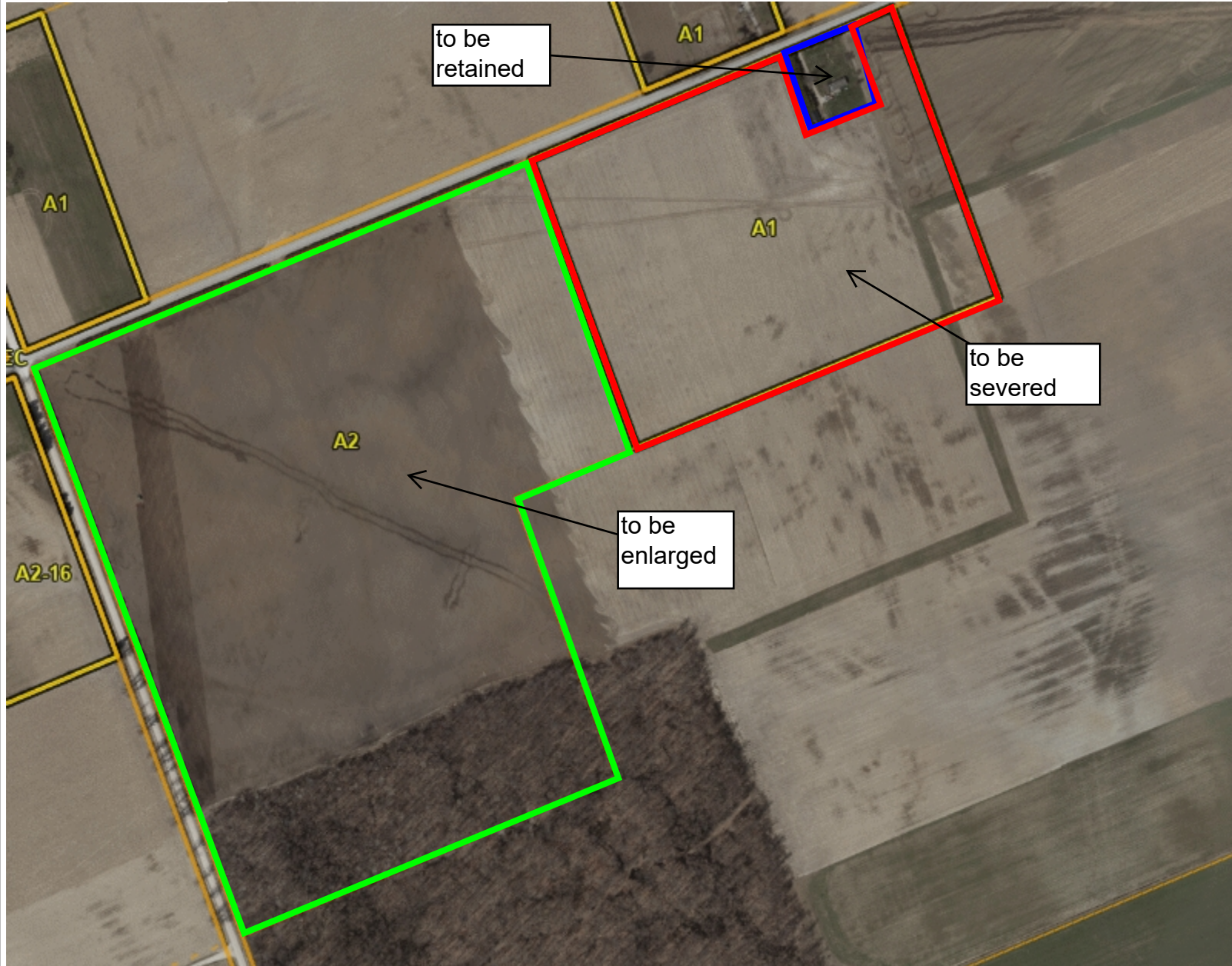
- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - - - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 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

