

To: Chair and Members of Oxford County Land Division Committee

From: Laurel Davies Snyder, Development Planner, Community Planning

## **Applications for Consent and Minor Variance B25-61-4; B25-62-4 and A25-15-4; B25-63-4 and A25-16-4 The Estate of Judson Denby**

### **REPORT HIGHLIGHTS**

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- The overall purpose of these applications for consent and minor variance is to facilitate the creation of three separate residential lots in the linear Rural Cluster of Beachville Road, consistent with the established patterns of residential use on the subject property, and to convey agricultural and environmental protection lands to an abutting property. No new development is proposed as part of these applications. An access easement has also been requested over Proposed Lot 1 (B25-61-4) in favour of the Lot to be Retained for driveway access purposes.
- Planning staff are recommending approval of the applications as they are generally consistent with the policy criteria of the Provincial Planning Statement and maintain the intent and purpose of the Official Plan with respect to infill development in Rural Clusters, and the objectives of the Agricultural Reserve and Environmental Protection Area.

### **DISCUSSION**

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#### **Background**

OWNER: The Estate of Judson Denby  
585012 Beachville Road, RR #1, Woodstock, ON N4S 7V6

APPLICANT: Cathy Smith  
585012 Beachville Road, RR #1, Woodstock, ON N4S 7V6

AGENT: Robert Yates  
240 Briarhill Road, Woodstock, ON N4S 7T3

LOCATION:

The subject lands are legally described as Part Lot 1, Concession Broken Front, Township of South-West Oxford. The lands are located on the south side of Beachville Road, between East Hill Line and Anderson Street and known municipally as 585016 Beachville Road.

OFFICIAL PLAN:

Lot to be Retained

Schedule "S-1"	Township of South-West Oxford Land Use Plan	Agricultural Reserve, Rural Linear Cluster
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Lot to be Severed via B25-61-4 (Proposed Lot 1)

Schedule "S-1"	Township of South-West Oxford Land Use Plan	Agricultural Reserve, Rural Linear Cluster
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Lot to be Severed via B25-62-4 and A25-15-4 (Proposed Lot 2)

Schedule "S-1"	Township of South-West Oxford Land Use Plan	Agricultural Reserve, Rural Linear Cluster
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Lot to be Severed via B25-63-4 and A25-16-4 (Proposed Lot 3)

Schedule "S-1"	Township of South-West Oxford Land Use Plan	Agricultural Reserve, Environmental Protection
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Lot to be Enlarged

Schedule "S-1"	Township of South-West Oxford Land Use Plan	Agricultural Reserve, Environmental Protection
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TOWNSHIP OF SOUTH-WEST OXFORD ZONING BY-LAW 25-98:

Lots to be Retained and Severed	'General Agricultural Zone (A2)'
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Lot to be Enlarged	'Rural Residential Zone (RR)'
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SERVICES:

Lot to be Retained	private septic, municipal water
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Lot to be Severed via B25-61-4 (Proposed Lot 1)	private septic (share well contained on Proposed Lot 2)
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Lot to be Severed via B25-62-4 and A25-15-4 (Proposed Lot 2)	private septic, private well
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Lot to be Severed via B25-63-4 and A25-16-4 and Conveyed to the Lot to be Enlarged (Proposed Lot 3)	none
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Lot to be Enlarged	private septic, private well
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ROAD ACCESS:

Lot to be Retained	paved County Road (Beachville Road) via new easement on Proposed Lot 1
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Lot to be Severed via B25-61-4	paved County Road (Beachville Road)
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(Proposed Lot 1) Lot to be Severed via B25-62-4 and A25-15-4 (Proposed Lot 2)	paved County Road (Beachville Road)
Lot to be Severed via B25-63-4 and A25-16-4 and Conveyed to the Lot to be Enlarged (Proposed Lot 3)	paved County Road (Beachville Road)

EXISTING USES OF SUBJECT PROPERTY AND LOT TO BE ENLARGED:

Lot to be Retained	existing single detached dwelling, residential accessory structures
Lot to be Severed via B25-61-4 (Proposed Lot 1)	existing single detached dwelling, residential accessory structures
Lot to be Severed via B25-62-4 and A25-15-4 (Proposed Lot 2)	existing single detached dwelling, residential accessory structures
Lot to be Severed via B25-63-4 and A25-16-4 and Conveyed to the Lot to be Enlarged (Proposed Lot 3)	vacant
Lot to be Enlarged agricultural	existing single detached dwelling, existing agricultural structure

PROPOSAL:

	<u>RETAINED LOT</u>	<u>SEVERED LOT</u> <u>B25-61-4</u>	<u>SEVERED LOT</u> <u>B25-62-4 AND</u> <u>A25-15-4</u>	<u>SEVERED LOT</u> <u>B25-63-4 AND</u> <u>A25-16-4</u>	<u>ENLARGED LOT</u>
		PROPOSED LOT 1	PROPOSED LOT 2	PROPOSED LOT 3	(PRIOR TO SEVERANCE)
<b>Area</b>	0.49 ha (1.21 ac)	0.49 ha (1.21 ac)	0.4 ha (0.97 ac)	21.3 ha (52.7 ac)	0.48 ha (1.18 ac)
<b>Frontage</b>	35 m (114.8 ft)	35 m (114.8 ft)	28.1 m (92.3 ft)	39.6 m (130 ft)	nil
<b>Depth (average)</b>	139.7 m (458.5 ft)	139.7 m (458.5 ft)	139.7 m (458.5 ft)	264 m (866 ft)	104 m (341 ft)

MINOR VARIANCES REQUESTED:

<b>Consent File No.</b>	<b>Minor Variance File No.</b>	<b>Relief Requested</b>
B25-62-4 (Proposed Lot 2)	A25-15-4	Relief from the provisions of Table 10.2 – Rural Residential Zone Provisions - to reduce the minimum required lot frontage from 35 m (114.8 ft) to 28.1 m (92.3 ft) for the lot to be severed via B25-62-4.
B25-63-4 (Proposed Lot 3)	A25-16-4	Relief from the provisions of Table 8.2 – General Agricultural Zone Provisions - to reduce the minimum required lot frontage from 100 m (328.1 ft) to 39.6 m (130 ft) for the lot to be severed and conveyed via B25-63-4.  Relief from the provisions of Table 8.2 – General Agricultural Zone Provisions - to reduce the minimum lot area from 30 ha (74.1 ac) to 21.3 ha (52.7 ac) for the severed and conveyed via B25-63-4.

