

To: Chair and Members of Oxford County Land Division Committee

From: Amy Hartley, Development Planner, Community Planning

Application for Consent and Minor Variance B26-02-3; A26-01-3 – A & A Farms Ltd.

REPORT HIGHLIGHTS

- The application for consent proposes to separate an existing surplus dwelling from agricultural lands. The applicant is proposing to retain the surplus dwelling on the lot to be retained as a non-farm rural residential use.
- It is proposed that approximately 40.5 ha (100.3 ac) of agricultural land will be severed. The proposed lot to be retained will be approximately 2,833 m² (0.78 ac) in size and contain the surplus dwelling.
- The applicant has submitted a request for minor variance in association with the proposed severance to recognize a reduced lot frontage of 29 m (36 ft) for the lot to be retained, whereas 35 m (114.8 ft) is required.
- 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 agricultural lot creation and non-arm rural residential development in prime agricultural areas.

DISCUSSION

Background

OWNER: A & A Farms Limited (c/o Cecil Andrew)
774033 Oxford Road 14, Burgessville, ON N0J 1C0

LOCATION:

The subject lands are described as Part of Lot 5, Concession 7 (East Oxford), in the Township of Norwich. The subject lands are located on the north side Substation Road lying between Vandecar Line and County Road 14 and are municipally known as 425799 Substation Road.

OFFICIAL PLAN:

Schedule "N-1" Township of Norwich 'Agricultural Reserve'
Land Use Plan

TOWNSHIP OF NORWICH ZONING BY-LAW 07-2003-Z:

Lot to be Severed:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'Special General Agricultural Zone (A2-sp)'

Lot to be Retained:

Existing Zoning: 'General Agricultural Zone (A2)'
Proposed Zoning: 'Rural Residential Zone (RR)'

SERVICES:

Lots to be Severed and Retained: Existing private well and septic system.

ROAD ACCESS:

Lot to be Severed and Retained: Gravel, Township Road (Substation Road)

PROPOSAL:

	<u>Lot to be Severed</u>	<u>Lot to be Retained</u>
Area	40.5 ha (100.3 ac)	2,833 m ² (0.78 ac)
Frontage	211.5 m (694 ft)	29 m (96 ft)
Depth	1,371.6 m (4,500 ft)	80 m (263 ft)

The application for consent proposes to sever agricultural lands and retain one of the two existing single detached dwellings on the lot to be retained. The lot to be severed comprises approximately 40.5 ha (100.3 ac), is in agricultural production, and contains a single detached dwelling (circa 1898) and two implement sheds. The lot to be severed would maintain 211.5 m (694 ft) of frontage on Substation Road.

It is proposed that the lot to be retained will be approximately 2,833 m² (0.78 ac) in area with approximately 29 m (96 ft) of frontage on Substation Road. A minor variance has been requested to recognize a reduced lot frontage of 35 m (114.8 ft) for the lot to be retained, which will be required to be rezoned to 'Rural Residential Zone (RR)'. The lot to be retained contains an existing single detached dwelling (circa 1948) and a private well and septic system.

Should the proposed consent be approved, the applicant will be required to submit a Zone Change Application to rezone the lot to be retained from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR)' and rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp).' The proposed special provision would limit the establishment of additional dwellings on the lot to be severed. As part of the requirements, the applicant has provided the necessary documentation confirming ownership of multiple non-abutting farms in Oxford County.

Surrounding land uses are primarily agricultural operations on a variety of lot sizes and configurations and an agri-business use located to the immediate west of the subject property.

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

Plate 1B, Close-up of Subject Lands with Existing Zoning, shows a close-up of the subject lands and the existing zoning in the immediate vicinity.

Plate 2A, Aerial Map (2025) with Existing Zoning, provides an aerial view of the subject lands and surrounding uses as existing in the spring of 2025.

Plate 2B, Close-up Aerial Map (2025) with Existing Zoning, provides a close-up aerial view of the subject lands and surrounding uses as existing in the spring of 2025.

Plate 3, Applicant's Sketch, depicts the proposed configuration of the lots to be severed and retained, along with the location of existing buildings and structures, as provided by the applicant.

Application Review

Section 4.3 of the PPS 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).

Furthermore, 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 agriculture-related uses;
- For a surplus farm residence resulting from a farm consolidation, 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 residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and,

- For infrastructure facilities and corridors in lieu of an easement or right-of-way.

