

**To: Mayor and Members of Township of Norwich Council**

**From: Amy Hartley, Development Planner, Community Planning**

## **Application for Zone Change ZN 3-26-05 – Brenda Anderson**

### **REPORT HIGHLIGHTS**

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- The Application for Zone Change proposes to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the development of a single detached dwelling on an undersized agricultural parcel.
- A reduction of the required Minimum Distance Separation I (MDS I) setbacks to surrounding livestock and manure facilities is being requested.
- The subject lands are approximately 13.7 ha (33.8 ac) in area and are currently vacant of any buildings or structures.
- Planning staff are recommending denial of the proposal as it is not consistent with the Provincial Planning Statement and the intent and purpose of the Official Plan respecting development of undersized agricultural lots.

### **DISCUSSION**

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#### **BACKGROUND**

OWNERS: Brenda Lee Anderson  
244 Hatchley Road, Harley, ON N0E 1E0

AGENT/APPLICANT: Brad Deming  
285794 Airport Road, Norwich, ON N0J 1P0

LOCATION:

The subject lands are described as Lots 81 & 82, Concession 2 (Gore), in the Township of Norwich. The subject lands are located on the east side of Base Line, north of Hatchley Road and are municipally known as 813546 and 813572 Base Line, Township of Norwich.

COUNTY OF OXFORD OFFICIAL PLAN:

|                |                                      |                        |
|----------------|--------------------------------------|------------------------|
| Schedule "N-1" | Township of Norwich<br>Land Use Plan | 'Agricultural Reserve' |
|----------------|--------------------------------------|------------------------|

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

Existing Zoning: 'General Agricultural Zone (A2)'

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

PROPOSAL:

The purpose of this application is to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the construction of a single detached dwelling on an undersized agricultural parcel comprising an area of approximately 13.7 ha (33.8 ac).

The applicant is proposing to rezone the subject lands to allow for the future development of a single detached dwelling on private services. The area in which the applicant has identified as being an appropriate location for the future dwelling is located in the southwest corner of the subject lands.

Additionally, the applicant requires a reduction to the Minimum Distance Separation (MDS I) setback from a neighbouring livestock operation and manure storage facility. According to the MDS Report, the livestock facility located at 813460 Base Line consists of 60,000 ft<sup>2</sup> of barn area used to house chickens. The lands proposed to be rezoned would require a MDS I setback of 319 m (1,047 ft) for the livestock barn and manure storage facility whereas the actual distance to the location of the proposed dwelling will be 196 m (644 ft).

The subject lands are currently vacant and appear to be actively used for agricultural purposes. Surrounding land uses are predominantly agricultural operations, ranging in size with some non-farm rural residential parcels in the vicinity.

Plate 1, Location Map with Existing Zoning, indicates the location of the subject lands 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, MDS Setback, illustrates the required Minimum Distance Separation setback from the surrounding livestock operation and illustrates the available alternative locations where the building envelope could be located to comply with MDS setbacks.

Plate 4, Applicant's Sketch, identifies the general site area 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 4.3 of the PPS directs that planning authorities are required to use an agricultural system approach and further 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. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

The PPS defines agricultural uses to mean the growing of crops, including nursery, biomass and horticulture crops, as well as the raising of livestock and animals for food, fur or fibre including poultry and fish, apiaries, agro-forestry, maple syrup production and associated on-farm buildings and structure including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

An agricultural system is comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. More specifically, it contains agricultural land base comprised of prime agricultural areas, including specialty crop areas, it may also include rural lands that help to create a continuous productive land base for agriculture and an agri-food network which includes agricultural operations, infrastructure, services, and assets important to the viability of the agri-food sector.

Section 4.3.2.3 of the PPS directs that new permitted land uses, including creation of lots and new or expanding livestock facilities shall comply with the minimum distance separation formulae.

### OFFICIAL PLAN

The subject lands are located within the Agricultural Reserve designation according to the Township of Norwich 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 3.1.4.2.3 of the Official Plan (as recently amended via OPA 269) outlines key objectives that apply to existing undersized agricultural lots:

- To ensure the primary function of existing undersized agricultural lots is for agricultural purposes

- To encourage consolidation of exiting undersized agricultural lots with abutting lots to form one larger agricultural lot under identical ownership;
- To ensure manure generated by smaller livestock and/or poultry operations not regulated by the Nutrient Management Act is appropriately managed.

The policies related to existing undersized agricultural parcels shall apply to all existing agricultural lots that are smaller than 16 ha (39.5 ac) in area. Further, existing undersized agricultural lots may be primarily used for a use permitted in Section 3.1.4.1, however development of a residential dwelling and/or other buildings shall not be permitted, except in accordance with the policies of Section 3.1.4.2.3.1.