The overall purpose of these applications for consent and minor variance is to create three separately transferable residential lots in the Beachville Road Linear Rural Cluster and convey the agricultural and environmental protection lands to an abutting rural residential property to the east (585006 Beachville Road). No new development is proposed as part of these applications.

The applicant has submitted Minor Variance Application A25-15-4 requesting a reduced lot frontage for Proposed Residential Lot 2, Lot to be Severed via B25-62-4. Specifically, the application requests a reduced frontage of 28.1 m (92.3 ft) where 35 m (114.8 ft) is required for a property zoned 'Rural Residential zone (RR)'.

The applicant has submitted Minor Variance Application A25-16-4 requesting a reduced lot frontage and reduced lot area for the Lot to be Severed via B25-63-4 (Proposed Lot 3) when conveyed to the Lot to be Enlarged. Specifically, the application requests a reduced frontage of 39.6 m (130 ft) where 100 m (328.1 ft) is required and a reduced lot area of approximately 21.8 ha (53.8 ac) where 30 ha (74.1 ac) for lands zoned 'A2'.

Severed Lots 1 and 2, together with the lot to be retained each contain a single detached dwelling and associated residential accessory structures. The approximate sizes of the structures contained on each proposed new residential lot are summarized below, as provided by the applicant. The owners of the subject lands have indicated that they wish to maintain all structures.

- Lot to be Retained: single detached dwelling (116.1 m<sup>2</sup>/1,250 ft<sup>2</sup>), detached garage (55.7 m<sup>2</sup>/600 ft<sup>2</sup>).
- Lot to be Severed via B25-61-4 (Proposed Lot 1): single detached dwelling (230.4 m<sup>2</sup>/2,480 ft<sup>2</sup>) detached garage (45.2 m<sup>2</sup>/486 ft<sup>2</sup>).
- Lot to be Severed Lot via B25-62 4 and A25-15-4 (Proposed Lot 2): single detached dwelling (130.5 m<sup>2</sup>/1,405 ft<sup>2</sup>), three (3) accessory structures totalling approximately 210 m<sup>2</sup> (2,261 ft<sup>2</sup>).

If the proposed consent is approved, the applicant will be required to submit Zone Change Applications to rezone the lots to be severed via applications B25-61-4 and B25-62-4, together with the retained lands to a rural residential zone in the Township of South-West Oxford Zoning

By-law, and to rezone the lot to be enlarged via application B25-63-4 to an agricultural zone to coincide with the severed lands to which they will be added. A requirement of a complete Zone Change Application will be the submission of a survey illustrating the location and dimensions of existing structures and infrastructure (e.g. septic systems, wells, leaching beds) to the satisfaction of the Township of South-West Oxford. The agent is in discussions with Township of South-West Oxford Building Services Staff regarding survey requirements.

Staff note that the maximum size of accessory buildings in residential zones located within a settlement area is 10% of lot area or 100 m<sup>2</sup> (1,076 ft<sup>2</sup>) of gross floor area, whichever is the lesser. The agent and applicant are aware that the accessory buildings on Proposed Lot 2 exceed the maximum for accessory buildings on the proposed lot and that pending approval of these applications, the required Zone Change Application will need to include a request for a special provision for the increased maximum accessory structure coverage for Proposed Residential Lot 2 (Lot to be Severed via B25-62-4 and A25-15-4).

Proposed Lot 3, severed via B25-63-4 to be severed and conveyed to the lot to be enlarged, does not contain any structures.

The lot to be enlarged (585006 Beachville Road) contains a single detached dwelling circa 1958, a detached garage circa 2015, and an agricultural structure (barn). In discussion with the Township of South-West Oxford Building Services Staff, they confirmed that they must be satisfied there are no issues with Minimum Distance Separation (MDS) to ensure compatibility of the existing agricultural structure with the proposed new residential lots, and that if the actual distance between the existing barn and the new residential lots results in an issue with MDS, a change of use to the barn may be required to a structure that is not capable of housing livestock. The owners of the lot to be enlarged agree with this approach, and this has been included as a condition of approval for the Committee's consideration.

Staff note that the current zoning of the lot to be enlarged is 'Rural Residential Zone (RR)'. To ensure uniform zoning on the lot to be enlarged, Planning Staff recommend that the lot to be enlarged be rezoned to 'General Agricultural Zone (A2)' and this condition has been included for the Committee's consideration.

The private well contained on Proposed Lot 2 is shared with Proposed Lot 1, and this arrangement is proposed to continue. Staff note that the agent has been in discussions with County Public Works and the Township of South-West Oxford Building Services Staff regarding this and associated requirements and agreements (e.g. Well Sharing Agreement).

The subject lands contain significant natural resources including Significant Valleylands and Significantly Ecologically Important Woodlands and are within the jurisdiction of the Upper Thames River Conservation Authority (UTRCA).

The property to the immediate west of the subject property is zoned for a single detached dwelling, a welding and repair garage for servicing farm vehicles and farm implements (584002 Beachville Road). The properties further to the west on Beachville Road contain rural residential uses. The properties to the north (across Beachville Road) contain rural residential uses and one property is being used for a car care business. The properties to the east of the subject lands are being used as residential uses, and larger properties to the east are projected for future residential development land. The properties to the south and south-west of the subject lands are being used for agricultural purposes.

Plate 1, Location Map with Existing Zoning, shows the location of the subject lands, the existing zoning in the immediate vicinity, and the locations of the lot to be retained and the lots to be

severed resulting from applications B25-61-4, B25-62-4 and A25-15-4, and B25-63-4 and A25-15-4, and the lot to be enlarged.

Plate 2a, Aerial Map (2020), provides an aerial view of the lot to be retained, lots to be severed, and lot to be enlarged.

Plate 2b, Aerial Map (2020) Lot to be Retained, provides a close-up view of the lot to be retained.