The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 4.3.3.1(c), which permits a lot for a surplus residence subject to the area of the new lot being limited to a minimum size needed to accommodate the uses and appropriate sewage and water services.

Official Plan

The subject lands are located within the 'Agricultural Reserve' designation according to the Township of Norwich 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.

A strategic aim of the Agricultural Reserve policies is to prevent situations of land use conflict in the agricultural designation by careful management of non-farm uses, including rural residential development, recreational uses, commercial and industrial uses, and aggregate resource extraction.

The policies of Section 3.1.5.3 (Creation of Rural Residential Lots) apply to the evaluation of non-farm rural residential development proposals in the following land use designations and overlays: Agricultural Reserve, Environmental Protection Area, Open Space, Future Urban Growth, and Quarry Area.

Non-farm rural residential development shall be considered to include both the severed and retained lots, in the case of consent, and lands subject to rezoning for residential purposes, in the case of zoning by-law amendment applications.

Section 3.1.5.3 outlines that the development of non-farm rural residential lots outside of a settlement shall be prohibited except in accordance with the following:

- A proposal to create a lot for a residence surplus to a farming operation as a result of farm consolidation, provided that:
 - The proposal is to retain an existing permanent, habitable dwelling that was constructed prior to December 13, 1995, where such dwelling is contained on an agricultural lot that is to be legally consolidated with an abutting agricultural lot, to form one larger agricultural lot under identical ownership;
or,
 - The proposal is to retain an existing permanent, habitable dwelling, where the farm owner owns multiple agricultural lots which may or may not abut, and providing:
 - The lot containing the surplus dwelling proposed to be severed contains a minimum of 2 existing dwellings, and all such dwellings were constructed prior to December 13, 1995;
 - The resulting agricultural lot is owned by the farm owner; and,
 - The resulting agricultural lot is rezoned to prohibit the future construction of a new residential dwelling of any type and an agreement for such prohibition is also registered on the property title. The requirement for the Zoning By-law

amendment and agreement, as noted above, shall be implemented through conditions imposed by the County's Land Division Committee at the time that provisional consent approval is given.

- The proposal shall not result in the severance of the only dwelling from an agricultural lot, except in the case of a farm consolidation involving the merger of abutting agricultural lots as one larger lot under identical ownership, where one of the agricultural lots to be consolidated is vacant, but the existing zoning would permit the construction of an accessory dwelling on that lot.
- The lands subject to the application must be zoned for agricultural use.
- The proposed rural residential lot shall not be located within the Quarry Area designation, or an area identified as a Limestone Resource or Sand and Gravel Resource Area.
- The proposed residential lot shall not be located within a Future Urban Growth Area.
- Non-farm rural residential lots shall be as small as is practical in order to preserve the County's agricultural land base. Severance proposals to create new or expanded lots for non-farm rural residential development will generally not exceed 0.8 ha (2 acres). Proposals seeking to create lots larger than this area limit will only be considered where it can be demonstrated that the additional area is required to accommodate individual on-site water services and individual on-site sewage services, the lands have topographic limitations for agricultural use or are physically separated from the remainder of the farm by significant natural heritage features and areas and/or watercourses, or to conserve cultural heritage resources. In no case shall a new or expanded non-farm rural residential lot exceed 1 ha (2.5 acres) in area.
- Existing or proposed individual on-site water services and individual on-site sewage services are demonstrated to be adequate to serve the proposed non-farm rural residential use.
- A proposal for non-farm rural residential development shall satisfy the requirements of MDS I, or not further reduce an existing insufficient setback.
- The proposed rural residential development shall have direct frontage on a permanent public road maintained year-round at a reasonable standard of construction. New vehicular access to any road shall be in accordance with the requirements of authority having jurisdiction over the road, including the applicable policies.
- The heritage policies intended to recognize and conserve heritage resources in the agricultural areas of the County can be met.

