

To: Chair and Members of Oxford County Land Division Committee

From: Adam Gignac, Development Planner, Community Planning

Application for Consent B26-36-2 – Alver Farms Limited

REPORT HIGHLIGHTS

- The Application for Consent proposes the creation of one (1) new agricultural lot from an existing 84.29 ha (208.29 ac) parcel of land.
- The proposed lot to be severed will be approximately 33.13 ha (81.87 ac) and contains agricultural (crop) land with no buildings or structures. The proposed lot to be retained would be approximately 41.16 ha (101.71 ac) and contains agricultural (crop) land and an existing single-detached 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 in prime agricultural areas.

DISCUSSION

Background

OWNER/APPLICANT: Alver Farms Limited (c/o Jonathan Hook)
496688 10th Line, Woodstock, Ontario N4S 7V7

AGENT: James M. Burns, Monteith Ritsma Phillips PC
6 Wellington Street, P.O. Box 846, Stratford, Ontario N5A 6W3

LOCATION:

The subject lands are described as Part Lot 15, Concession 10 (East Zorra) in the Township of East Zorra-Tavistock. The lands are located on the south side of Braemar Sideroad, between 11th Line to the east and 10th Line to the west. The subject lands are currently municipally addressed as 515899 11th Line and 844758 Braemar Sideroad.

OFFICIAL PLAN:

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

Existing Zoning: 'General Agricultural Zone (A2)'

SERVICES:

Lot to be Severed: No services; Private well, septic system proposed
Lot to be Retained: Existing private well and septic system

ROAD ACCESS:

Lot to be Severed: Gravel, Township Road (11th Line)
Lot to be Retained: Paved, Township Road (Braemar Sideroad)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	33.13 ha (81.87 ac)	41.16 ha (101.71 ac)
Frontage	407.6 m (1,337.3 ft)	715 m (2,345.8 ft)
Depth	624.5 m (2,049.9 ft)	624.5 m (2,048.9 ft)

The Application for Consent proposes the creation of one (1) new agricultural lot. The lot proposed to be severed currently contains agricultural (crop) production and no buildings or structures and would comprise 33.13 ha (81.87 ac), with a lot frontage of approximately 407.6 m (1,337.6 ft). It is proposed that a single-detached dwelling would be constructed on the lot to be severed.

It is proposed that the lot to be retained will be 41.16 ha (101.71 ac) in area and have a lot frontage of approximately 715 m (2,345.8 ft) along Braemar Sideroad. The lot to be retained contains one recently constructed single detached dwelling and is primarily used for agricultural (crop) production.

The applicants have noted that the subject lands were previously separated lots, that have since been merged on title. The applicants are wishing to return the subject lands to their original boundaries through the Application for Consent.

Existing uses in proximity to the subject lands are predominantly agricultural operations on a variety of lot sizes and configurations, with some rural residential uses along Braemar Sideroad. Existing woodlots can be found to the east and west of the subject lands, with Braemar Valley RV Park and aggregates lands to the south.

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) with Existing Zoning, provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicant's Sketch, shows the approximate lands to be severed, enlarged and retained as prepared by the applicant.

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:

- 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.

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.

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 3.1.4.2.4 (Creation of Agricultural Lots and Agricultural Lot Additions) establish 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 that MDS Formulae are satisfied; and,
- To establish appropriate land use planning criteria for evaluating agricultural severance proposals.

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 land 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 flexibility for existing and future agricultural operations on those 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. Agricultural severances should avoid further fragmentation of agricultural land, and 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).

Consents for farm severance or consolidation purposes must satisfy MDS Formulae.

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 criteria:

- 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.

Woodlands and other natural heritage features and areas should not be severed from an agricultural lot unless the woodland and/or other natural heritage features and areas are to be conveyed to the County of Oxford or another public authority or conservation land trust approved of by the County, for natural heritage conservation purposes. Consents for such purposes may be permitted, provided that no new buildable lot would be created, and any retained agricultural lot would comply with the applicable policies of 3.1.4.2.

The proposed configuration of agricultural lots shall not result in further fragmentation of natural heritage features and areas and/or the broader natural heritage system. Compliance with this policy shall be determined by the County, in consultation with the Conservation Authority with jurisdiction and/or any other agencies or qualified professionals that the County may deem necessary.

Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

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 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). The lot to be severed is proposed to be 33.13 ha (81.87 ac) in area and have a lot frontage of 407.6 m (1,337.6 ft). The lot to be retained is proposed to be 41.16 ha (101.71 ac) and have a lot frontage of 715 m (2,345.8 ft). Based on the information provided by the applicant, the proposed lot to be severed and lot to be retained would appear to meet the lot requirements of the 'A2' zone.

Agency Comments

The application was circulated to internal departments and external agencies that were deemed to have interest in the proposal.

The Township Chief Building Official noted that a drainage reapportionment would be required for any drains on the property, and that no severance agreement would be required.

The Upper Thames River Conservation Authority (UTRCA) noted the following comments:

1. The subject lands are regulated by the UTRCA due to the presence of multiple watercourses on the subject and adjacent lands that may be affected by flooding and erosion hazards.
2. Consistent with Provincial direction, the UTRCA is not generally supportive of development within hazardous lands. As the Provincial Planning Statement (PPS, 2024) includes the creation of new lots within the definition of "development", the UTRCA interprets this policy as being prohibitive to fragmenting hazardous lands through lot creation. Where possible, new lot lines should not fragment the hazards present to ensure the created lot is entirely outside of hazardous lands.

The UTRCA recognizes that this may not always be practical and provides exceptions to this policy in Section 3.2.2.5a of the Environmental Planning Policy Manual for the UTRCA (June 2008, Revised Oct 2017) which states:

5. "Exceptions to this policy may include, but are not limited to the following: a) Large agricultural parcels of sufficient size to accommodate a farming operation."

As the severance is to revert the subject lands back to two parcels as they previously were, and given that both the retained and severed lands are of sufficient size for an agricultural use within the Township of East Zorra-Tavistock Zoning By-Law (No. 2003 18), this exception can be applied for the fragmentation of the river valley system associated with Mud Creek.

With consideration for the comments, the UTRCA has no objections to Consent application B26-36-2.

The Township Director of Infrastructure, Township Fire Chief, Canada Post, Hydro One, County of Oxford Public Works, and Southwestern Public Health have indicated that they have no comments or concerns with the proposed application.

Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring property owners on September 17th, 2026, in accordance with the requirements of the *Planning Act*. As of the writing of this report, no comments or concerns had been received from the public.

Planning Analysis

The purpose of the application for consent is to create one (1) new agricultural lot, and retain an agricultural lot. The lot to be severed is proposed to be 33.13 ha (81.87 ac) in size, while the lot to be retained is proposed to be 41.16 ha (101.71 ac) in size. The lots are intended to remain used for agricultural purposes.

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 lots are consistent with the PPS policies for prime agricultural areas, as the proposed lots are generally of sufficient size for the types of agricultural uses common in the area.

With respect to the County Official Plan policies for 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), as set out in Section 3.1.4.2.4.

The proposal also appears to maintain the general intent of the Official Plan. The parcels would be above the minimum size for agricultural lots of 30 ha (74.1 ac) and the parcels would be reverted back to their previous configurations. Fragmentation of farmland would be minimized under this proposal, while woodlands and other natural features would not be severed from the farmland. Staff also note that the proposed lots to be severed and maintained would meet the zone requirements for minimum lot area and minimum lot frontage with respect to the requirements of the 'General Agriculture Zone (A2)'.

The Township Chief Building Official has noted that a drainage reapportionment would be required, however, that a severance agreement would not be required. The drainage reapportionment has been included as a condition.

In light of the above, it is the opinion of this Office that the proposal to create one (1) agricultural lot and retain an additional lot for agricultural 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