Plate 2c, Aerial Map (2020) Proposed Lot 1 (B25-61-4), provides a close-up view of the lot to be severed resulting from application B25-61-4 (Proposed Lot 1) and the location of the proposed easement serving the lot to be retained.

Plate 2d, Aerial Map (2020) Proposed Lot 2 (B25-62-4 and A25-15-4), provides a close-up view of the lot to severed resulting from application B25-62-4 and A25-15-4 (Proposed Lot 2).

Plate 3, Applicant's Sketches, provides the proposed configurations and dimensions of the lot to be retained and the lots to be severed resulting from applications B25-61-4; B25-62-4 and A25-15-4; B25-63-4 and A25-16-4, as submitted by the applicant.

## **Application Review**

### 2024 Provincial Planning Statement

The 2024 Provincial Planning Statement (PPS) is a policy statement issued under Section 3 of the *Planning Act* that came into effect on October 20, 2024. Section 3 of the *Planning Act* requires that decisions affecting a planning matter 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 2.3.1, General Policies for Settlement Areas, establishes that settlement areas shall be the focus of growth and development and that within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas. Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, support active transportation, are transit-supportive, as appropriate, and are freight-supportive. Furthermore, Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

Section 4.1, Natural Heritage, establishes that natural features and areas shall be protected for the long term.

Section 4.3, Agriculture, 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).

Section 4.3.3, Lot Creation and Lot Adjustments, establishes the policies guiding the creation of lots in agricultural areas as follows:

1. Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance for:
  - a) agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - b) agriculture-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:
    - 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 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 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.
2. Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.
3. The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 4.3.3.1.c).

### Official Plan

The subject lands are designated 'Linear Rural Cluster', 'Agricultural Reserve', and 'Environmental Protection' according to the Township of South-West Oxford Land Use Plan in the Official Plan.

The proposed new residential lots are largely contained within the Beachville Road Linear Rural Cluster; a small portion of each lot is designated 'Agricultural Reserve'. The majority of Proposed Lot 3 (B25-63-4) is designated 'Environmental Protection Area' and a small portion is designated 'Agricultural Reserve'. Section 1.5 sets out interpretation with respect to designations identified on Schedules to the Official Plan. Specifically, designations are intended to show general use areas, the boundaries of which are subject to minor variation without amendment to the Official Plan, except in the case of designations established by fixed boundaries such as roads, hydro corridors, watercourses, parkways or railways or where specifically fixed by a corresponding policy in the Plan.

Section 4.2.2.2, Rural Clusters, establishes that a Rural Cluster is the existence of a compact grouping of non-farm related development which is of insufficient size to be considered a Village. To be considered a Rural Cluster there must be a grouping of at least ten non-farm residential lots with each lot separated from the adjoining lot by a distance of no more than 50 m (164 ft) and servicing must be by an existing communal well or by private individual wells and private sewage treatment systems. Rural Clusters may include development on either side of a public road and/or around corners.

This section also establishes that growth in the Rural Clusters will only occur through infilling that does not result in extensions in length or depth to existing development. Proposals for new infill development within designated Rural Clusters will be consistent with the following criteria:

- The proposal satisfies Minimum Distance Separation Formula I or does not further reduce an existing insufficient setback relative to this formula.
- Proposals for development in designated Rural Clusters shall be consistent with the policies of the Official Plan relating to Environmental Resources as set forth in Section 3.2.
- Prior to approval of the development proposal, applicants may be required to provide acceptable evidence that the site can provide a natural supply of water which meets or exceeds the health parameters of the Ontario Drinking Water Standards to the satisfaction of the County and the Board of Health without adversely affecting the quality or quantity of water in active wells operating in the general vicinity.
- Applications for non-farm rural residential development proposals in Rural Clusters will be required to demonstrate, to the satisfaction of the County and the Board of Health, that development proposed on private septic systems will not adversely affect the quality of groundwater and the water in active wells operating in the general vicinity.
- Proposals shall have direct frontage on a public road maintained year-round at a reasonable standard of construction. New development shall not create or increase traffic hazards in areas of limited visibility

Section 6.1.1, Range of Uses in Rural Settlements, provides guidance for development and land use within rural settlements. The principal use of land in Rural Clusters will be for low density residential purposes including permitted ancillary uses. Multiple unit residential development involving more than two units shall not be permitted. Existing commercial, industrial and minor institutional uses such as schools, churches and cemeteries and recreation and open space uses are permitted. Minor expansions to these established and new small scale commercial and cottage industry uses on private services may also be permitted.

Section 3.1.1 establishes that 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 3.2.4 sets out the policy framework for Environmental Protection Areas, including but not limited to objectives, permitted uses, and prohibited uses. The overall objective for these areas is to ensure the long-term protection, conservation and enhancement of designated Environmental Protection Areas, prohibit uses incompatible with the objective above and ensure that development permitted within or adjacent to Environmental Protection Areas adheres to environmental planning principles, and to require Environmental Impact Studies within or adjacent to Environmental Protection Areas as part of the development review process, where appropriate, to assess the sensitivity of the area and its functions and ensure that possible development or site alteration activities will not detrimentally impact the area.

### Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' in the Township of South-West Oxford 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 proposed Lot to be Retained, Lot to be Severed via B25-61-4 (Proposed Lot 1), and Lot to be Severed via B25-62 4 (Proposed Lot 2) will be used for residential purposes. As previously noted in this report, a condition of approval is that these lots are rezoned to the 'Rural Residential Zone (RR)' to recognize the use of the lands as such. The 'Rural Residential Zone (RR)' requires a minimum lot area of 2,800 m<sup>2</sup> (30,139 ft<sup>2</sup>), a minimum lot frontage of 35 m (114.8 ft), and a minimum lot depth of 80 m (262.5 ft).

The Proposed Lot to be Retained will have an approximate area of 0.49 ha (1.21 ac), with 35 m (114.8 ft) of frontage on Beachville Road and an average lot depth of 139.7 m (458.5 ft). These lands contain an existing single detached dwelling (approximately 116.1 m<sup>2</sup>/1,250 ft<sup>2</sup>) and detached garage (approximately 55.7 m<sup>2</sup>/600 ft<sup>2</sup>). This lot appears to meet the provisions of the 'RR' zone.