For the purpose of considering the creation of a non-farm rural residential lot where a landowner owns multiple non-abutting farms in Oxford County, staff are to ensure that the owner is a bona fide farmer. The Official Plan contains a definition of a "farm owner" which is defined as:

"An individual, partnership, or corporation which:

- a) Owns, is employed on, and manages an agricultural operation consisting of one or more agricultural lots;*
- b) Earns a majority of their income from farming (the scale of the agricultural operation should be capable of generating reasonable operating profit under "normal" economic conditions);*
- c) Spends a majority of their workday in the day-to-day operation of the farm on a full-time, year-round or extended seasonal basis;*
- d) Demonstrates a continuing commitment to the farm operation and long-term farming, such as through sustainable farming practices, on-going farm maintenance and improvement (i.e., drainage, erosion control, soil improvement, fencing etc.), and direct investment in equipment, buildings, and crops; and,*
- e) Must have a valid Farm Business Registration Number."*

Further, the applicant has proposed minor variances to the Township's Zoning By-law to reduce the lot frontage of the retained parcel, as detailed previously in this report.

When considering an application for minor variance to the Zoning By-law, the Committee shall take into account the following:

- The objectives of the policies of the Official Plan can be met if the minor variance is granted;
- The request for variance constitutes a minor departure from the performance standards of the Zoning By-law;
- The general intent and purpose of the Zoning By-law; and
- Whether the variance is desirable for the appropriate development of the land.

In addition to the considerations outlined above, in determining whether the variance is desirable, the following shall be taken into account:

- Whether constraints and/or restrictions to meeting the requirements of the Zoning By-law due to the physical or inherent conditions of the site are involved;
- Whether alternative designs of the proposal which would be in conformity with the relevant by-law are clearly not feasible or appropriate for the site;
- The concerns of the effect on adjacent owners, residents and community in general have been considered;
- The approval of the minor variance would not create an undesirable precedent;
- That compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

Zoning By-law

The subject lands are currently zoned 'General Agricultural Zone (A2)' in the Township of Norwich Zoning By-law. The 'A2' zone permits a variety of agricultural uses including a farm and a regulated farm. The 'A2' zone requires a minimum lot area of 20 ha (49.4 ac) and a minimum lot frontage of 100 m (328.1 ft). The lot to be severed would be approximately 40.5 ha (100.3 ac) in area, with a frontage of approximately 211.5 m (694 ft) on Substation Road.

The lot to be retained is proposed to be used for non-farm rural residential purposes and will be rezoned to recognize the use of the lands accordingly. 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). The lot to be retained is proposed to have an approximate area of 2,833 m² (0.78 ac), and a depth of 80 m (263 ft).

A minor variance request has been submitted to reduce the minimum lot frontage from 35 m (114.8 ft) to 29 m (96 ft). The intent of the lot frontage provisions is to ensure parcels of land have adequate frontage for vehicular ingress/egress with appropriate sight lines, and provide sufficient space for drainage, amenity space and off-street parking on the subject lands.

Should the Application for Consent be approved by the Land Division Committee, the applicant will be required to submit a Zone Change Application that, in addition to rezoning the lot to be retained from 'General Agricultural Zone (A2)' to 'Rural Residential Zone (RR),' would also rezone the lot to be severed from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp).' The special provision attached to the 'A2-sp' zone would prohibit any additional dwellings

on the lot to be severed. The zoning would still retain the ability to have one single detached dwelling accessory to a farm on the lot to be severed.

Agency Comments

The Township of Norwich Building Department requested a plot plan from an Ontario Land Surveyor identifying the location of the existing buildings, on-site sewage systems, wells, and relevant setbacks. Side elevation drawings are also required to confirm spatial separation between buildings and lot lines.

The Oxford County Public Works Department, the Township Fire Chief, Hydro One, and Canada Post, have indicated no concerns with the proposal.

Public Consultation

Notice of the public meeting for the proposal was circulated to neighbouring landowners 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, which proposes the severance of agricultural lands and the retention of a lot for non-farm rural residential use, containing an existing dwelling, has been reviewed under the policy direction of the Provincial Planning Statement (PPS) and the County Official Plan.

The creation of a lot for a surplus residence is permitted provided that the owner owns multiple farms within Oxford County. Given the farm ownership and proposed lot size of the non-farm rural residential lot, staff are generally satisfied that the proposal is consistent with the policies of the PPS regarding non-farm rural residential uses and lot creation in prime agricultural areas.

The applicant has provided documentation confirming ownership of multiple non-abutting farms in Oxford County. The subject lands contain two single detached dwellings, both of which were constructed prior to December 13, 1995, and which are accessory to a cash crop operation. Staff are also satisfied that the applicant complies with the definition of a farm owner as per the Official Plan.

