

To: Mayor and Members of Township of East Zorra-Tavistock Council

From: Adam Gignac, Development Planner, Community Planning

Application for Zone Change ZN 2-26-02 – Bohner

REPORT HIGHLIGHTS

- The Zone Change Application proposes to rezone the subject lands from ‘General Agricultural Zone (A2)’ to ‘Special Agricultural Zone (A2-sp)’ in order to recognize an existing single detached dwelling as an additional residential unit (ARU).
- A special provision is being requested to establish the ARU, to permit the ARU within the front yard, to increase the maximum distance between the ARU and a principal dwelling from 30 m to 130 m, and to permit an ARU with a gross floor area of 152 m² (1,636 ft²) or 92.7% of the size of the principal dwelling.
- Planning staff are recommending approval of the application, as the proposal is consistent with the policies of the Provincial Planning Statement and the intent and purpose of the Official Plan and Zoning By-law with respect to additional residential units (ARUs).

DISCUSSION

BACKGROUND

OWNERS/APPLICANT: Manfred & Bonnie Bohner
596029 Highway 59, East Zorra-Tavistock, ON, N4S 2W1

LOCATION:

The subject lands are described as Part Lots 17 and 18, Concession 11 (East Zorra) as in 466961, Except Part 2 Plan 41R9586 (East Zorra-Tavistock). The lands are located on west side of Highway 59, between Braemar Sideroad and McArdle Drive and are municipally known as 596029 Highway 59, Township of East Zorra-Tavistock.

COUNTY OF OXFORD OFFICIAL PLAN:

Existing:

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

Existing Zoning: 'General Agricultural Zone (A2)'

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

PROPOSAL:

The Zone Change application proposes to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to introduce special provisions for the establishment of an additional residential unit (ARU) on the subject property, to permit an ARU within the required front yard, to permit an increased setback between the ARU and the principal dwelling from 30 m (98.4 ft) to 130 m (426.5 ft) and to permit an ARU with a gross floor area of 152 m² (1,636 ft²) or 92.7% of the size of the principal dwelling.

The application previously came before Council on May 6th, 2026. The application at this time was deferred to allow a re-circulation of a Public Notice to ensure that an additional required zoning provision was included in the proposed Zone Change application circulation, to meet the requirements of the *Planning Act*.

Staff note that the subject lands currently contain two single-detached dwellings on the property. The dwelling proposed to be recognized as an ARU was constructed in 1890 and is noted to have a gross floor area of 152 m² (1,636 ft²) and is located approximately 12 m from the front lot line. The westerly dwelling (circ 2003) was established through the approval of Minor Variance application A-1-2003; the minor variance approval included a condition that the applicants enter into an agreement for the removal of the existing single-detached dwelling when no longer required by the applicant's parents, or the property is sold. This dwelling has an approximate area of 164 m² (1,765 ft²) and is located 130 m west of the original dwelling, but in close proximity to a number of agricultural outbuildings within the general building cluster.

The applicants propose to recognize the original dwelling, located near Highway 59, as an ARU, in order to accommodate their son in the future.

The surrounding lands uses to the subject lands are predominantly agricultural for growing crops in all directions, with some occasional rural residential uses to the north and south along Highway 59.

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

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

Plate 3, Aerial Map (2025) with Existing Zoning – Zoomed In, provides a closer aerial view of the farm cluster / residential structures.

Plate 4, Applicant's Sketch, identifies the subject lands and locations of existing buildings and structures as provided 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 2.1 of the Provincial Planning Statement (PPS) provides that healthy liveable and safe communities are sustained by accommodating an appropriate range and mix of residential housing (including additional units, affordable housing, and housing for older persons) to meet long-term needs and promoting cost-effective development that minimizes land consumption and servicing costs.

Further, Section 2.2 - Housing states that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents;
- Permitting and facilitating all types of residential intensification, including additional residential units and redevelopment, in accordance with policy 2.3.1.3;
- Promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- Requiring transit-supportive development and prioritization intensification, including potential air rights development, in proximity to transit, including corridors and stations.

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.