The Proposed Residential Lot 1, Lot to be Severed via B25-61-4 has an approximate area of 0.49 ha (1.21 ac), with 35 m (114.8 ft) of frontage on Beachville Road and an average lot depth of 139.7 m (458.5 ft). These lands contain an existing single detached dwelling (approximately 230.4 m<sup>2</sup>/2,480 ft<sup>2</sup>) and a detached garage (approximately 45.2 m<sup>2</sup>/486 ft<sup>2</sup>). This lot appears to meet the provisions of the 'RR' zone.

The Proposed Residential Lot 2, Lot to be Severed via B25-62-4 has an approximate area of 0.4 ha (0.97 ac) with 28.1 m (92.3 ft) of frontage on Beachville Road and an average lot depth of 139.7 m (458.5 ft). These lands contain a single detached dwelling (approximately 130.5 m<sup>2</sup>/1,405 ft<sup>2</sup>), and four (4) accessory structures - a detached garage, two (2) sheds and a shop. The associated Minor Variance A25-15-4, proposes a reduced lot frontage of 28.1 m (92.3 ft) where 35 m (114.8 ft) is required. The agent and applicant are aware that the accessory buildings exceed the maximum allowance and that pending approval of these applications, the associated Zone Change application will need to include a request for a special provision for the increased maximum accessory structure coverage allowance. If special zoning approval is not received to retain these accessory structures, staff are recommending that they be removed or reduced in size to comply with the zoning regulations.

The Proposed Lot 3, Lot to be Severed via B25-63-4 and conveyed to the Lot to be Enlarged has an approximate area of 21.3 ha (52.7 ac) with 39.6 m (129.9 ft) of frontage on Beachville Road and will be conveyed to the abutting rural residential parcel (585006 Beachville Road) to the immediate west, for a total lot area of 21.78 ha (53.8 ac). The associated Minor Variance, A25-16-4, proposes a reduced lot frontage of 39.6 m (130 ft) where 100 m (328.1 ft) is required and a reduced lot area of approximately 21.3 ha (52.7 ac) where 30 ha (74.1 ac) is required for properties zoned 'General Agricultural Zone (A2)'. The lands to be severed and conveyed via B25-63-4 are currently vacant.

The Proposed Lot to be Enlarged is currently zoned 'Rural Residential Zone (RR)' and has an area of 0.48 ha (1.18 ac) and contains a single detached dwelling, a shop (approximately 92.9 m<sup>2</sup>/1,000 ft<sup>2</sup>), and a barn (approximately 139.4 m<sup>2</sup>/1,500 ft<sup>2</sup>). The barn is not used for livestock purposes or manure storage purposes. The property does not have frontage and access to Beachville Road is currently provided via an easement on Proposed Severed Lot 3. Pending

approval of this application, the lot to be enlarged would have a total area of 21.78 ha (53.8 ac). Staff are recommending that as a condition of approval the lot to be enlarged be rezoned to recognize the new use of the lands as agricultural and ensure consistent zoning with the lot to which they will be added.

### Agency Comments

The application was circulated to several public agencies considered to have an interest in the proposal. All the comments received through the circulation process are summarized below.

Township of South-West Oxford Building Services Staff commented that:

- the lots to be severed and enlarged are required to be zoned to the satisfaction of the Township of South-West Oxford;
- the owners shall submit a recent survey to the satisfaction of the Township of South-West Oxford;
- the owners shall confirm the location of the existing well, septic system, and leaching beds (to be wholly contained on the lots) and provide all required services to the satisfaction of the Township of South-West Oxford and/or Oxford County and enter into any necessary written agreements and/or easements regarding the provision of required services with the Township of South-West Oxford and/or Oxford County (e.g. Shared Well Agreement);
- The owners shall enter any necessary easements on Proposed Lot 1 regarding access to Beachville Road to the satisfaction of the Township of South-West Oxford

Oxford County Public Works Staff commented that:

- they are supportive of a driveway easement on Proposed Lot 1 to provide the Lot to be Retained with driveway access to Beachville Road, and noted that they would also be in support of providing a new driveway to access the new residential property; and,
- due to the property being outside of Woodstock's urban boundary, the properties to be severed will not be allowed to connect a water service to Woodstock's water system; water will need to be dealt with on property.

Canada Post commented that mail delivery for this property will be via owner installed/maintain rural mailbox.

Upper Thames River Conservation Authority (UTRCA), Hydro One, and Species at Risk Ontario (SRO), reviewed the applications and replied that they do not have any comments or concerns at this point.

### Public Consultation

Notice of Public Meeting regarding the applications was provided to surrounding property owners in accordance with the requirements of the *Planning Act* on January 22, 2026. At the time of writing this report, Staff had received one telephone call from an adjacent property owner inquiring about the consent process.

## **Planning Analysis**

The applications for consent and minor variance, which propose the creation of three residential lots in the Rural Linear Cluster of Beachville Road to recognize patterns of established residential use, together with the conveyance of agricultural and environmental protection lands to an

abutting property, have been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the Oxford County Official Plan.

The creation of residential lots in the Beachville Road Rural Linear Cluster is supported by the policies in Sections 2.3.1 of the PPS which establishes that settlement areas shall be the focus of growth and development, and that Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options. The proposal is also consistent with the Natural Heritage and Agricultural policies in the PPS, which establish that natural features and areas and agricultural areas shall be protected for the long term. Specifically, staff are satisfied that the proposed severances will largely result in new residential infill parcels in the rural settlement area and that the severance of Proposed Lot 3 via B25-63-4 will not result in any further fragmentation of the environmental lands and represents an agricultural lot adjustment that is consistent with the policy direction of the PPS.

Section 4.2.2.2 of the Official Plan establishes that growth in the Rural Clusters can occur through infilling provided it does not result in extensions in length or depth to existing development and is consistent with specific criteria. Staff are of the opinion that the proposed residential lots appear to be consistent with the infilling policies and criteria and can be supported.

