

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

From: Dustin Robson, Development Planner, Community Planning

Application for Zone Change ZN 2-26-04 – Westavi Farms Ltd.

REPORT HIGHLIGHTS

- The application for zone change proposes to rezone the subject lands from ‘General Agricultural Zone (A2)’ to ‘Special General Agricultural Zone (A2-sp).’
- A special provision is being requested to reduce the Minimum Distance Separation II (MDS II) setback required between the existing livestock facility and a Type B land use (settlement boundary).
- Planning staff are satisfied that the proposal is generally consistent with the policies of the Provincial Planning Statement and maintains the intent and purpose of the Official Plan.

DISCUSSION

BACKGROUND

OWNER: Westavi Farms Ltd.
537135 Oxford Road 34, Hickson, ON N0J 1L0

LOCATION:

The subject lands are described as Part Lot 35, Concession 11 (East Zorra). The lands are located on the west side of Oxford Road 34, between the Highway 59 and Perth-Oxford Road, and are municipally known as 537135 Oxford Road 34, in the Township of East Zorra-Tavistock.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “E-1”	Township of 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 subject lands are approximately 39.8 ha (98.4 ac) in size and currently contain a single detached dwelling accessory to the farm, a livestock barn, two agricultural sheds, and a pool pavilion. Surrounding uses include agricultural operations of various types and sizes. An agricultural-related business and a commercial business also exist to the southeast of the subject lands.

As Township Council is aware, the Township of East Zorra-Tavistock and Oxford County have been preparing a Secondary Plan for the Villages of Tavistock and Innerkip. One component of the Secondary Plan exercise is to expand settlement boundaries in order to add land to the settlements that will be able to facilitate the forecasted residential and employment growth for the municipality. Through this exercise, the lands directly to the east of the subject lands have been identified as being included in the settlement boundary expansion and are proposed to be used for employment purposes. Adding the lands to the east of the subject lands would result in the settlement boundary being extended to the east side of Oxford Road 34 and would result in a non-compliant MDS II setback for the existing livestock operation on the subject lands.

When calculating Minimum Distance Separation II (MDS II) for livestock facilities and manure storage structures to surrounding sensitive uses, the uses are broken down into Type A and Type B land uses. Type A land uses are generally lower density of human occupation, habitation, or activity, such as single detached dwellings, while Type B land uses are characterized as having higher density of human occupancy, habitation, or activity. A settlement, such as Tavistock, is considered to be a Type B land use and requires double the setback distance to a livestock operation than a Type A land use does.

The application for zone change proposes to rezone the subject property from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp).' The purpose of the application is to modify the Minimum Distance Separation II (MDS II) setback factor to a Type B land use from a value of 2.0 to a value of 1.0 for an existing agricultural operation.

The required setbacks for the existing operation in relation to Type B land uses when using the MDS II formulae is 276 m (906 ft) for the livestock barn and 320 m (1,050 ft) for the manure storage. If the 2.0 factor for Type B land uses was removed then the required setback for the livestock barn would be 138 m (453 ft) and the required setback for the manure storage would be 160 m (525 ft) and these setbacks would be respected with the proposed settlement boundary expansion.

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 in relation to the existing and proposed settlement boundary for the Village of Tavistock.

Plate 3, Applicant's Sketch, identifies the general site area as provided by the applicant.

APPLICATION REVIEW

2024 PROVINCIAL PLANNING STATEMENT

The Provincial Planning Statement (PPS) is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Pursuant to Section 2.3.2 of the PPS, when allowing a settlement area boundary expansion, planning authorities shall consider the following:

- a) The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
- b) If there is sufficient capacity in existing and planned infrastructure and public service facilities;
- c) Whether the applicable lands comprise specialty crop areas;
- d) The evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- e) Whether the new or expanded settlement area complies with the minimum distance separation formulae;
- f) Whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and,
- g) The new or expanded settlement area provides for the phased progression of urban development.