Section 4.3.2 (Permitted Uses – Agriculture) notes that a principal dwelling associated with an agricultural operation shall be permitted in prime agricultural areas as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

Where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance, provided as least one of these additional residential units is location within or attached to the principal dwelling, and any additional residential units:

- a) comply with the minimum distance separation formulae;
- b) are compatible with, and would not hinder, surrounding agricultural operations;
- c) have appropriate sewage and water services;
- d) address any public health and safety concerns

- e) are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- f) minimize land taken out of agricultural production.

OFFICIAL PLAN

The subject lands are located within the 'Agricultural Reserve' designation according to the Township of East Zorra-Tavistock Land Use Plan in the Official Plan.

According to Section 3.1.1, the goal of the Agricultural Reserve policies is to ensure prime agricultural lands are preserved for food and fibre production by avoiding the fragmentation of the land base, by minimizing conflict between agricultural and non-agricultural uses, and by supporting the needs of the agricultural community by permitting land uses which are complementary to, and supportive of, agriculture.

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.

Regarding Additional Residential Units (ARUs), Oxford County Council adopted policies regarding these units on February 8, 2023, via Official Plan Amendment 285 which are applicable to this application.

Specifically, in the Agricultural Reserve designation, ARUs are permitted within a single detached dwelling and/or in a structure ancillary to the principal dwelling, provided that both dwellings are located on a lot zoned for agricultural or rural residential use that permits a dwelling in accordance with the policies of the Official Plan.

A maximum of two (2) ARUs shall be permitted per farm unit, being two (2) in a principal dwelling or one (1) in a principal dwelling and/or one (1) in a structure ancillary to the principal dwelling.

ARUs located outside of a settlement area shall be in accordance with the following:

- The ARU shall be clearly secondary and subordinate to the principal dwelling on the lot and have a cumulative gross floor area of no greater than 50% of the gross floor area of the principal dwelling, to a maximum of 140 m² (1,506 ft²);
- ARUs shall not generally be permitted where a lot or dwelling already contains other accessory residential dwelling and/or uses, including a group home, boarding, or lodging house or a home occupation that is characterized by higher occupancy such as a bed and breakfast, a farm vacation rental, or other similar uses;
- Individual on-site water supply and sewage services are demonstrated to be adequate to serve the proposed use, in accordance with the applicable policies;
- The existing principal dwelling and the lot are of sufficient size to accommodate the creation of an ARU and to provide adequate off-street parking, landscaping, stormwater management and outdoor amenity areas;
- The principal dwelling must have direct, individual vehicular access to a public street and all ARUs shall use the same driveway as the principal dwelling;
- There is adequate access from the front lot line and parking area to each ARU for both occupant use and emergency response;
- To the extent feasible, existing trees and other desirable vegetation are preserved;
- Land use compatibility concerns (e.g. due to proximity to industrial areas or major facilities) will not be created or intensified;

- The location of ARUs and related services and outdoor amenities shall comply with all other applicable policies of the Official Plan; and,
- All other municipal requirements, such as servicing, stormwater management, waste management and emergency access, can be adequately addressed.

The following additional policies shall apply to the establishment of an ARU in a detached ancillary structure:

- The lot must be a minimum of 0.6 ha (1.48 ac) in area;
- The siting, design and orientation of the ancillary structure, parking areas and outdoor amenity areas will allow for privacy for the occupants of the ARU, principal dwelling and abutting residential properties; and
- An ARU will satisfy MDS I or will not further reduce an existing insufficient setback.

An additional residential unit shall not be severed from the lot containing the principal dwelling or converted into a separately transferable unit through plan of condominium.

ZONING BY-LAW

The subject lands are zoned 'General Agricultural Zone (A2)' in the Township of East Zorra-Tavistock Zoning By-law. The 'A2' zone permits a variety of agricultural-related uses, including a farm, a single-detached dwelling and buildings and structures accessory thereto.