The applicant has indicated that the proposed lot configurations and dimensions reflect existing patterns of use and the location of existing structures. As no new development is proposed, Staff are of the opinion that the uses will remain compatible with the surrounding land uses in the vicinity. Staff are of the opinion that the proposed lot configurations and dimensions appear to generally meet the intent of the Township of South-West Oxford Zoning By-law and appear to have sufficient area for private water and septic sanitary services, access, drainage, and amenity space. Planning Staff note that the Township of South-West Oxford Building Services Staff require that the applicant submits a survey, to their satisfaction, to confirm the location of existing structures and setbacks to proposed property lines, and confirm the location of existing septic systems, leaching beds, and wells.

Although municipal services exist along Beachville Road, consistent with the applicant's discussions with Oxford County Public Works Staff and consistent with Section 4.2.2.5.1 of the Official Plan, no new connections to a municipal water system will be permitted. This section sets out policies by which the County determines whether the connection of municipal services to properties that are not located within the urban boundary is appropriate. In this case, the proposed lots will continue to be serviced via private wells and septic systems. Currently, the well contained on Proposed Lot 2 is shared by Proposed Lot 1. The agent and applicant are aware that services are required to be wholly contained on the proposed residential lots and are working with the Building Services Staff to ensure that these requirements are fulfilled, and that all necessary agreements are put in place (e.g. Shared Well Agreement). Conditions regarding these items have been included for the Committee's consideration.

As noted earlier in this report, pending approval of these applications, the applicant will be required to submit Zone Change Applications to rezone the lot to be retained and proposed new residential lots to recognize the proposed residential uses. The agent and applicant are aware of this condition, and that the accessory buildings on Proposed Lot 2 (Lot to be Severed via B25-62-4 and A25-15-4) exceed the maximum allowed area for accessory buildings, and the associated zone change application will need to include a request for a special provision for the increased maximum accessory structure coverage to recognize the existing structures.

The applicant is requesting a reduced lot frontage for Proposed Residential Lot 2, Lot to be Severed via B25-62-4. Specifically, Minor Variance A25-15-4 requests a reduced frontage of

28.1 m (92.3 ft) where 35 m (114.8 ft) is required for a property zoned 'Rural Residential zone (RR)'. Planning staff are of the opinion that the request to permit a reduced frontage of 28.1 m (92.3 ft) is reasonable and reflects the existing established pattern of use, is minor, and will not result in an incompatible situation or issues with visibility or safe access to Beachville Road.

The applicant is requesting a reduced lot frontage and reduced lot area for Proposed Residential Lot 3, Lot to be Severed via B25-63-4. Specifically, Minor Variance A25-16-4 requests a reduced frontage of 39.6 m (130 ft) where 100 m (328.1 ft) is required and a reduced lot area of approximately 21.3 ha (52.7 ac) where 30 ha (74.1 ac) is required for lands zoned 'A2'. Planning staff are of the opinion that as the proposal will result in a minor reduction to the current lot area of the subject lands and will provide road access to the lot to be enlarged, which currently does not have frontage, the proposed severance would result in an improved situation. Staff note that access will continue to be provided via the existing driveway currently contained on the subject lands and there are no plans to modify this access. Staff are of the opinion that in this situation the proposed frontage and lot area are reasonable and can be supported.

The applicant is proposing a driveway easement on Proposed Residential Lot 1 (B25-61-4) for the benefit of the Lot to be Retained. Consistent with the comments received from Oxford County Public Works Staff, Planning Staff do not oppose this proposed easement. This easement would reflect the current patterns of use on the property, and no negative impacts to the proposed properties or area are anticipated as a result. Staff note that as per comments received from Oxford County Public Works, if required in the future, a new driveway/access to Beachville Road for the benefit of the Lot to be Retained would be supported.

As mentioned earlier in this report, the applicant is proposing that the well contained on Proposed Lot 2 will continue to be shared with Proposed Lot 1. Section 3.2.7.2.3, Water Quality, sets out policies regarding protection, conservation and enhancement of water resources including protecting existing and future municipal sources of drinking water. Section 3.2.7.2.3.1, Source Water Protection, establishes that the County's municipal drinking water supplies are protected in order to secure a long-term potable water supply to meet the needs of existing and future residents and businesses. One of the key means of preventing contamination is to permit only those uses that do not represent a significant threat to municipal drinking water sources within designated vulnerable areas. The subject lands are not located in a Wellhead Protection Area (WHPA), and the continuation of the existing residential uses is not anticipated to result in negative impacts to the area, however staff are recommending that the Township be provided an opportunity to review a shared well agreement to ensure that both parties have adequate access to sufficient potable water.

In light of the above, it is the opinion of this Office that the proposal to sever the subject lands to create three residential lots to be consistent with the established patterns of residential use on the subject property, and convey the remaining agricultural and environmental protection land to an abutting property is consistent with the policies of the PPS and generally maintains the intent and purpose of the Official Plan with respect to compatibility, and infilling development within Rural Settlement Areas and the objectives of the Agricultural Reserve and Environmental Protection Area. As such, Planning staff are satisfied that the proposal can be supported from a planning perspective, subject to the recommended conditions of approval.

## **RECOMMENDATIONS**

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

### **B25-61-4**

1. The lot to be severed be appropriately zoned to the satisfaction of the Township of South-West Oxford.
2. The owners shall submit a recent survey to confirm lot sizes, proposed easements, and building/structure locations and setbacks to the satisfaction of the Township of South-West Oxford.
3. The owners shall confirm the location of the septic system, and leaching beds (to be wholly contained on the lot to be severed) and demonstrate the availability of all required services to the satisfaction of the Township of South-West Oxford and/or Oxford County and enter into any necessary written agreements and/or easements regarding provision of required services with the Township of South-West Oxford and/or Oxford County, including a Well-Sharing Agreement regarding the well on the lot to be severed via B26-62-4 for the benefit of the lot to be severed via B25-61-4. A draft copy of the shared servicing agreement shall be provided to the Township of South-West Oxford and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of a certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the agreement, and the said agreement shall be registered on title.
4. The owners shall enter into any necessary easement agreement regarding a driveway easement on the lot to be severed via B25-61-4 for the benefit of the lot to be retained to provide access to Beachville Road to the satisfaction of the Township of South-West Oxford. A draft copy of the reference plan and agreement for the easement shall be provided to the Township of South-West Oxford and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of a certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the agreement, and the said agreement shall be registered on title.
5. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.