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 and activities include agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agricultural-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations and new land uses in prime agricultural areas shall comply with the minimum distance separation formulae.

OFFICIAL PLAN

The subject site is located within the Agricultural Reserve designation according to the Township of East Zorra-Tavistock Land Use Plan, as contained in the County Official Plan.

In the Agricultural Reserve designation lands are to be developed for a wide variety of agricultural land uses, such as general farming, animal or poultry operations, regulated livestock farms, cash crop farms and specialty crop farms. Permitted uses also include woodlands, market gardening, tobacco farming, nurseries and orchards, together with farm buildings and structures necessary to the farming operation, and accessory residential uses required for the farm.

Section 3.1.4.2 of the Official Plan outlines that all livestock and poultry operations shall satisfy Minimum Distance Separation Formula II (MDS II). The County recognizes the importance of protecting agriculture land and agricultural operations. MDS II helps to minimize conflicts between farm operations and non-farm uses.

With the applicant proposing to change the MDS II factor that relates to Type B land uses from 2.0 to 1.0, it will have the effect of reducing the setback between the existing livestock buildings and structures on the subject lands and the adjacent settlement boundary, which is proposed to expand towards the subject lands. The setback reduction is intended to offset potential limitations to the existing livestock operations that may result from the proposed Village of Tavistock settlement boundary adjustment.

ZONING BY-LAW

The subject lands are currently zoned 'General Agricultural Zone (A2)' according to the Township's Zoning By-law. The 'General Agricultural Zone (A2)' permits a wide range of agricultural uses, including a single detached dwelling that is accessory to a farm operation. 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) in order to develop the property for any farm related buildings.

The Zoning By-law also provides that Minimum Distance Separation II formula requirements shall be applied to the development of livestock barns and manure storage structures in relation to sensitive land uses within the vicinity.

AGENCY COMMENTS

The Township Chief Building Official, the Township Fire Chief, and Southwestern Public Health have indicated no concerns with the proposal.

PUBLIC CONSULTATION

Notice of a Complete Application for the proposal was circulated to neighbouring property owners on May 7, 2026 and the Notice of a Public Meeting was circulated on May 14, 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

Minimum Distance Separation (MDS) formulae are used to calculate setback distances between conflicting land uses to minimize interference between livestock operations and sensitive uses, such as residential. The MDS guidelines apply a doubling MDS II setback distance to Type B land uses, which are characterized as having higher density of human occupancy, habitation or activity. Type B land uses include settlement boundaries.

According to the Provincial MDS guidelines, MDS II setbacks should not be reduced except in limited site-specific circumstances that meet the intent of the MDS guidelines. If a reduction is to be considered, it may be done through a variance application or through a site-specific zoning by-law. In this instance, Staff believe that it is appropriate to proceed through a zone change application given the size of the proposed reduction.

Referring to Plate 2, the subject lands are in proximity to the Village of Tavistock settlement boundary. With the proposed expansion of the settlement boundary of Tavistock to the west, the subject lands and the existing livestock structures will become closer to the settlement boundary than they currently are.

Currently, the closest point between the existing settlement boundary of Tavistock is approximately 550 m (1,640.4 ft) from the above noted livestock operation at 537135 Oxford Road 34 while the manure storage is setback approximately 582 m (1,909.4 ft). The required setbacks for operations in relation to Type B land uses when using the MDS II formulae is 276 m (906 ft) for the livestock barn and 320 m (1,050 ft) for the manure storage. The distance between the new settlement boundary and the livestock barn would drop to 135 m (442.9 ft) while the distance between the new settlement boundary and the manure storage tank would drop to 175 m (574.1 ft). If the 2.0 factor for Type B land uses was removed then the required setback for the livestock barn would be 138 m (453 ft) and the required setback for the manure storage would be 160 m (525 ft) and these setbacks would be respected with the proposed settlement boundary expansion.