Section 5.5.2 of the Zoning By-law allows for the consideration of an ARU within a detached ancillary structure in the A2 Zone, provided the following:

- ARUs shall not be permitted on any lot containing a boarding or lodging house, a group home, a garden suite, a converted dwelling, a duplex dwelling, a mobile home, or a bed and breakfast establishment;
- The maximum cumulative dwelling unit area for all ARUs is the lesser of 50% of the dwelling unit area of the principal dwelling, or 140 m² (1,506 ft²);
- All ARUs shall have direct access to the same driveway as the principal dwelling;
- There is a 1.2 m (3.9 ft) unobstructed pathway from the front lot line to the entrance;
- 1 space per ARU is required on site;
- A minimum landscape open space in the rear yard of 75 m² (807 ft²) for 1 ARU;
- The subject lands are a minimum of 0.6 ha (1.48 acres);
- The ARU shall have a maximum height of 5.5 m (18 ft); and,
- The ARU shall be a maximum distance of 30 m (98.4 ft) from the principal dwelling.

Additionally, Section 5.5.2.1 outlines that detached additional residential units located outside of a settlement defined in Section 2. 2 shall be required to satisfy the minimum distance separation requirements, as determined through the application of the Minimum Distance I Separation Formula I (MDS I) or not further reduce an existing insufficient MDS I setback.

AGENCY COMMENTS

The Township Manager of Building, Township Public Works Manager, Township Fire Chief, Canada Post, Southwest Public Health, and County Public Works Department have indicated no concerns or objections regarding the proposed zoning amendment.

Upper Thames River Conservation Authority (UTRCA) staff have reviewed the application submission and offer the following comments:

1. The subject lands are regulated by the UTRCA due to the presence of the Brown Drain and Wilkes Drain which may be affected by riverine flooding and erosion hazards; as well as unevaluated wetlands and their 30m surrounding area of interference on the subject and adjacent lands.
2. The flood hazard limit shown in the attached mapping is not based on engineered flood modeling and is simply a general setback based on the size of the catchment area.
 - a. UTRCA Water Resource staff are in the process of undertaking revised flood modeling for much of our watershed.
 - b. Revised draft modeling confirms that the location of the existing dwelling where the ARU is proposed is outside of the flood hazard associated with the Brown Drain, and access from Highway 59 via the existing laneway is flood free during a regulatory (250-year) storm event.
3. A Section 28 Permit will not be required from UTRCA Regulations staff for the internal work necessary to construct an ARU.

PUBLIC CONSULTATION

Notice of Complete Application and Notice of Public Meeting for the proposal were circulated to neighbouring landowners on March 25th, 2026 and May 28th, 2026 respectively, in accordance with the requirements of the *Planning Act*. As of the date of this report, no comments or concerns have been received from the public.

Planning Analysis

The Application for Zone Change proposes to rezone the lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' in order to establish an additional residential unit (ARU) within an existing single-detached dwelling on the subject lands.

Tables 5.5.2.3 and 5.5.2.4 of the Township Zoning By-law contain the general requirements for ARUs, and the requirements for detached ARUs respectively. ARUs are limited in gross floor area to the lesser of 50% of the gross floor area of the principal dwelling, or 140 m² (1,507 ft²) for the A2 zone outside of a settlement. Further, Table 5.5.2.4 permits a maximum height of an ARU in a detached ancillary structure of 5.5 m (18 ft), and includes a maximum distance from the principal dwelling and the ARU of 30 m (98.6 ft).

As noted previously, the subject lands contain two existing dwellings located on the property, the westerly dwelling established through the approval of minor variance application A-1-2003. Both dwellings have been present on the property for approximately 23 years. The single-detached dwelling closest to the street line is proposed to become the ARU on the property.

The applicants are requesting relief to establish an ARU, to permit the ARU in the required front yard, relief from the provision which specifies the maximum distance from the principal dwelling of 30 m (98.6 ft), to allow for a distance of 130 m (426.5 ft), and to permit an ARU with a gross floor area of 152 m² or approximately 92.7% of the size of the primary dwelling. The existing dwelling that is proposed to be the ARU is located as identified on Plate 3 of Report No. 2026-192, the dwelling closest to the street line.

The purpose and intent of the criteria contained in Table 5.5.2.4 – Provisions for Detached Additional Residential Units of the Zoning By-law is generally to ensure that any detached ARU remains clearly secondary to the principal dwelling, and, that sufficient space exists to accommodate not only all dwellings and their associated buildings and structures but also the necessary private septic systems and wells. The intent of the provision limiting the distance from the principal dwelling of an ARU is to ensure that both dwellings are located within the same general cluster, does not unnecessarily remove agricultural lands from production, does not result in the unnecessary removal of vegetation, and does not adversely impact surrounding agricultural operations.