It is proposed that approximately 40.5 ha (100.5 ac) of agricultural land will be severed and would contain one single detached dwelling and a residential accessory building. The lot to be severed will continue to be used for agricultural purposes, will not result in further fragmentation of agricultural land, and will continue to allow flexibility for future changes in the type of farm operation beyond its current use. The resulting agricultural lot size and configuration is consistent with the PPS and Official Plan direction of maintaining farm parcels of adequate size to adapt to changing agricultural conditions.

The proposed lot to be retained will be approximately 2,833 m² (0.78 ac) in area and will be used for non-farm rural residential purposes. As previously outlined, the creation of a lot for a surplus residence is permitted as part of a farm consolidation subject to the area of the new lot being limited to a minimum size needed to accommodate the uses and appropriate sewage and water services, up to a maximum of 0.8 ha (2 ac). While the lot configuration is irregular, this shape was required to avoid close setbacks to existing buildings and to accommodate the required lot area

for a residential parcel on private septic and well. Given the lot size, staff are generally satisfied that the proposal is consistent with the policies of the Official Plan and PPS regarding non-farm rural residential uses and lot creation in prime agricultural areas.

Additionally, the applicant has requested a minor variance to reduce the required minimum lot frontage from the required 35 m (114.8 ft) to 29 m (96 ft). The proposed lot frontage is required due to the existing buildings on the lot to be retained and severed. Staff are satisfied that the proposed lot frontage will maintain sufficient space for drainage, amenity space on the lands, off-street parking and an adequate area for the existing house and private services.

In light of the above, it is the opinion of this Office that the proposal to sever an agricultural lot and retain a lot for non-farm residential use is consistent with the policies of the PPS and generally maintains the intent and purpose of the Official Plan. As such, Planning staff are satisfied that the proposal can be supported from a planning perspective, subject to the recommended conditions.

RECOMMENDATIONS

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:

B26-02-3

- 1. The lot to be retained and the lot to be severed be appropriately zoned, to the satisfaction of the Township of Norwich.**
- 2. If required, the Owner shall enter into a standard Severance Agreement with the Township of Norwich, to the satisfaction of the Township.**
- 3. The Owner shall provide an As-Built Survey stamped by an Ontario Land Surveyor (OLS) for the lot to be retained and severed showing the dimensioned location of all buildings, structures, wells, and septic components on the lands and side elevation drawings to confirm spatial separation requirements, to the satisfaction of the Township of Norwich Building Department.**
- 4. The Clerk of the Township of Norwich advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Township, financial, services and otherwise, have been complied with.**
- 5. The Owner shall enter into an agreement with the County of Oxford to prohibit the construction of a new residential dwelling of any type, including additional residential units, on the agricultural lot to be severed, more particularly described as Part of Lot 5, Concession 7 as in 448276 (i.e. the agricultural lot to be severed); Township of Norwich, County of Oxford (the "Remnant Farm Property").**

A26-01-3

That the Oxford County Land Division Committee approve Minor Variance Application A26-01-3 submitted by A&A Farms Ltd. (c/o Cecil Andrew), for lands described as Part of Lot 5, Concession 7 as in 448276, Township of Norwich, being the lots to be retained from Consent Application B26-02-3 as it relates to:

- 1. Relief from Section 9.2 – Rural Residential Zone Provisions, to reduce the minimum lot frontage of the severed lands from 35 m (114.5 ft) to 29 m (96 ft).**