Given the proposed settlement boundary expansion for Tavistock through the ongoing Secondary Plan, Staff are of the opinion that providing some flexibility to an existing livestock operation rather than to sterilize it is critical in helping to protect agricultural land and operations. While recognizing that urban growth is a necessity for settlements, the County is committed to providing the support possible through the land use planning process to protect the land base for farming as well as minimize potential for conflict. It is important to note, however, that the extent to which the existing livestock operation would be able to expand will be dependent on the type of livestock, the number of livestock, and the type of manure storage that is proposed. It is possible, based on these factors that additional relief may be required in addition to what is being proposed in the subject zone change application.

Staff note that this method of reducing MDS II requirements in order to facilitate a settlement boundary adjustment has been previously used in Oxford County. When the City of Woodstock obtained land from the Township of East Zorra-Tavistock in 2006 in order for the City to expand their boundary lines in the northeast, it was necessary for two established livestock operations to obtain special zoning provisions to reduce the MDS II factor for Type B land uses from 2.0 to 1.0. In 2021, the Township of Blandford-Blenheim reduced the MDS II factor for Type B land uses from 2.0 to 1.0 in order to facilitate a boundary expansion to the Village of Plattsville as the expansion moved towards an existing livestock operation. Staff are of the opinion that the subject zone change application is similar to the situations outlined above.

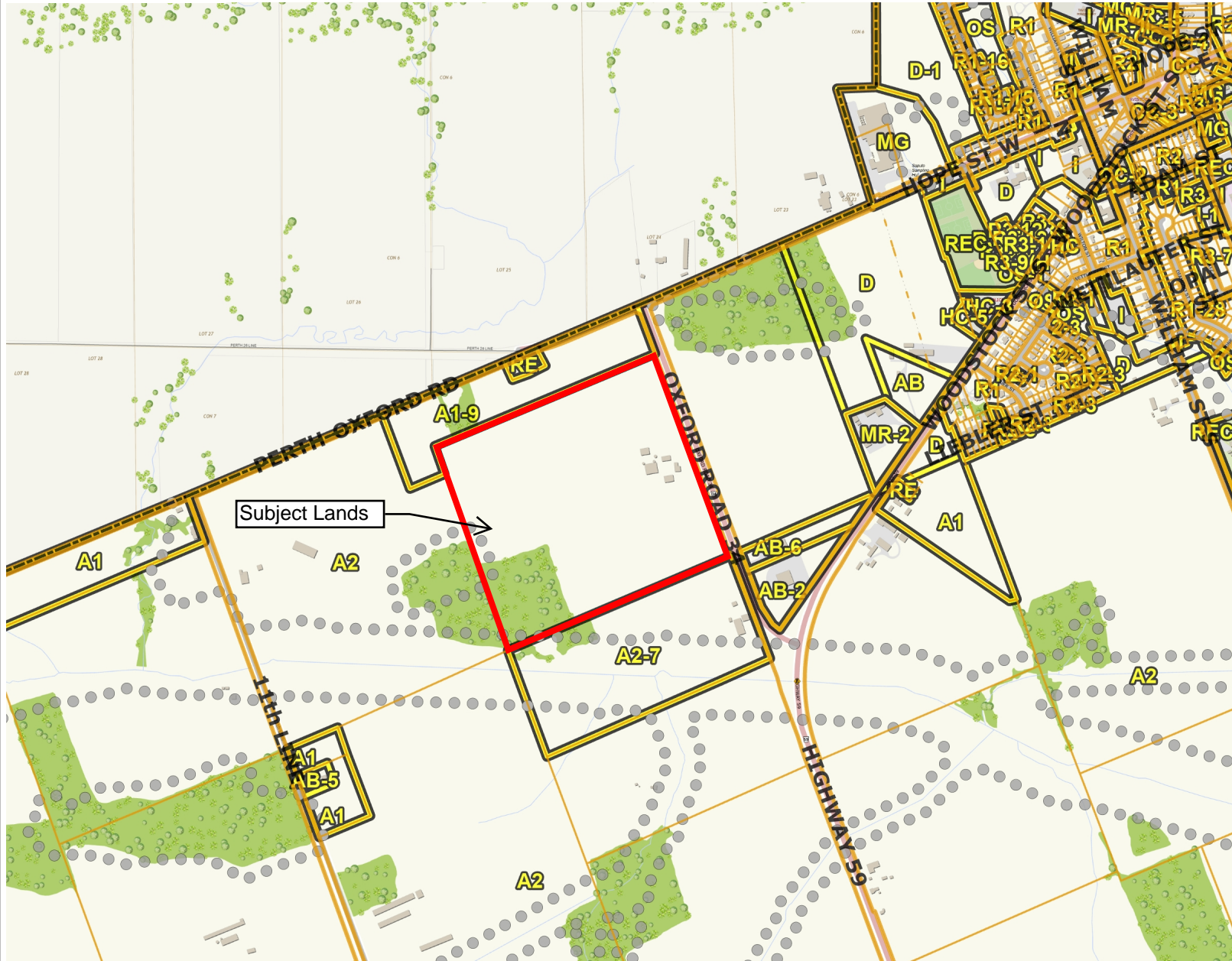
In light of the foregoing, it is the opinion of this Office that the proposal is consistent with the policies of the PPS and maintains the intent of the Official Plan and Planning staff recommend that the subject zone change application be approved.