### **B25-62-4**

1. The certificate for Application B25-61-4 be issued, the Transfer registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B25-62-4.
2. The lot to be severed be appropriately zoned to the satisfaction of the Township of South-West Oxford.
3. The owners shall submit a recent survey to confirm lot sizes, proposed easements,

and building/structure locations and setbacks to the satisfaction of the Township of South-West Oxford.

4. The owners shall confirm the location of the existing well, septic system, and leaching beds (to be wholly contained on the lot to be severed) and provide all required services to the satisfaction of the Township of South-West Oxford and/or Oxford County and enter into any necessary written agreements and/or easements regarding provision of required services with the Township of South-West Oxford and/or Oxford County, including a Well-Sharing Agreement regarding the well on the lot to be severed via B25-62-4 for the benefit of the lot to be severed via B26-61-4. A draft copy of the reference plan and agreement for services shall be provided to the Township of South-West Oxford and the Secretary-Treasurer of the Land Division Committee, prior to the issuance of a certificate. All cost sharing requirements and maintenance responsibilities shall be clearly indicated in the agreements, and the said agreements shall be registered on title.
5. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.

And further, that the Land Division Committee approve Minor Variance Application A25-15-4 submitted by The Estate of Judson Denby for lands legally described as Part Lot 1, Concession Broken Front, Township of South-West Oxford being municipally known as 585016 Beachville Road as it relates to:

1. Relief from the provisions of Table 10.2 – Rural Residential Zone Provisions - to reduce the minimum required lot frontage from 35 m (114.8 ft) to 28.1 m (92.3 ft) for the lot to be severed via B25-62-4;

As the proposed variance is:

- i. deemed to be a minor variance from the provisions of the Town of South-West Oxford Zoning By-law No. 25-98;
- ii. desirable for the appropriate development or use of the land;
- iii. in-keeping with the general intent and purpose of the Town of South-West Oxford Zoning By-law No. 25-98, and,
- iv. in-keeping with the general intent and purpose of the County Official Plan.

**B25-63-4**

1. The certificate for Application B25-61-4 be issued, the Transfer registered, and a copy of the registered Transfer be provided to the Secretary-Treasurer of the Land Division Committee, prior to the issuance of the certificate for Application B25-63-4.
2. The lot to be retained and the lot to be enlarged be appropriately zoned to the satisfaction of the Township of South-West Oxford.
3. The owners shall confirm compliance with Minimum Distance Separation (MDS) to the satisfaction of the Township of South-West Oxford for the existing agricultural building on the lot to be enlarged.
4. The parcel intended to be severed 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.

5. The owners shall confirm the location of the existing well, septic system, and leaching beds (to be wholly contained on the lot to be retained) and provide all required services to the satisfaction of the Township of South-West Oxford and/or Oxford County and enter into any necessary written agreements and/or easements regarding provision of required services with the Township of South-West Oxford and/or Oxford County for the retained lands.
6. The Clerk of the Township of South-West Oxford advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.

And further, that the Land Division Committee approve Minor Variance Application A25-16-4 submitted by The Estate of Judson Denby for lands legally described as Part Lot 1, Concession Broken Front, Township of South-West Oxford being municipally known as 585016 Beachville Road as it relates to:

1. Relief from the provisions of Table 8.2 – General Agricultural Zone Provisions - to reduce the minimum required lot frontage from 100 m (328.1 ft) to 39.6 m (130 ft) for the lot to be severed and conveyed via B25-63-4.
2. Relief from the provisions of Table 8.2 – General Agricultural Zone Provisions - to reduce the minimum lot area from 30 ha (74.1 ac) to 21.3 ha (52.7 ac) for the severed and enlarged lot via B25-63-4.

As the proposed variances are:

- v. deemed to be minor variances from the provisions of the Town of South-West Oxford Zoning By-law No. 25-98;
- vi. desirable for the appropriate development or use of the land;
- vii. in-keeping with the general intent and purpose of the Town of South-West Oxford Zoning By-law No. 25-98, and,
- viii. in-keeping with the general intent and purpose of the County Official Plan.

## **SIGNATURES**

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**Authored by:** “Original Signed By”

