

To: Mayor and Members of Township of Zorra Council

From: Spencer McDonald, Development Planner, Community Planning

Application for Zone Change

ZN 5-26-06– Paul and Jayme Claessens

REPORT HIGHLIGHTS

- The purpose of the Application for Zone Change is to rezone the subject lands (and additional lands) into a site-specific 'Special Rural Residential Zone (RR-sp)' to permit an oversized accessory structure intended to accommodate a rural entrepreneurial use (electrical contracting business).
- An associated application for Consent for a lot addition for additional lot area to accommodate the accessory structure has been submitted and will be considered by the County Land Division Committee at a future meeting.
- The existing business (electrical contractor business) would appear to meet the policy direction surrounding Rural Entrepreneurial Uses (REU's) and is recommended to be recognized through zoning.
- Planning staff are recommending the application not be approved as the proposal is does not conform with Official Plan policies respecting permitted uses in prime agricultural areas.

DISCUSSION

Background

OWNERS: Paul and Jamye Claessens
642914 Road 64, Ingersoll, ON, N5C 3J6

LOCATION:

The subject lands are described as Part Lot 22, Concession 3 (North Dorchester), in the Township of Zorra. The lands are located on the south side of Road 64, between 15th Line and 17th Line and are municipally known as 642914 Road 64, Township of Zorra.

OFFICIAL PLAN:

Schedule "Z-1" Township of Zorra Land Use Plan Agricultural Reserve

TOWNSHIP OF ZORRA ZONING BY-LAW 35-99:

The lands subject to the zone change application are currently zoned 'Rural Residential (RR) Zone' and 'General Agricultural (A2) Zone' according to the Township Zoning By-law.

PROPOSAL:

The purpose of the Application for Zone Change is to rezone the subject lands from their current 'Rural Residential (RR) Zone' and 'General Agricultural (A2) Zone', respectively, and place them into a site-specific 'Special Rural Residential (RR-sp) Zone' with a provision allowing for a cumulative 4,600 ft² for accessory structures. It is the intention of the application to facilitate the future establishment of an approximate 279 m² (3,000 ft²) structure to accommodate an electrical contractor business. The non-farm rural residential lot is approximately 0.4 ha (1.0 ac) in size, while the total area proposed to be rezoned (including the lands proposed to be severed and conveyed to the existing 'RR' lot are approximately 0.7 ha (1.75 ac) in size.

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

Plate 2, Aerial Map (2025), provides an aerial view of the subject lands (including the additional lands proposed to be added via separate application for consent).

Plate 3, Applicants' Sketch, provides the approximate area subject to the zone change application, as prepared by the applicant.

Application Review

2024 Provincial Planning Statement

The 2024 Provincial Planning Statement (PPS) is a policy statement issued under the authority of Section 3 of the Planning Act. The PPS applies to all decisions in respect of the exercise of any authority that affects a planning matter, and such decisions shall be consistent with 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.

In Oxford County, all lands located outside of designated settlement areas are considered to be a prime agriculture area, with the applicable policies for such areas primarily contained in Section 4.3. of the PPS.

Section 4.3 of the PPS directs that planning authorities are required to use agricultural system approach and further that prime agricultural areas shall be protected for long term agricultural use. In prime agricultural areas, permitted uses and activities 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.

The PPS defines agricultural uses to mean the growing of crops, including nursery, biomass and horticulture crops, as well as the raising of livestock and animals for food, fur or fibre including poultry and fish, apiaries, agro-forestry, maple syrup production and associated on-farm buildings and structure including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

An agricultural system is comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. More specifically, it contains agricultural land base comprised of prime agricultural areas, including specialty crop areas, it may also include rural lands that help to create a continuous productive land base for agriculture and an agri-food network which includes agricultural operations, infrastructure, services, and assets important to the viability of the agri-food sector.

Section 4.3.2 (Permitted Uses) of the PPS permits agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance. Permitted uses within prime agricultural areas shall be compatible with and shall not hinder surrounding agricultural operations. Criteria for these uses may be based on Provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

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.

Section 3.1.5 of the Official Plan provides policies for non-agricultural uses in the Agricultural Reserve designation. It is an objective of the Official Plan to permit expanded or new non-agricultural uses only where such uses do not conflict with the goal for agricultural policies and to ensure that non-agricultural uses remain clearly secondary to the principal function of food and fibre production in these areas. It is further an objective of the Official Plan to direct non-agricultural uses to designated settlements as a first priority.

In order to maintain the agricultural land resources for agricultural and related uses and to ensure that new commercial, industrial and institutional uses develop on appropriate levels of services, new non-agricultural uses will not be permitted within the Agricultural Reserve designation.