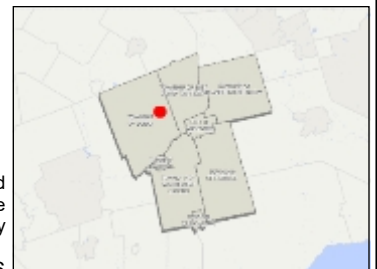
March 24, 2026



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



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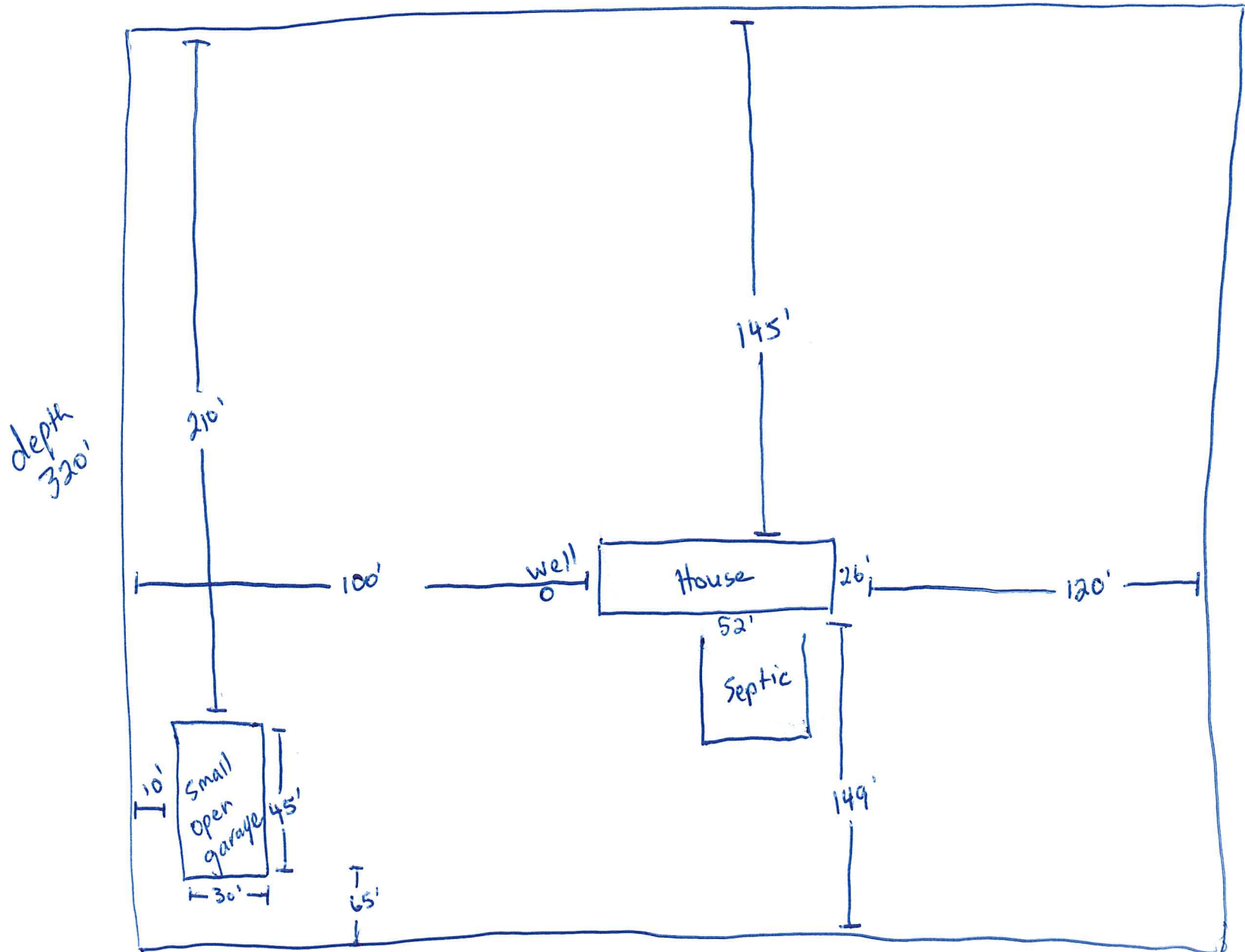


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March 24, 2026

844254 Road 84 (Lot to be retained)

Frontage 272'

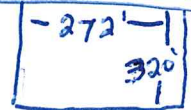


844254 Road 84

4th St

approx 540 m

approx 300 m



lot to be retained

* Lot to be severed

Lot to be enlarged