Laurel Davies Snyder, MCIP, RPP  
Development Planner

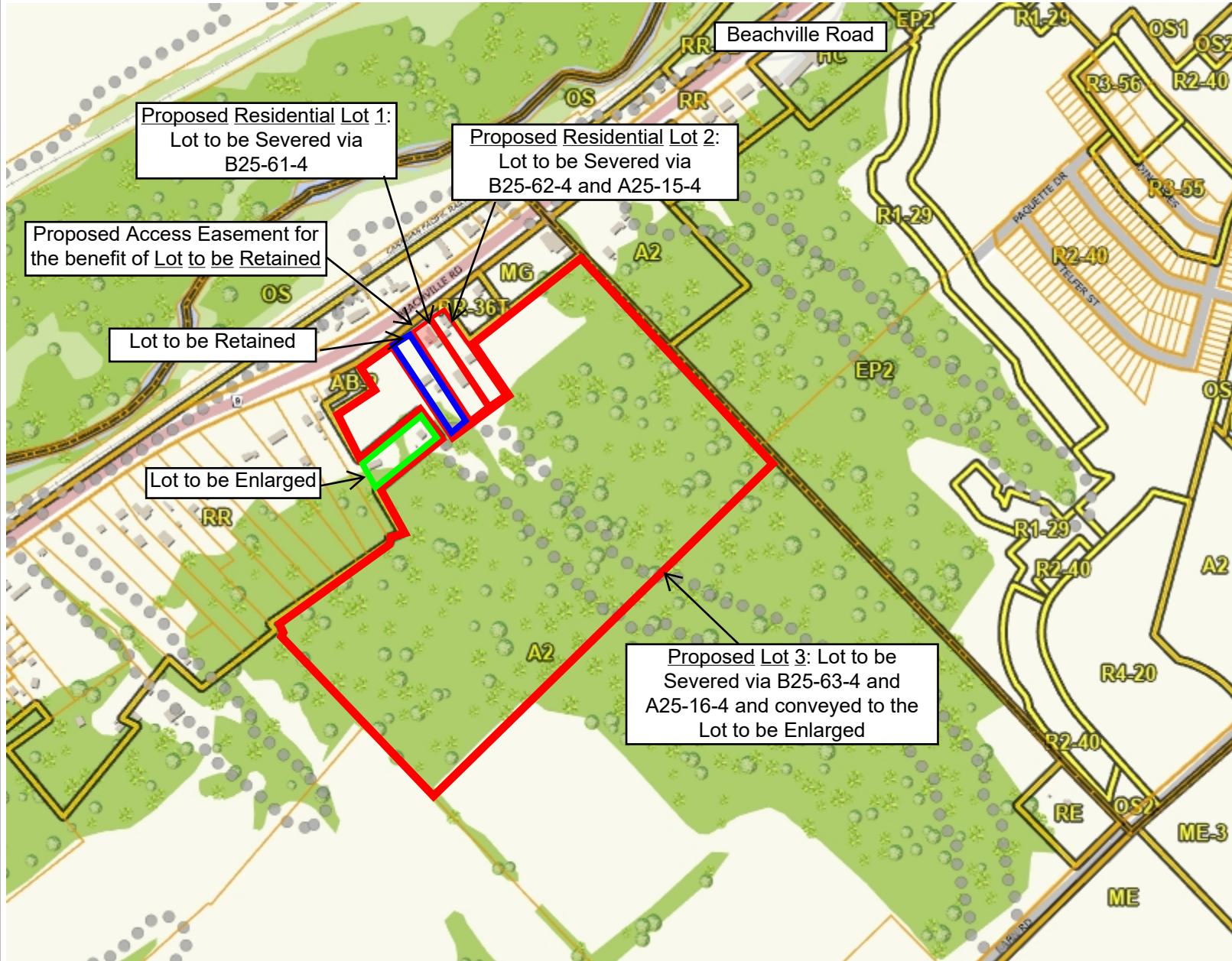
**Approved for submission:** “Original Signed By”

Heather St. Clair, MCIP, RPP  
Senior Development Planner

**Plate 1: Location Map with Existing Zoning**

File Nos.: B25-61-4; B25-62-4 and A25-15-4; B25-63-4 and A26-16-4

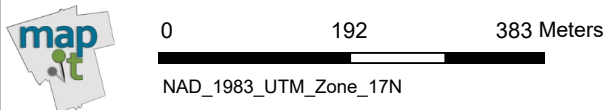
Part Lot 1, Concession Broken Front, 585016 Beachville Road, Township of South-West Oxford



**Legend**

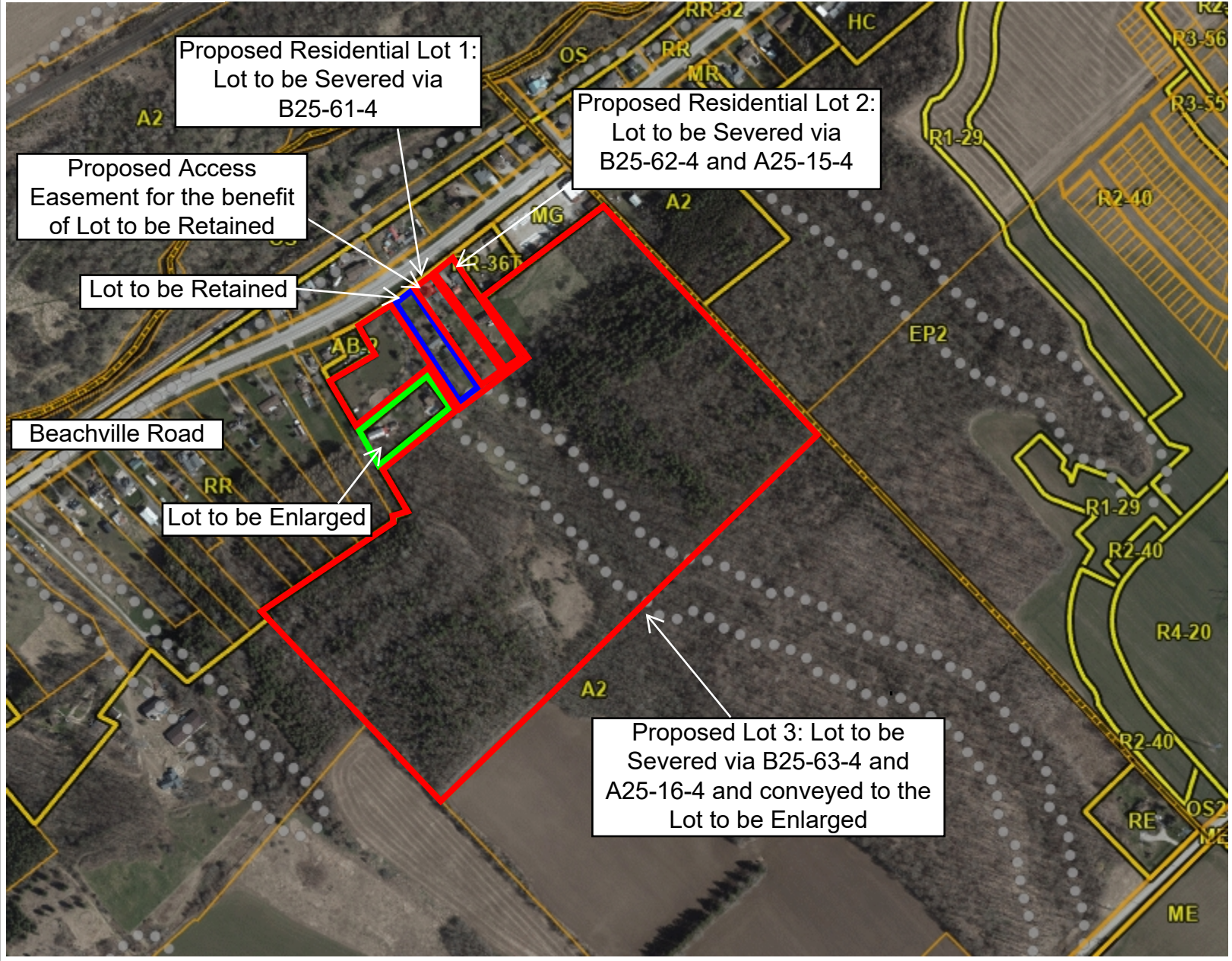
- Parcel Lines**
  - Municipal Boundary
  - Property Boundary
  - Assessment Boundary
  - Road
  - Unit
- Zoning Floodlines Regulation Limit**
  - ◆ 100 Year Flood Line
  - ▲ 30 Metre Setback
  - Conservation Authority Regulation Limit
  - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000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

