

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

Application for Consent B26-04-5– David Clendinning

REPORT HIGHLIGHTS

- The application for consent proposes a non-farm rural residential lot addition in the Township of Zorra.
- The proposed lot addition will have the effect of increasing the lot area for an existing non-farm rural residential lot to provide more area for a future residential accessory structure.
- Planning staff are recommending approval of the application as it is generally consistent with the policies of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan with respect to minor boundary adjustments on lands designated for agricultural purposes.

DISCUSSION

Background

OWNER: David Clendinning
602758 Road 60, Ingersoll ON, N5C 3J6

APPLICANT: Andrew Christie
602820 Road 60, Ingersoll ON, N5C 3J6

LOCATION:

The subject lands are described as Part Lot 21, Concession 5 (North Dorchester), Township of Zorra. The subject lands are located on the south side of Road 60, between 15th Line and 17th Line and are municipally known as 602760 Road 60, Township of Zorra.

OFFICIAL PLAN:

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

TOWNSHIP OF ZORRA ZONING BY-LAW 35-99:

Existing Zoning

Lot to be Severed and Retained: General Agricultural Zone (A2)
 Lot to be Enlarged: Residential Existing Lot Zone (RE)

Proposed Zoning

Lot to be Severed: Residential Existing Lot Zone (RE)
 Lot to be Retained: General Agricultural (A2) – no change

SERVICES:

Lot to be Severed – none
 Lots to be Retained and Enlarged – privately owned and operated well and septic

ROAD ACCESS:

Paved, Township Road (Road 60)

PROPOSAL:

	<u>SEVERED LOT</u>	<u>RETAINED LOT</u>	<u>ENLARGED LOT</u>
Area	0.4 ha (1 ac)	59.5 ha (147 ac)	0.4 ha (1 ac)
Frontage	52 m (170 ft)	Irregular	70 m (230 ft)
Depth	Irregular	687 m (2,254 ft)	58 m (190 ft)

The purpose of the Application for Consent is to facilitate a boundary adjustment (lot addition) from an 'A2' zoned property to an 'RE' zoned property. The lot to be severed will cover an area of approximately 0.4 ha (1 ac) and is currently vacant. It is proposed that the lot to be severed will be added to the lot to the immediate northwest (602820 Road 60) with the intention of enlarging the existing 'RE' lot in order to facilitate the establishment of a residential accessory structure in the near future.

The dimensions of the subject lands are identified in the chart above. The lot to be enlarged contains an existing single detached dwelling with and a garden shed. Once merged with the lot to be severed, the newly enlarged lot will be approximately 0.8 ha (2 ac) in area.

The lot to be retained will be approximately 59.5 ha (147 ac) in area after the severed portion is removed. There is no proposed development on the lot to be retained at this time. The retained lands contain an existing livestock operation with numerous barns, silos, grains bins, a feed tank and a dwelling accessory to the farming operation. The lands also contain a cash crop operation. Surrounding land uses are predominately agricultural, with a number of non-farm rural residential lots in the immediate vicinity. There are also a number of aggregate industrial sites to the east of the subject lands.

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

Plate 1b, Location Map and Existing Zoning (Close-up view), shows the approximate configuration of the severed and enlarged lands, as well as the existing zoning in the immediate vicinity.

Plate 2, Aerial Image (2020), provides an aerial view of the subject lands and the surrounding lands.

Plate 3, Applicant's Sketch, shows the proposed configuration of the subject lands, as well as the location of the existing dwelling and proposed accessory structure on the enlarged lands, 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:

- for agricultural uses, provided the lots are of a sufficient size for the type of production common in the area and are sufficiently large enough to maintain flexibility in adapting the operation in the future;
- for agricultural-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- one new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
- infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights of way.

The policies of the PPS also direct that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons, which are defined to mean consents for the purpose of easements, corrections of deeds, quit claims and minor boundary adjustments that do not result in the creation of a new lot.

Official Plan

The lands to be severed, retained and enlarged are designated 'Agricultural Reserve', as shown on Schedule 'Z-1' – Land Use Plan for the Township of Zorra as contained in the Official Plan.