Section 3.1.4.2.3.1 provides policy framework to allow Area Municipalities to consider the establishment of a dwelling and/or agricultural buildings and structures on an existing undersized agricultural lot through a site-specific amendment to the Area Municipal Zoning By-law.

The Area Municipality may permit a dwelling and/or agricultural buildings and structures where it has been demonstrated that the proposed building envelope satisfies the following criteria:

- i) Has frontage on, or direct vehicular access to, a public road, maintained year-round, at a reasonable standard of construction;
- ii) Is the minimum size required to accommodate the dwelling and associated outdoor amenity areas, driveway and individual on-site water services and individual on-site sewage services and shall not exceed 0.4 ha (1 acres);
- iii) Is located so as to minimize the loss of tillable agricultural land and potential impacts on existing and future agricultural uses on surrounding lots (e.g., MDS II setback requirements) and to maximize the continued and/or potential future use of the lot for agricultural purposes (e.g., by locating on lands with existing constraints for agriculture, wherever possible, and not creating small or irregularly shaped areas for tillage and cropping);
- iv) Complies with MDS I requirements;
- v) Where development or site alteration is proposed within or adjacent to natural heritage features and areas, it is supported by an Environmental Impact Study, in accordance with the requirements of Section 3.2; and,

Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

#### ZONING BY-LAW

The subject lands are currently zoned 'General Agricultural Zone (A2)' according to the Township of Norwich's Zoning By-law.

The 'General Agricultural Zone (A2)' permits a wide range of agricultural uses, as well as single detached dwellings accessory to the farm operation. 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) in order to develop the lands for any farm related buildings.

Section 7.2.7 of the A2 zoning provisions also provides that the location of new farm dwellings shall be required to satisfy minimum distance separation requirements as determined through the Minimum Distance Separation Formula I (MDS I) or not further reduce an existing insufficient setback.

Section 5.9 of the Zoning By-law provides that an existing vacant lot, zoned 'A2', held under distinct and separate ownership and having a lot area of at least 16 ha (39.5 ac) may be used and a building or structure may be erected, altered, or used, provided that all other requirements of the Zoning By-law are complied with.

#### AGENCY COMMENTS

Township of Norwich Fire Services, Long Point Regional Conservation Authority and Oxford County Public Works provided no concerns with the subject application.

Township of Norwich Chief Building Official indicated a building permit will need to be obtained prior to commencing construction of any buildings or on-site sewage works. The proposed dwelling unit is subject to Development Charges.

#### PUBLIC CONSULTATION

Notice of complete application and notice of public meeting regarding the application for zoning amendment were circulated to surrounding property owners on June 24, 2026, and June 30, 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 applicant is proposing to rezone the subject lands from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to permit the development of a single detached dwelling on an existing undersized agricultural parcel comprising an area of approximately 13.7 ha (33.8 ac).

The Provincial Planning Statement (PPS) directs that planning authorities are required to use an agricultural system approach and, further, that prime agricultural areas shall be protected for long term agricultural use. The protection of agricultural land for long term agricultural use extends to both cash cropping and livestock operations. To protect livestock operations for long-term use, compliance with Minimum Distance Separation I (MDS I) is required for new non-agricultural uses. The subject zone change application requires, in the opinion of staff, significant MDS I reductions between the existing poultry barn and manure storage facility located at 813460 Base Line and the subject lands. In the opinion of staff, the proposal does not meet the intent of the PPS.

While the subject proposal does comply with the Official Plan criteria for the development of a dwelling on an undersized agricultural parcel, such as, having frontage on a public road, minimizing the loss of tillable agricultural land, and the subject lands form part of a larger farming operation and have previously been consolidated with the abutting lands to the north, the proposal does not meet the requirement to comply with MDS I setbacks.

MDS is used as a tool to determine the required distance between livestock operations and other sensitive land uses, such as single detached dwellings. The intent of MDS is to prevent land use conflicts and to minimize nuisance complaints from odour. In this case, the required MDS I setback between a new Type A Use, such as a single detached dwelling, and the existing poultry barn and manure storage located at 813460 Base Line is 319 m (1,047 ft) and the proposed setback is 196 m (644 ft) to the edge of the proposed building envelope.

Given the proximity of the subject lands to the existing poultry operation and that the subject lands do offer other locations for the proposed building envelope to be relocated that would comply with MDS I, staff are of the opinion that the application cannot be supported at this time. If the applicant were to amend their proposal and relocate the proposed building envelope northerly just south of the Scott Drain, on lands also owned by the applicant, staff would be supportive of the proposal.

With respect to the subject proposal, Planning staff are not satisfied that the proposal to permit the dwelling is generally consistent with the Provincial Planning Statement and maintains the intent of the Official Plan regarding the development of undersized agricultural parcels. Given that there are alternative and feasible locations for the proposed building envelope that would be compliant with MDS and would not impact the future expansion of the adjacent livestock operation, Planning staff are not supportive of the application and do not recommend approval.