Section 3.1.5.2.1 – Secondary Uses on Rural Residential Lots, provides that the establishment of a rural entrepreneurial use on an existing residentially zoned lot and directs that the specific uses that may be permitted as a rural entrepreneurial use in each Area Municipality shall be set out in the Area Municipal Zoning By-law, and be in accordance with the applicable policies of this section.

For greater clarity, the following uses shall not be permitted as a rural entrepreneurial use:

- Retail uses, offices, medical/dental clinics and restaurants, except where explicitly permitted in this section;
- Institutional uses;
- Restaurants;
- Residential uses or accommodation; and,
- Other uses that, in the opinion of the County and/or Area Municipality, may;
 - i) Attract large numbers of customers or other people;
 - ii) Generate significant traffic, or not otherwise be appropriate for rural infrastructure or public services;
 - iii) Create compatibility or enforcement issues;
 - iv) Undermine or conflict with the planned function of rural settlements, except where explicitly permitted by the policies of this section; or,
 - v) Not otherwise be consistent with the applicable policies and objectives of this Plan.

Rural entrepreneurial uses may be permitted subject to the following:

- The establishment of a rural entrepreneurial use shall require a site-specific amendment to the Area Municipal Zoning By-law. The site-specific zoning amendment shall identify the specific rural entrepreneurial use to be permitted and contain any provisions necessary to ensure that policy criteria of this section are addressed, including but not limited to:
 - i) The location of the use on the lot;
 - ii) Restrictions on sale of goods or materials, maximum gross floor area, and number of employees;
 - iii) Parking and loading requirements; and,
 - iv) Appropriate restrictions on signage, outdoor storage and/or display, and other evidence of business activity.

Only proposals for a specific rural entrepreneurial use will be considered by the Area Municipality.

Area Municipalities may choose to establish more restrictive use, size and scale requirements for a rural entrepreneurial use than permitted by the policies of this Plan, provided they do not conflict with said policies. Where stricter requirements are established by the Area Municipality in the Zoning By-law, they shall take precedence over these policies.

Rural entrepreneurial uses shall be small scale and not detract from the residential character of the property. The maximum gross floor area of all buildings and structures permitted to be used for the purposes of a rural entrepreneurial use shall be regulated through the Area Municipal Zoning By-law, however, said gross floor area used or occupied by the use shall not exceed 280 m² (3,014 ft²) or 10% of the total lot area, whichever is less.

New or expanding rural entrepreneurial uses that would exceed the size, scale, or use limitations in this section shall not be permitted. Such uses shall be directed to locate or relocate in a settlement or must comply with the policies for establishing a non-agricultural use as contained in Section 3.1.7.

ZONING BY-LAW

The lands to be enlarged via a future consent application are currently a non-farm rural residential lot with the lands proposed to be added being part of a larger farm parcel currently zoned 'General Agricultural Zone (A2)' according to the Township's Zoning By-law. It is proposed that these lands be placed into a 'Special Rural Residential (RR-sp) Zone' to recognize their use as non-farm rural

residential with added provisions to allow for an oversized building to accommodate the electrical contractor business (currently existing within the smaller accessory structure on the property). The application proposes to retain the existing accessory structure as accessory to the residential use, while allowing the new 279 m² (3,000 ft²) structure for the electrical contracting business.

The 'A2' zone permits a variety of agriculture-related 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 lands severed via the related consent application will continue to meet the requirements of the Zoning By-law, and no changes are proposed at this time.

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). As previously identified, the enlarged residential lot (pending future consent application) and notwithstanding the size of accessory structures exceeding what the by-law permits, would appear to continue to meet the requirements of the Township Zoning By-law, as it currently does today.

Agency Comments

The applications were circulated to various agencies considered to have an interest in the proposal.

The Township of Zorra Chief Building Official/Drainage Superintendent, Township of Zorra Director of Public Services, and Oxford County Public Works and the Upper Thames River Conservation Authority (UTRCA) have indicated that they have no comments or objections regarding the proposal.

Public Consultation

Notice of complete application and public notice were provided to the surrounding property owners on July 13th, 2026, and July 30th, 2026, respectively, in accordance with the Planning Act. As of the date of this report, no concerns or objections have been received regarding the subject application.

Planning Analysis

The application for zone change proposes to rezone the subject lands from their current 'Rural Residential (RR)' and 'General Agricultural (A2) Zones' and place them into a 'Special Rural Residential (RR-sp) Zone' with a provision allowing for a cumulative 4,600 ft² for accessory structures. Further, it is the intention of the application to facilitate the future establishment of an approximate 278 m² / 3,000 ft² structure to accommodate an electrical contractor business.