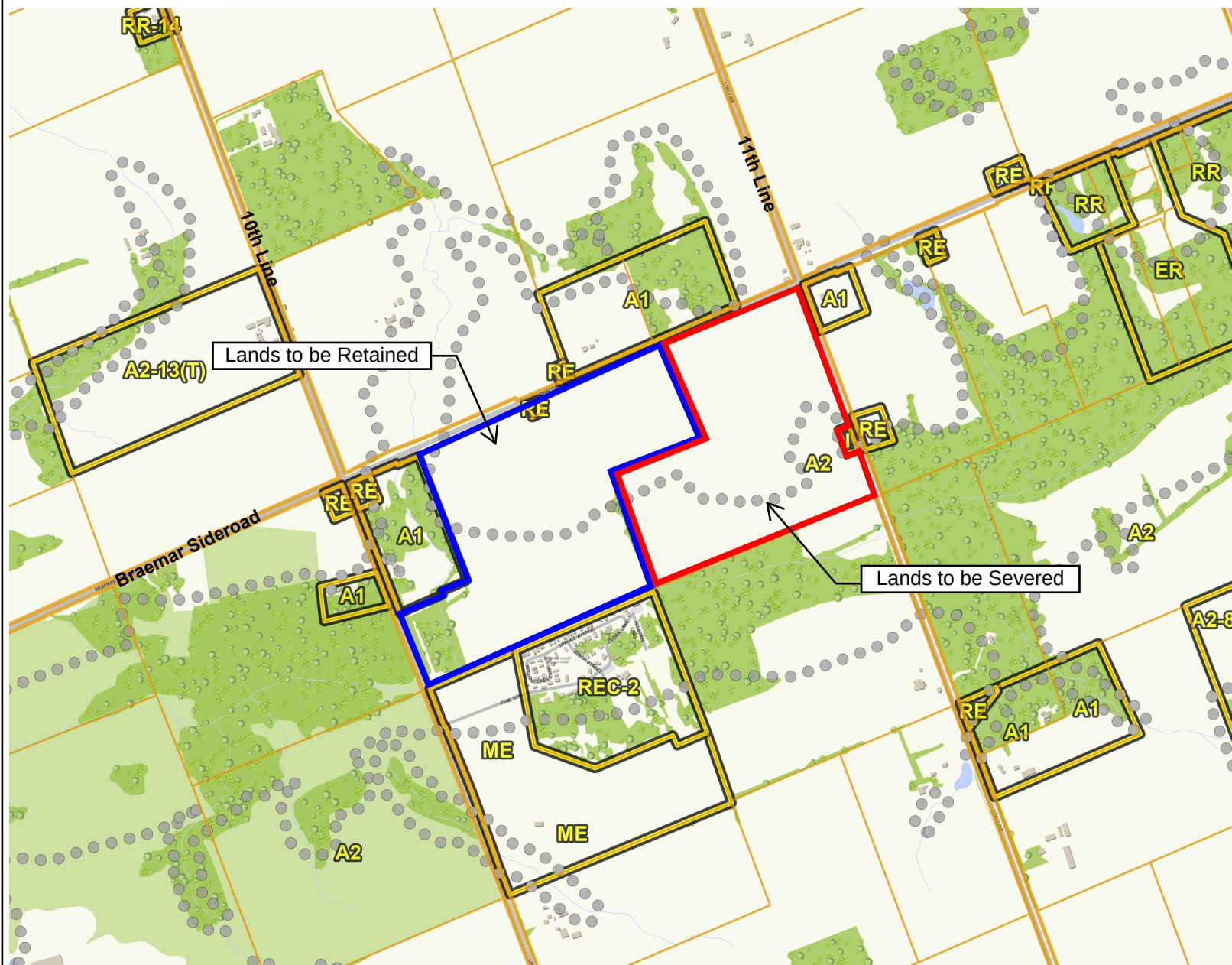
Whereas the application for consent is consistent with the 2024 Provincial Planning Statement, complies with the policies of the County of Oxford Official Plan and the subject property is appropriately zoned, we are of the opinion that the application is acceptable from a planning perspective, and should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

B26-36-2

- 1. 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 East Zorra-Tavistock.**
- 2. 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.**

SIGNATURES

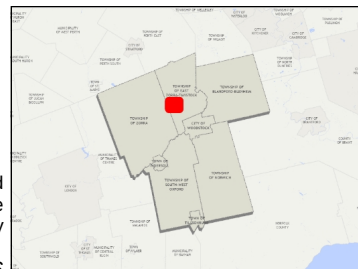
Authored by:	<i>'Original signed by'</i>	Adam Gignac Development Planner
Approved for submission:	<i>'Original signed by'</i>	Heather St. Clair, MCIP, RPP Senior Development Planner