An increase in the distance between the ARU and the principal dwelling should generally be reserved for situations where there are no reasonable options to locate the ARU within 30 m (98.6 ft). As previously outlined, the applicants are proposing an increased distance between the ARU and the principal dwelling of 130 m (426.5 ft).

Generally, staff are not supportive of permitting increased distances between ARUs and principal dwellings, primarily due to the potential removal of farmland. Notwithstanding this, as both the principal dwelling and dwelling proposed to be the ARU are existing, and have both been existing for approximately 23 years, there would be no removal of farmland from the subject lands. The existing dwellings are serviced and would have sufficient space for any future servicing needs, already maintain their own independent amenity space, are accessed via the same driveway on the site, and are both located within the existing cluster of buildings on the subject lands. Staff are of the opinion that there would be no impact to the site from the establishment of an ARU in the existing dwelling towards the front of the property (noted in Plate 3), given the increased distance between the ARU and the principal dwelling.

The purpose and intent of the provision for the maximum cumulative gross floor area for all ARUs on an A2 zoned property is to ensure that the ARU(s) remain secondary and ancillary to the principal dwelling on the property. Staff note that the existing structure proposed to be converted into an ARU would be 92.7% of the size of the principal dwelling. While this would typically represent a significant increase from the usual 50%, staff are of the opinion that given the circumstances of the dwelling and its long-term existence, as well as the dwelling maintain its smaller size comparative to the principal dwelling, that the ARU would remain secondary and ancillary to the principal dwelling on the property.

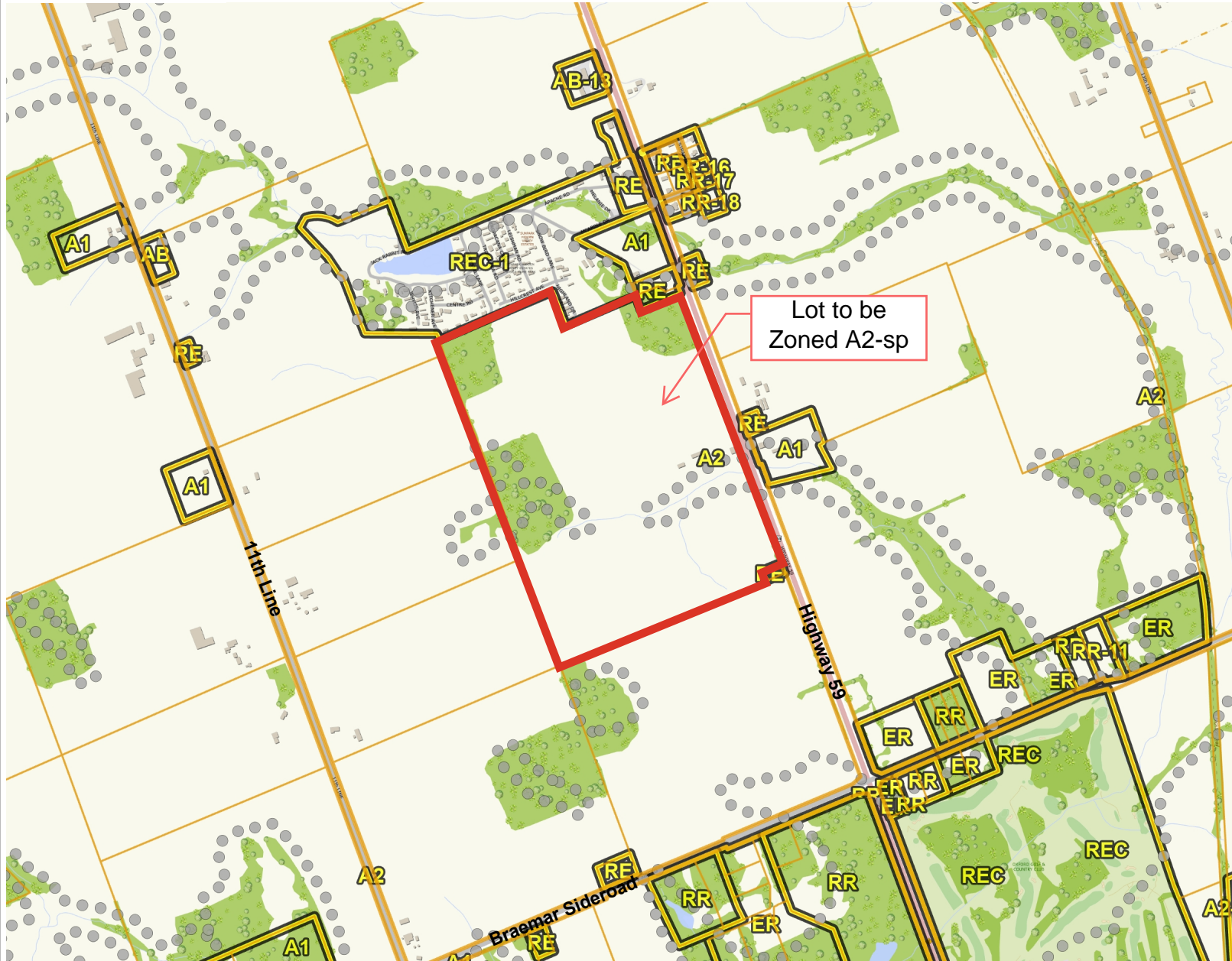
It is the opinion of Staff that the application is consistent with the policies of the PPS and maintains the general intent and purpose of the Official Plan and Zoning By-law. As such, Planning staff are satisfied that the application can be given favourable consideration.