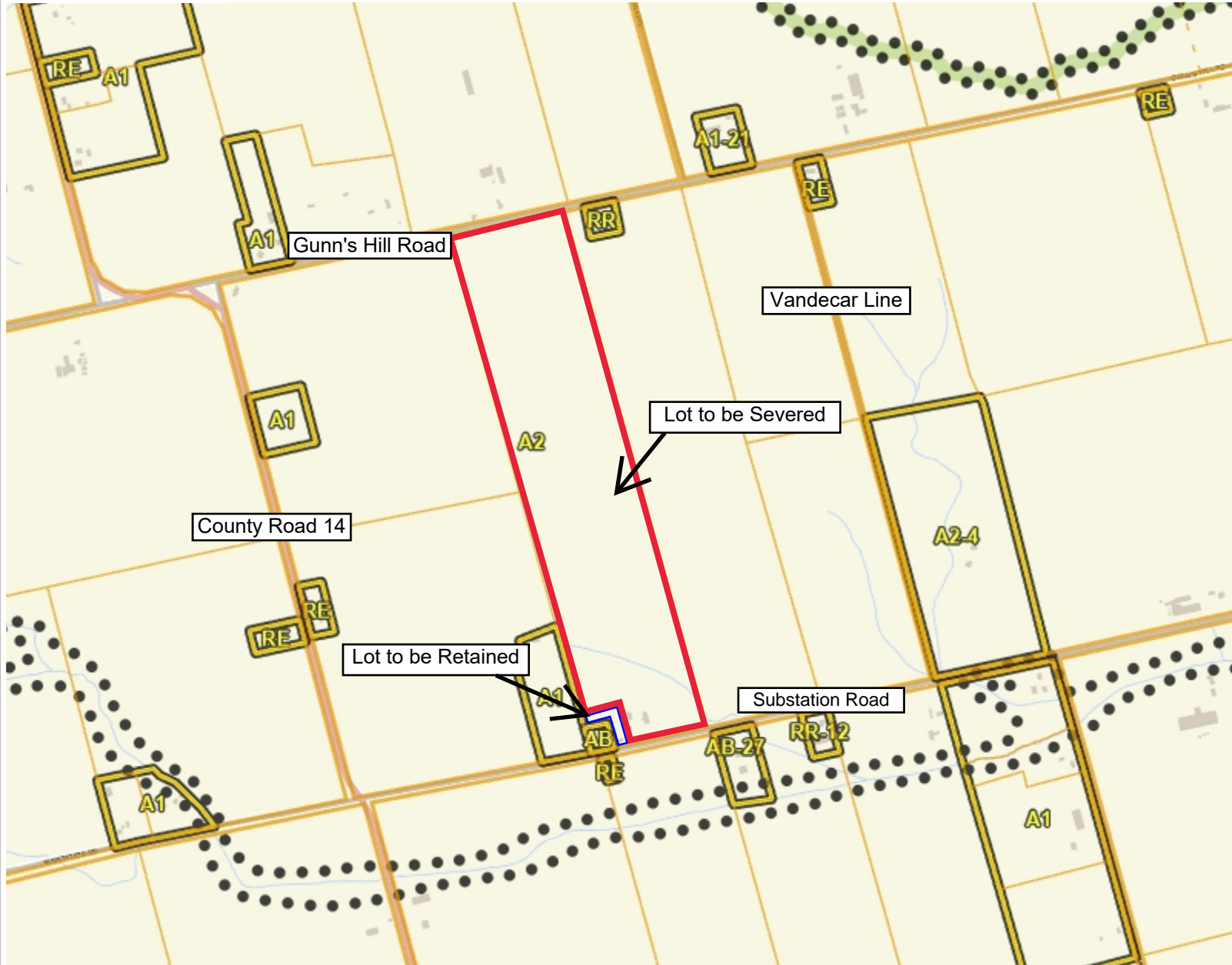
As the proposed variance is:

- (i) deemed to be a minor variance from the provisions of the Township of Norwich Zoning By-law No. 07-2003-Z;**
- (ii) desirable for the appropriate development or use of the land;**
- (iii) in keeping with the general intent and purpose of the Township of Norwich Zoning By-law No 07-2003-Z, and;**
- (iv) in keeping with the general intent and purpose of the Official Plan of the County of Oxford.**

SIGNATURES

Authored by: *Original Signed by* Amy Hartley
Development Planner

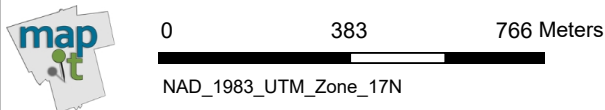
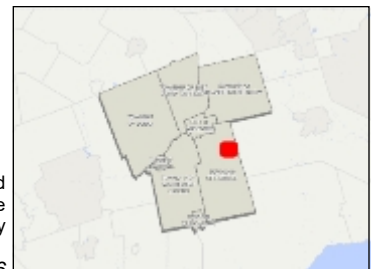
Approved for submission: *Original Signed by* Heather St. Clair, MCIP, RPP
Senior Development Planner