The policies regarding boundary adjustments for lands used for non-farm rural residences in areas designated Agricultural Reserve are outlined in Section 3.1.6 (Consents for Legal or Technical Reasons) in the Official Plan. Specifically, these policies permit consents for, among other matters, to make minor adjustments to the boundaries between abutting lots to conform to existing patterns of exclusive use and occupancy or to rectify problems created by the encroachment of buildings, structures, private water supply or private sewage disposal facilities on abutting lots.

Proposals which have the effect of adding agricultural land to an existing residentially zoned property will satisfy the policies related to maximum lot size in Section 3.1.5.3, which direct that expanded non-farm rural residential lots will be as small as is practical in order to preserve the County's agricultural land base. Severance proposals to expand lots for non-farm rural residential use will generally not exceed 0.8 ha (2 ac) in area. Proposals seeking to sever parcels larger than this limit will only be permitted where it can be demonstrated that the additional area is required to accommodate a private water supply or on-site sewage facilities, where the topography of the area has limitations for agriculture or where the proposed lots are physically isolated by natural features such as streams.

Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' and 'Residential Existing Lot Zone (RE)' in the Township of Zorra Zoning By-law.

Lands zoned 'A2' allow for a range of agricultural uses and require a minimum lot area of 30 ha (74.1 ac) and a minimum lot frontage of 100 m (328.1 ft) and an interior side yard of 7.5 m (24.6 ft), while lands zoned 'RE' allow for a single detached dwelling and require a minimum lot area and frontage as existing at the date of passing of the Zoning By-law, or created by a boundary adjustment.

Once consolidated, the residential parcel will comply with the relevant zoning with respect to lot area, frontage and depth, however it is recommended that as a condition of consent the lot to be severed be rezoned to ensure that the zoning of the lands is consistent with the lands to which they will be added and reflect the 'new' use of the land resulting from the severance.

Agency Comments

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

Township Director of Public Services has commented that an entrance permit will be required prior to a new entrance being installed to service the proposed accessory structure, however no objections are noted at this time.

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

Public Consultation

Public Notice of the application was circulated to neighbouring property owners on April 23, 2026, in accordance with the requirements of the *Planning Act*. As of the date of this report, no comments or concerns had been received from the public.

Planning Analysis

The application for consent proposes to sever lands from an agricultural parcel for the purpose of a lot addition to an existing residential parcel, for the purpose of adjusting lot boundaries between neighbouring parcels, resulting in additional lands for the lot to be enlarged to accommodate a future residential accessory structure to service the existing dwelling.