RECOMMENDATION

It is recommended that the Council of the Township of East Zorra-Tavistock approve the zone change application submitted by Westavi Farms Ltd., whereby the lands described as Part Lot 35, 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 permit a reduced MDS II setback between a livestock operation and a Type B land use.

SIGNATURES

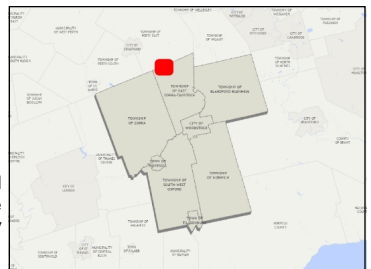
Authored by:	Original Signed By	Dustin Robson, MCIP, RPP Development Planner
Approved for submission:	Original Signed By	Heather St. Clair, MCIP, RPP Senior Development Planner



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



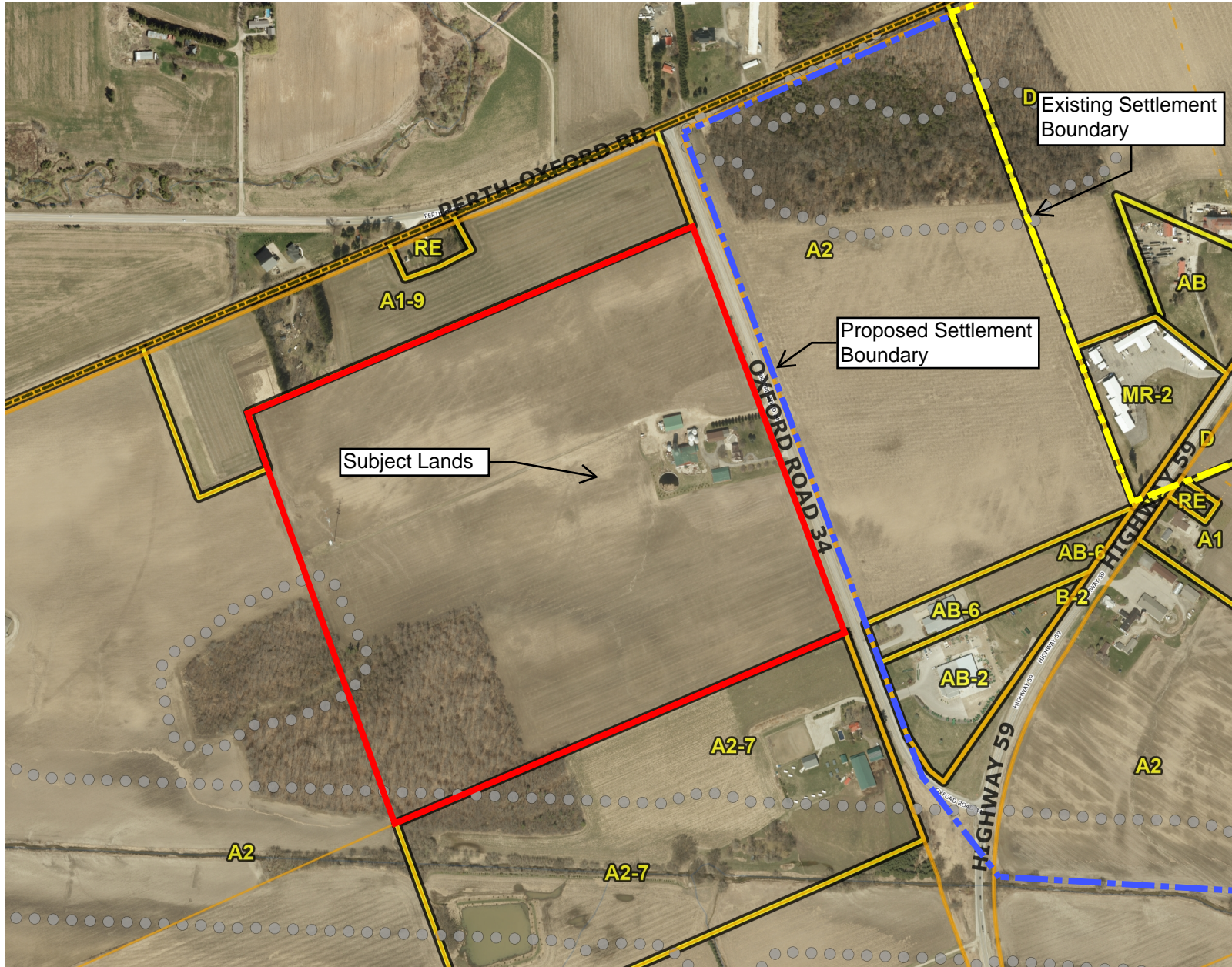
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NAD_1983_UTM_Zone_17N



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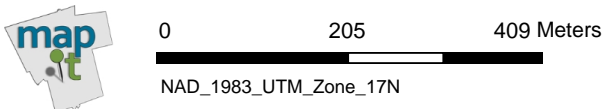
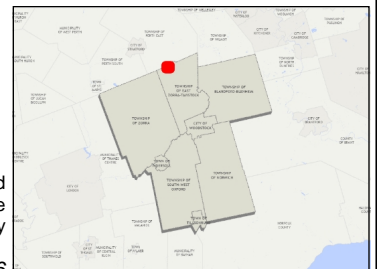
May 5, 2026