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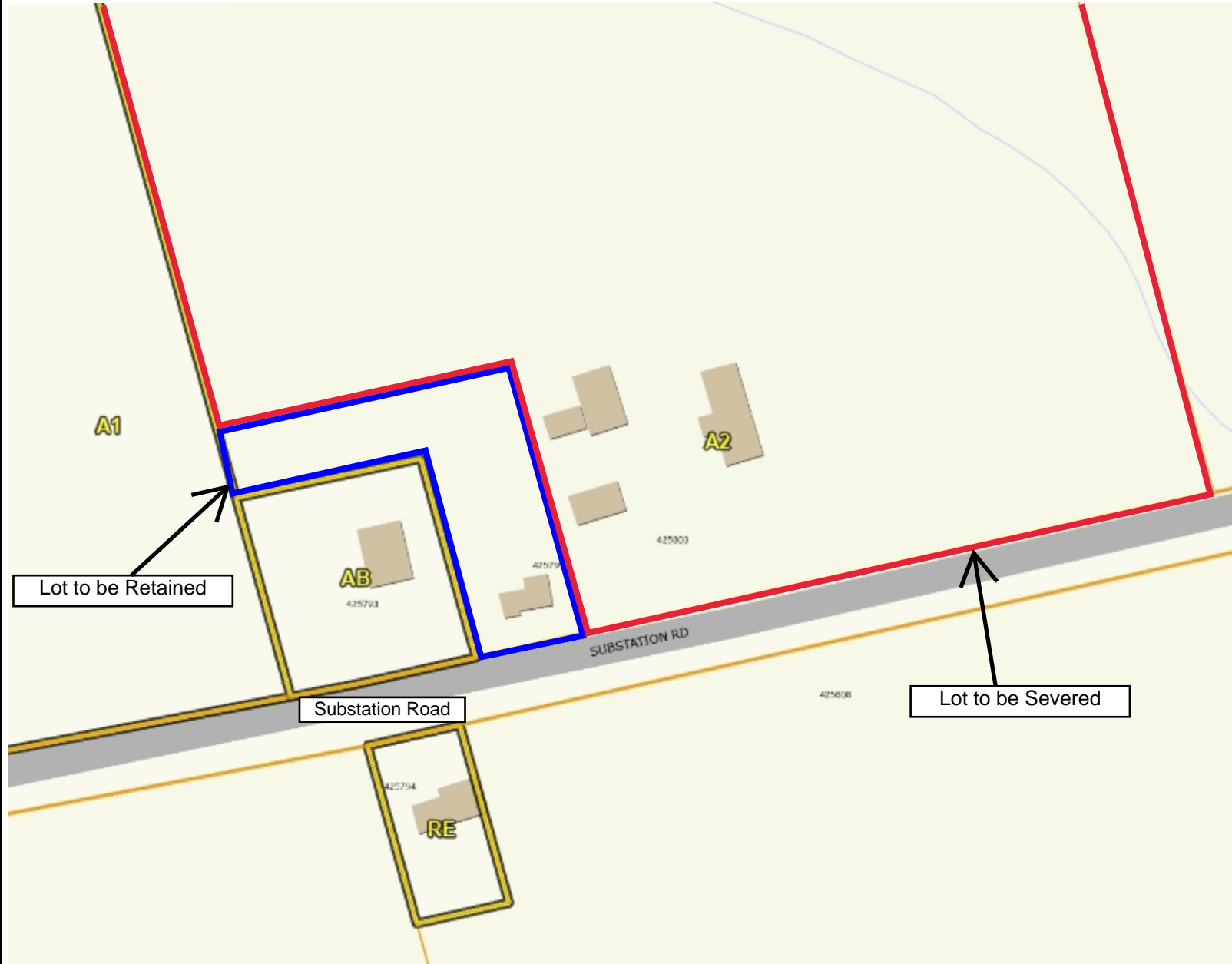
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 - Municipal Boundary
 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



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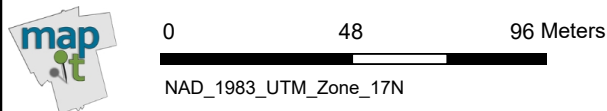
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- Parcel Lines**
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 - Property Boundary
 - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
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- Land Use Zoning (Displays 1:16000 to 1:500)
- Road Section