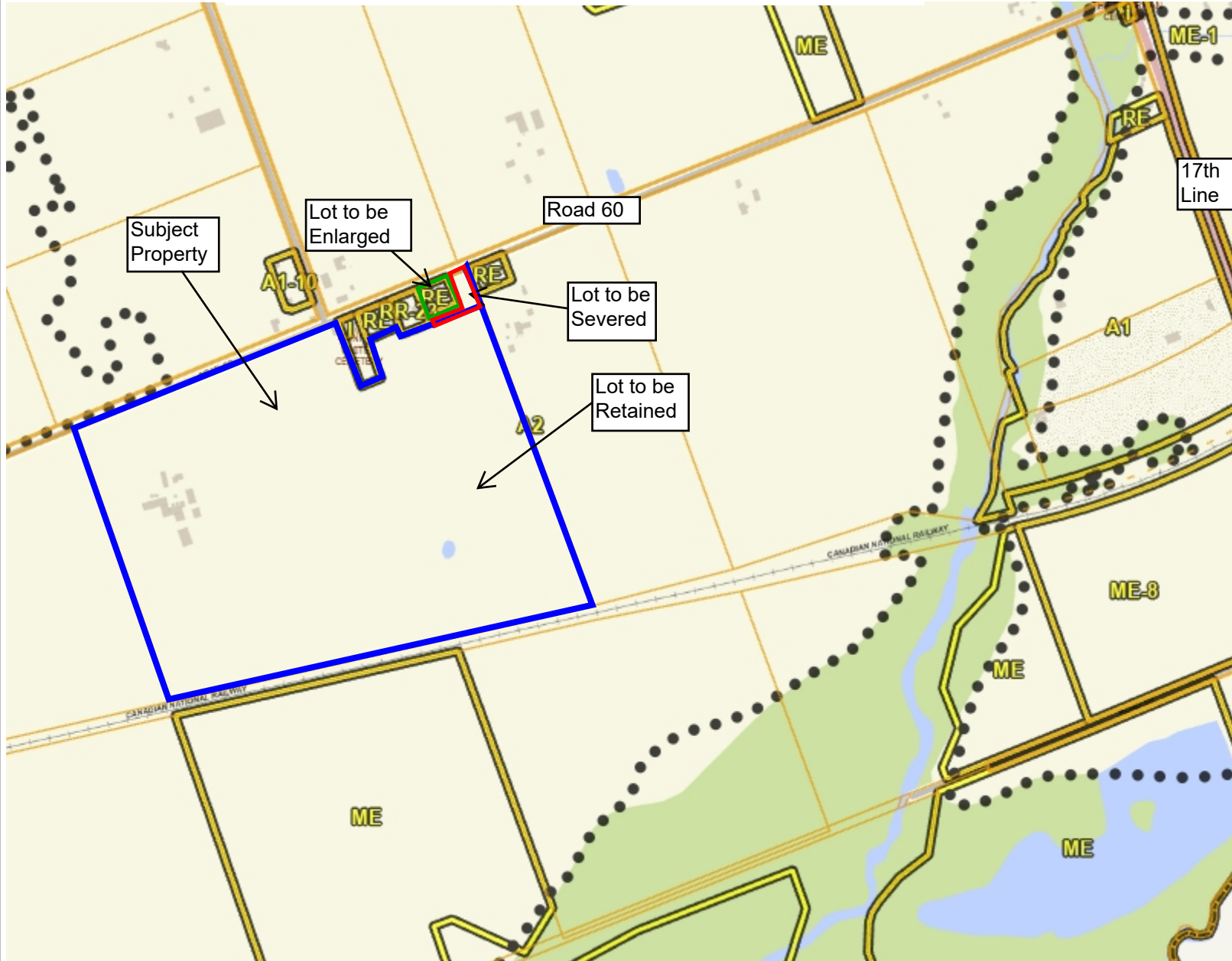
Planning staff have reviewed the applicant's request and are of the opinion that the proposal to sever 0.4 ha (1 ac) of land and add it to the existing rural residential lot to the immediate northwest represents a minor boundary adjustment that will not result in the creation of a new lot and can therefore be considered appropriate in this instance. The applicant has advised that the severed lands are needed to accommodate a proposed accessory structure, which is anticipated to be constructed in 2026/2027 and will service the existing residential use. In addition, the area proposed to be severed and added to the existing 'RE' lot is currently not being farmed, has existing drainage constraints, is situated between existing residential uses and is not relied upon for access to the farm field – (farm access exists further west along Road 60). Respecting future access to the proposed accessory structure, the Township Director of Public Services has advised that there are no concerns with the proposed entrance, and that an entrance permit will be required prior to the entrance being installed.

Once merged, the lot to be enlarged will be approximately 0.8 ha (2 ac) in area, which is in keeping with the policy direction of the Official Plan with respect to lot sizes for non-farm rural residential development and a condition of approval has been included as a requirement to ensure that the zoning of the lot to be severed is consistent with the zoning of the lot to be enlarged.

In light of the forgoing, Planning staff are satisfied that the proposed lot addition is consistent with the policies of the Provincial Policy Statement and maintains the intent and purpose of the Official Plan regarding boundary adjustments on lands designated as Agricultural Reserve and can be given favourable consideration from a planning perspective.