RECOMMENDATIONS

It is recommended that the Council of the Township of East Zorra-Tavistock approve the Zone Change Application submitted by Manfred and Bonnie Bohner, whereby lands described as Part Lots 17 & 18, Concession 11 (East Zorra), in the Township of East Zorra-Tavistock, are to be rezoned from ‘General Agricultural Zone (A2)’ to ‘Special General Agricultural Zone (A2-sp)’ to recognize an existing dwelling as an ARU, and to recognize the existing location within the required front yard and the existing 130m setback between the ARU and the principal dwelling on the subject lands, and to permit an ARU with a gross floor area of 152 m² or 92.7% the size of the principal dwelling.

SIGNATURES

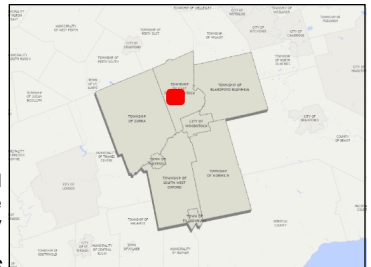
Authored by:	Original Signed By	Adam Gignac Development Planner
Approved for submission:	Original Signed By	Eric Gilbert, MCIP, RPP Manager of Development Planning



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



0 409 818 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

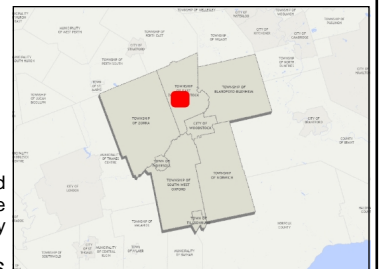
March 20, 2026



Legend

- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - - - Assessment Boundary
 - Road
 - Unit
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Notes



0 409 818 Meters

NAD_1983_UTM_Zone_17N



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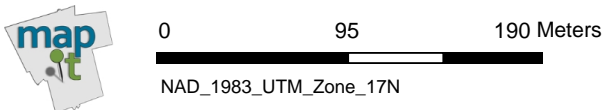
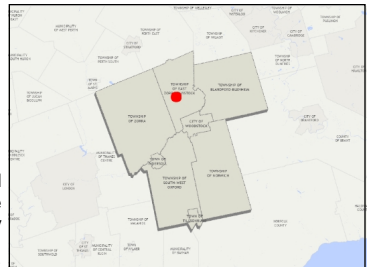
April 22, 2026