The applicant has indicated that the electrical contractor business currently exists on site within the current accessory structure, and that the future needs of the business necessitate the larger structure. The existing accessory structure (149 m² / 1,600 ft²) is proposed to remain on the property and be utilized exclusively as accessory to the existing residential use. Staff would further note that while the electrical contracting business currently exists on the subject property, there are no planning permissions in place to allow for it. The floor area occupied by the existing business exceeds the area of what is currently permitted as a home occupation.

The application has been reviewed under the policy direction of the Provincial Planning Statement and the Official Plan.

While the direction provided in the PPS, 2024 is generally focused on agricultural uses within prime agricultural areas and does not provide specific direction on uses such as that contemplated by the subject application (i.e. a contracting business), the Official Plan, with agricultural policies approved by the Province in 2024, provides more specific direction in this regard.

Staff are of the opinion that the application to permit the expansion of the electrical contracting business does not conform to the relevant policies and criteria of the Official Plan as they pertain to rural entrepreneurial uses as the proposed gross floor area, at approximately 427 m² (4,600 ft²) exceeds the maximum identified in the criteria 280 m² (3,014 ft²). Moreover, the intent of the policies is to provide additional flexibility to existing lots and is not intended to justify future expansions of existing businesses where additional lands are required (taking agricultural lands out of production). It is the opinion of staff that the approval of the subject application could set an undesirable precedent in that it suggests the scale of rural entrepreneurial uses can be the same as those which policy directs to be located within serviced settlements, existing agri-business lots or commercial/light industrial lots for example.

Although the criteria established in 3.1.5.2.1 - Secondary Uses on Rural Residential Lots are largely satisfied by the proposal outlined in this report, the key implementing criteria of the maximum gross floor area (capped at 280 m² / 3,014 ft²) is not. Given the importance of criteria relating to size/scale of operations within the agricultural reserve, it is the opinion of staff that not meeting this important criterion is significant enough that it warrants non-support in this instance.

Specifically, in addition to the foregoing, the direction provided in the County Official Plan states that "New or expanding rural entrepreneurial uses that would exceed the size, scale, or use limitations in this section shall not be permitted. Such uses shall be directed to locate or relocate in a settlement or must comply with the policies for establishing a non-agricultural use as contained in Section 3.1.7." It is the opinion of Staff that the subject proposal does not conform to this specific policy direction, which was, after extensive public consultation and engagement, implemented via the 2024 agricultural policy updates in the OP.

From a zoning standpoint, while the proposed (and existing) use for an electrical contractor business as secondary to the primary rural residential use of the property is viewed as being appropriate (provided it is compliant with the 'REU' policies outlined in the Official Plan), it is the scale (proposed and future) which Staff are not supportive of. As businesses continue to grow and succeed within the agricultural reserve, it is important to provide appropriate parameters around when such uses are appropriate as being secondary within an agricultural area as opposed to being more appropriate for being located within a settlement or on an appropriately zoned (i.e. Agri-Business) lot. Although the applicant has identified that the existing accessory structure would be used as an accessory structure for the residential use only (once the new structure serving the business is established), the intent of the OP policies is not to provide such flexibility that both existing accessory structures and new ones, with cumulative GFA exceeding 280 m² (3,014 ft²) were to be supported. In addition, further expansions (and even the expansion proposed by this application) would result in a loss of agricultural lands, possible compatibility issues and potential traffic/vehicular considerations as the business continues to grow.

While the policy direction for Rural Entrepreneurial Uses in the OP does contemplate businesses such as an electrical contractor business (which currently exists on the subject lands), a proposal which does not require more land in order to accommodate the business needs and was able to be confined to area are not exceeding 280 m² (3,014 ft²) per the OP criteria, would be supportable from a planning standpoint. Staff understand the desire of the applicant to grow the existing business at its current location, however, as outlined throughout this report, it is the opinion of staff that supporting such a proposal may undermine the intent of the policies intended to

accommodate these types of businesses when they are of an appropriate size and scale – or are being located on existing lots which can accommodate them without the need to acquire additional agricultural lands / take additional lands out of production. Although it is the opinion of staff that the proposed expansion (and justification for additional lands to accommodate the expansion) is not appropriate, recognizing the current extent of the business operating on the subject lands could be contemplated by Council should Council decide to recognize the business as it operates today.

The intent of the Official Plan policies, coupled with the rationale within the Township Zoning By-law, is to support smaller scale, secondary operations on existing rural residential lots that do not remove any additional agricultural land from production, while not undermining the planned functions of settlement areas and employment areas where commercial and industrial uses are generally envisioned to operate. In light of the foregoing, it is the opinion of this Office that the proposal to rezone the subject lands (and an additional / 0.74 ac) to 'Special Rural Residential (RR-sp) Zone' is not appropriate in this instance.