Notes



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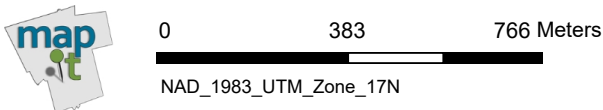
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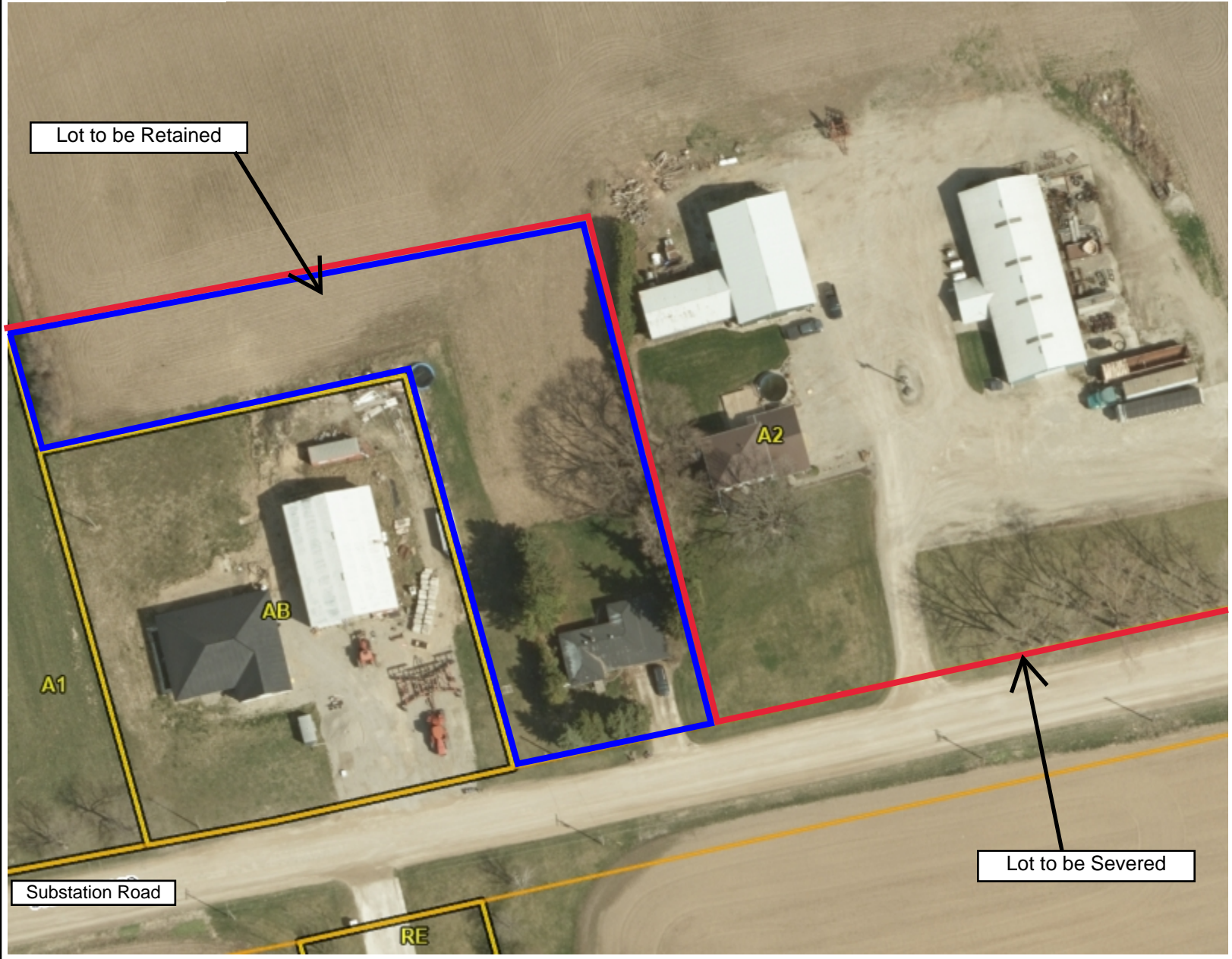
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 - Road
 - Unit
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Notes



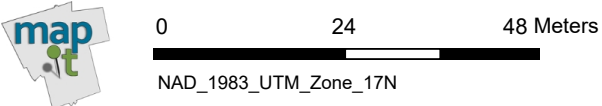
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April 23, 2026