Legend

- Parcel Lines**
 - Municipal Boundary
 - Property Boundary
 - - - Assessment Boundary
 - Road
 - Unit
- Zoning Floodlines**
- Regulation Limit**
 - ◆◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
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Notes



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April 24, 2026

sketch site plan

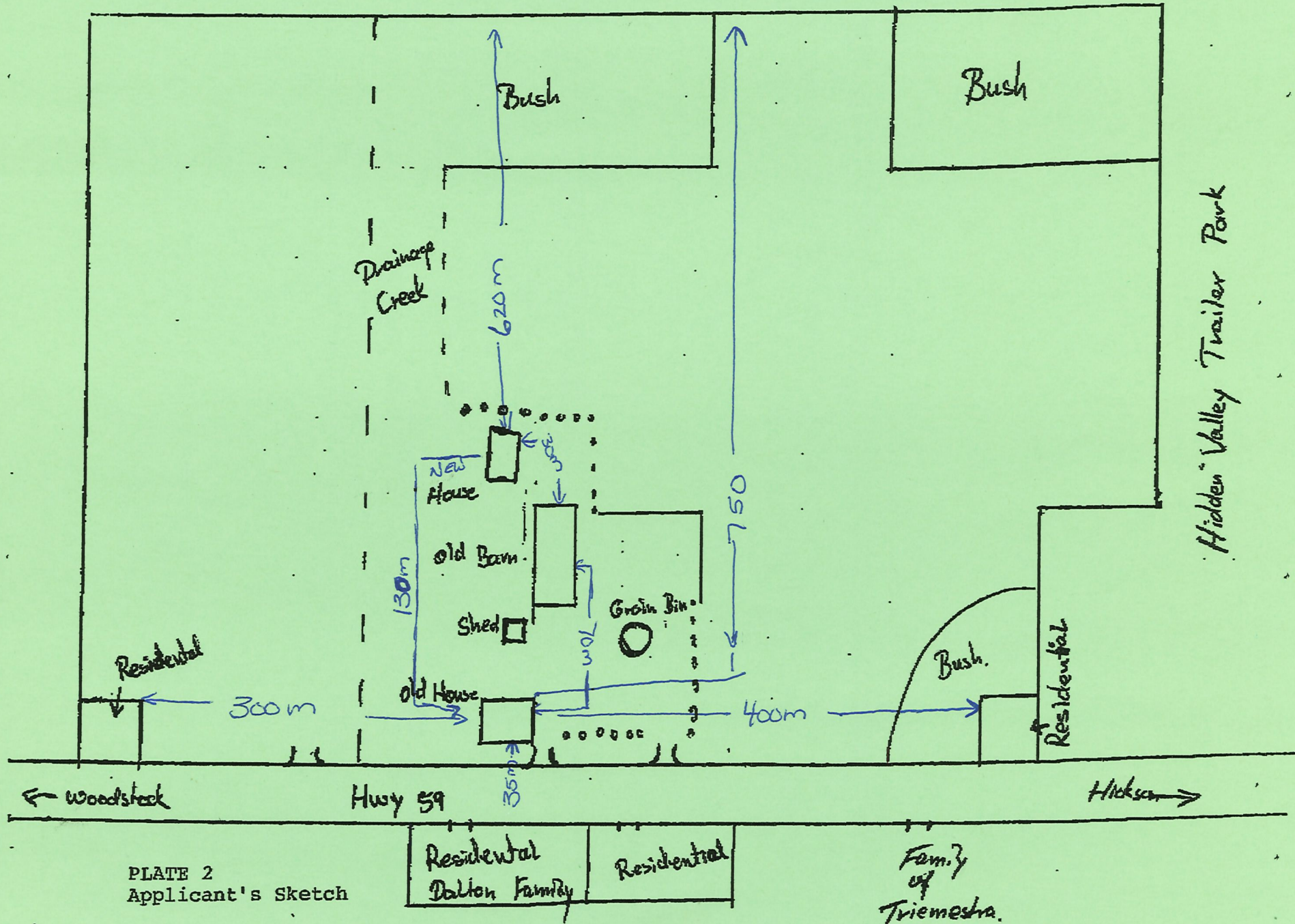


PLATE 2
Applicant's Sketch

00000 - trees.