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



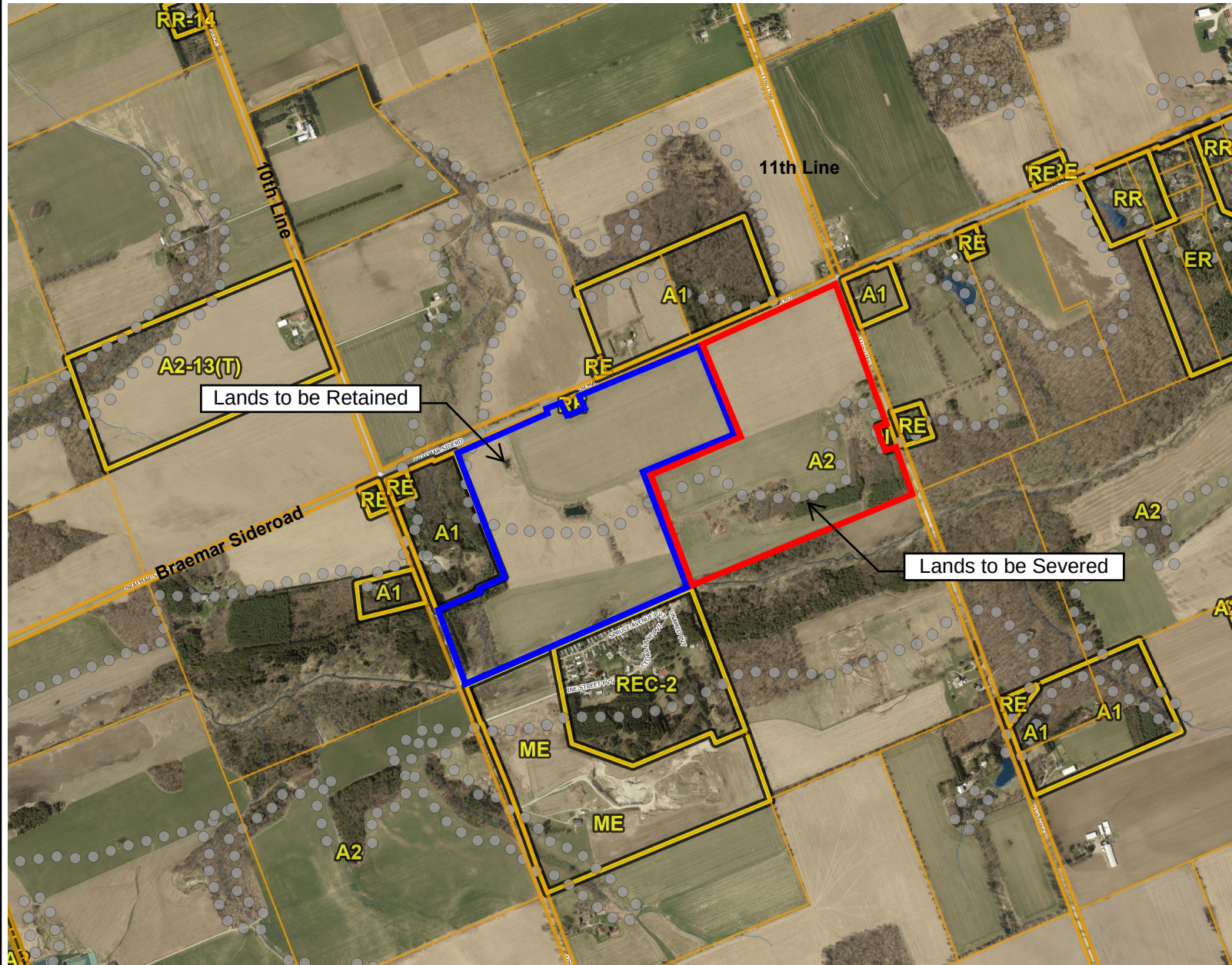
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NAD_1983_UTM_Zone_17N



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August 11, 2026



Legend

Parcel Lines

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

Environmental Protection Flood Overlay

- Flood Fringe
- Floodway
- Environmental Protection (EP1)
- Environmental Protection (EP2)

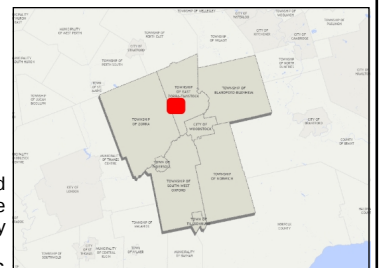
Zoning Floodlines

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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September 18, 2026

Plate 3: Applicant's Sketch
File No. B26-36-2 (Alver Farms Limited)
Part Lot 15, Concession 10 (East Zorra), 515899 11th Line and 844758 Braemar Sideroad