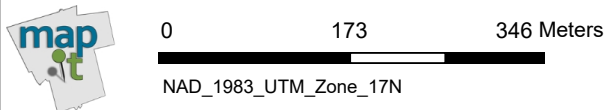
December 8, 2025



**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)

**Notes**

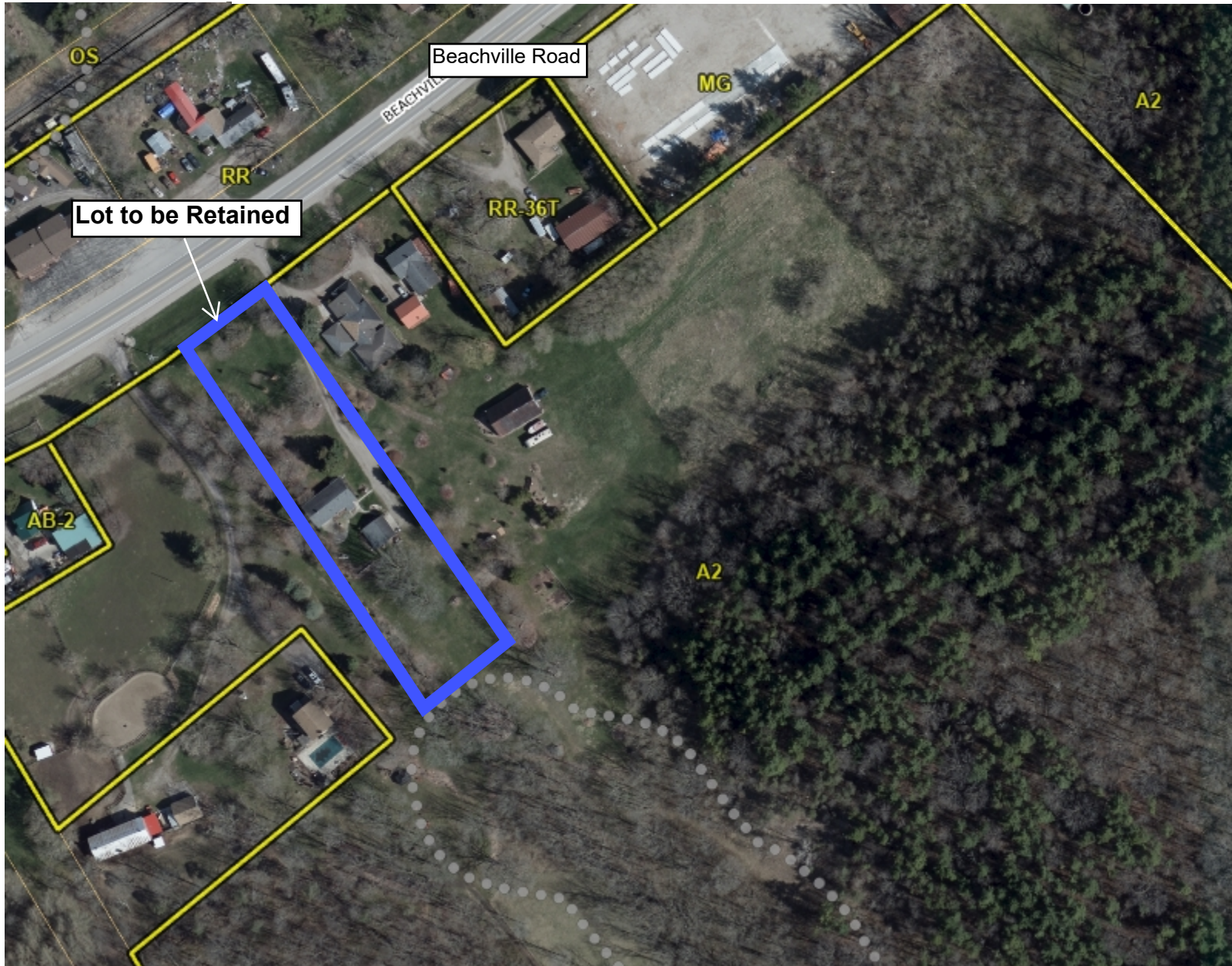


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

**Plate 2b: Aerial Map (2020) Lot to be Retained**

File Nos.: B25-61-4; B25-62-4 and A25-15-4; B25-63-4 and A26-16-4

Part Lot 1, Concession Broken Front, 585016 Beachville Road, Township of South-West Oxford



**Legend**

- 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 48 96 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

January 26, 2026



**Proposed Residential Lot 1:  
Lot to be Severed via B25-61-4**

**Proposed Access  
Easement for the  
benefit of the Lot to  
be Retained**

Beachville Road

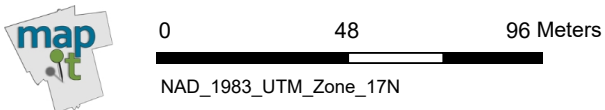
### Legend

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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**Proposed Residential Lot 2: Lot to be Severed via B25-62-4 and A26-16-4**

Beachville Road

**Legend**

- 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 48 96 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

January 26, 2026







Plate 3: Applicant's Sketches

File Nos.: B25-61-4; B25-62-4 & A25-15-4; B25-63-4 & A25-16-4

Part Lot 1, Concession Broken Front, 585016 Beachville Road, Township of South-West Oxford

#4