RECOMMENDATION

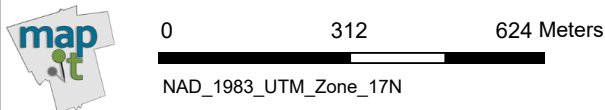
Whereas the application for consent is consistent with the 2024 Provincial Planning Statement, and complies with the policies of the County of Oxford Official Plan, we are of the opinion that the application is acceptable from a planning perspective, and should be granted, subject to the following conditions:



Legend

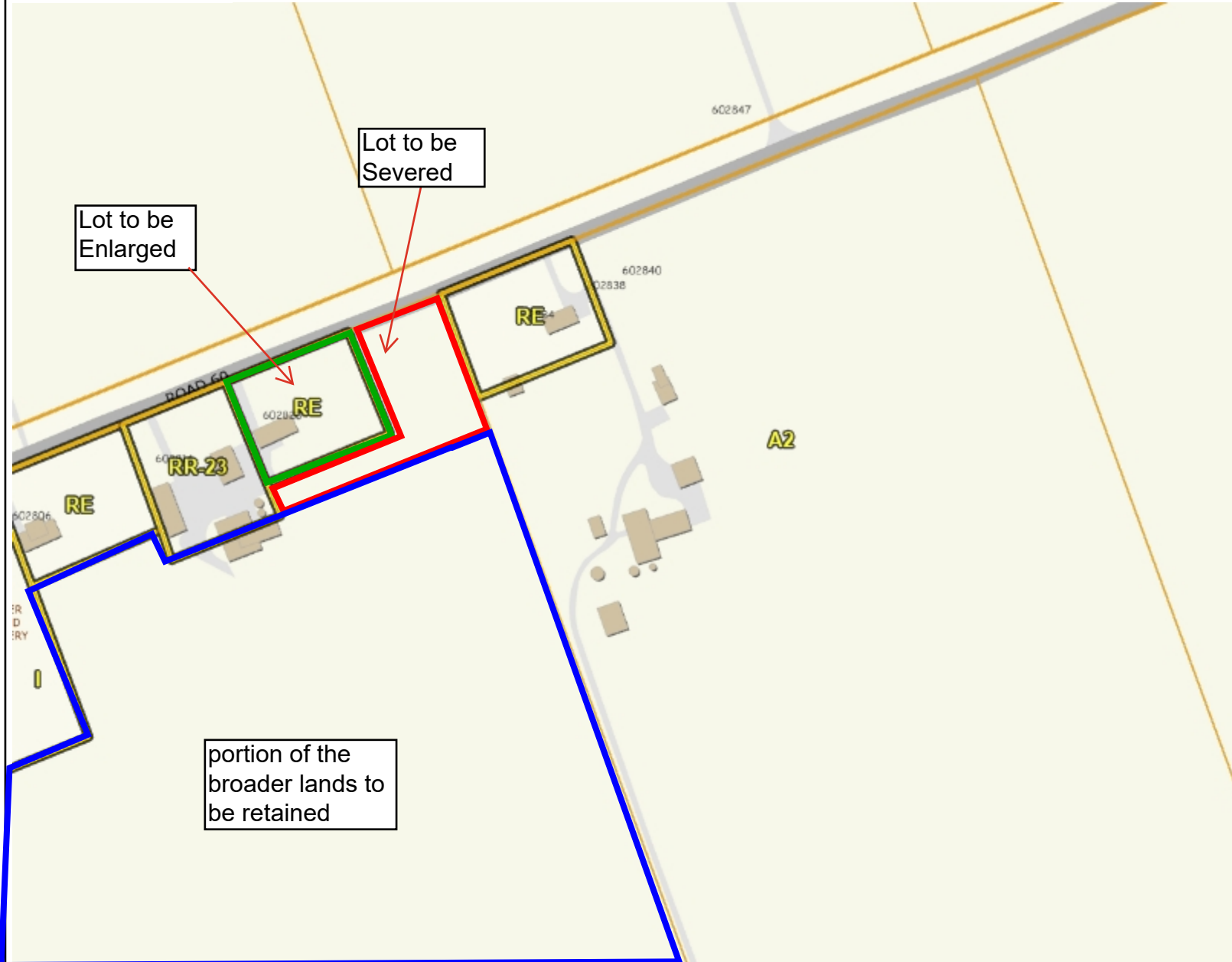
- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to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

February 13, 2026



Legend

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Notes



0 78 156 Meters

NAD_1983_UTM_Zone_17N



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0 312 624 Meters

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Plate 3 - Applicant's Sketch
File No. B26-04-5 - Clendinning
602758 Road 60, Township of Zorra

Retained
(602758)