Legend

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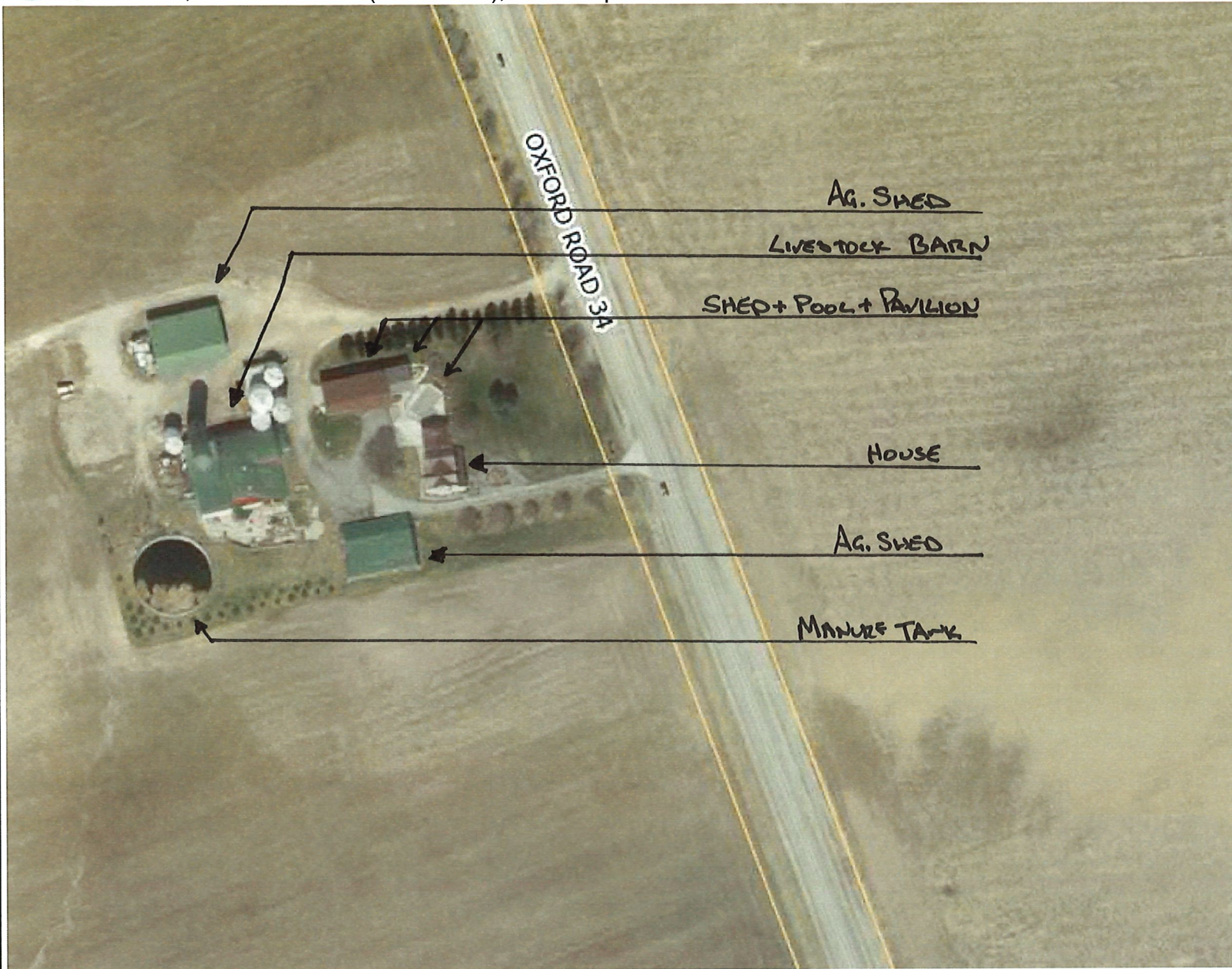
May 5, 2026



Plate 3: Applicant's Sketch

File No. ZN 2-26-04 (Westavi Farms Ltd.)

Pt Lot 35, Concession 11 (East Zorra), Township of East Zorra-Tavistock - 537135 Oxford Road 34



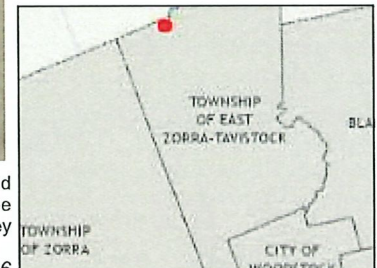
Legend

DIST.

- Tank to R.
= ~175m

- Barn to R.
= ~135m

Notes



0 51 102 Meters

NAD_1983_UTM_Zone_17N



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April 28, 2026