RECOMMENDATION

It is recommended that the Council of the Township of Zorra not approve the proposed Zoning By-law amendment submitted by Paul and Jayme Claessens, for lands described as Part of Lot 22, Concession 3 (North Dorchester) and municipally known as 642914 Road 64 Line, Township of Zorra into the 'Special Rural Residential (RR-sp) Zone' to permit the future expansion of an existing electrical contractor business within a proposed 279 m² / 3,000 ft² structure on the subject lands.

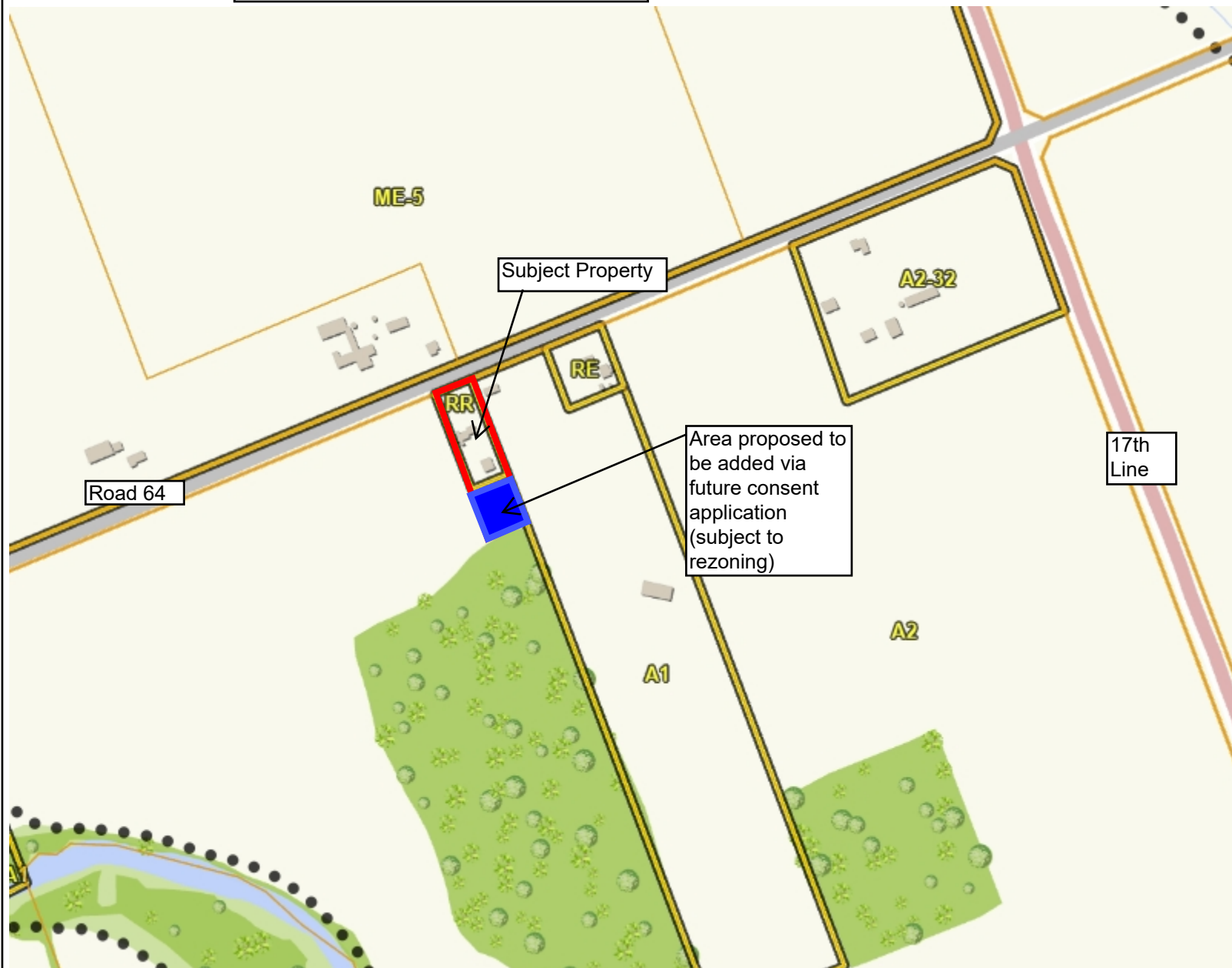
SIGNATURES

Authored by: *Original Signed by*

Spencer McDonald, MCIP, RPP
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Manager of Development Planning



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



0 151 302 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

July 7, 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



0 78 156 Meters

NAD_1983_UTM_Zone_17N



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July 22, 2026



Approx. Subject
Property
(proposed to be
rezoned to 'RR-
sp")

Area proposed to
be rezoned and
later conveyed to
the existing 'RR'
lot immediately
north