## **RECOMMENDATIONS**

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**It is recommended that the Council of the Township of Norwich not approve the zone change application submitted by Brenda Lee Anderson, whereby the lands described as Lots 81 and 82, Concession 2 (Gore), in the Township of Norwich are to be rezoned from 'General Agricultural Zone (A2)' to 'Special General Agricultural Zone (A2-sp)' to facilitate the construction of a single-detached dwelling on an undersized agricultural parcel and to reduce required MDS I setbacks.**

## **SIGNATURES**

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**Authored by:** Original Signed By

Amy Hartley  
Development Planner

**Approved for submission:** Original Signed By

Eric Gilbert, MCIP, RPP  
Manager of Development Planning

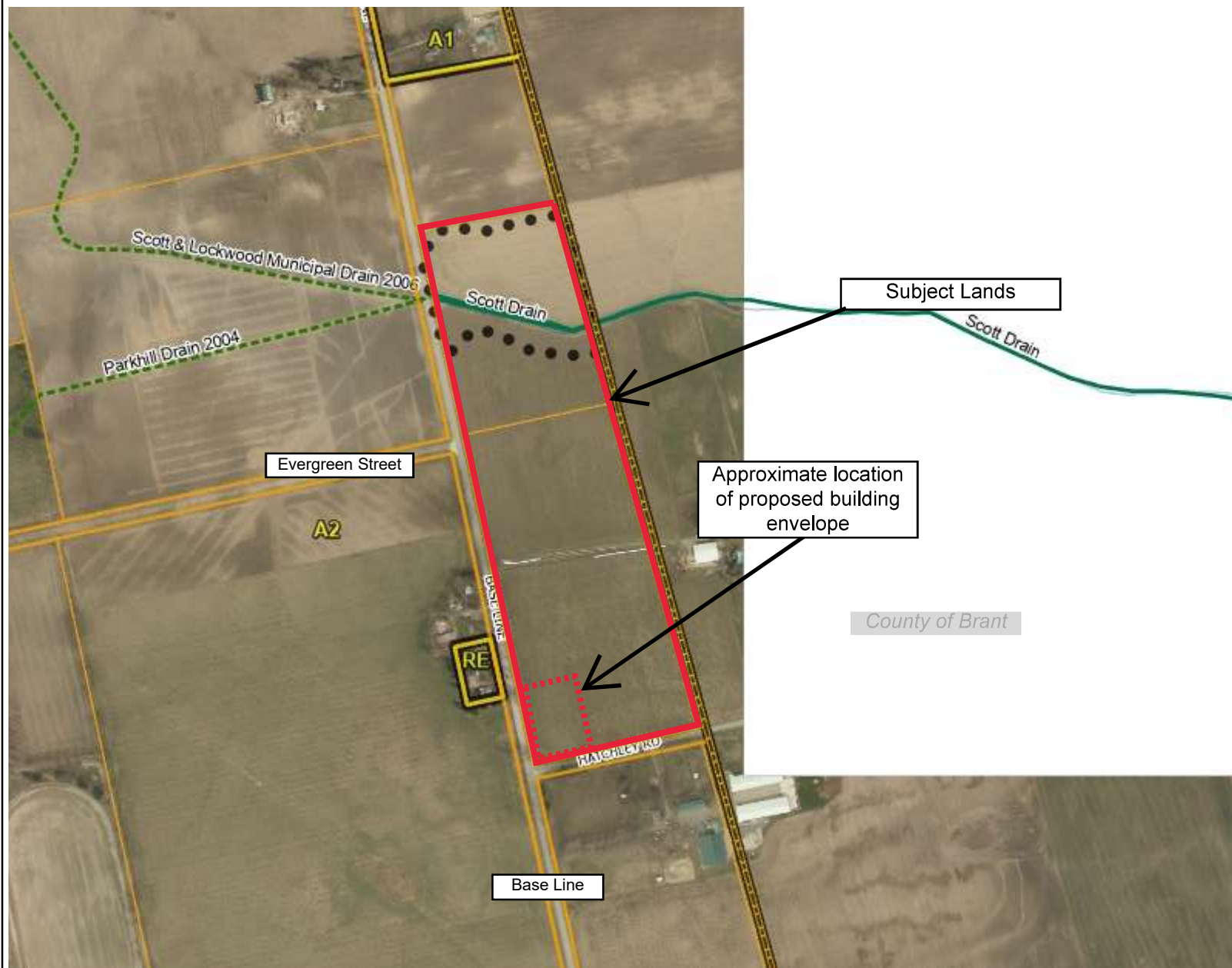


### Legend

- 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





## Legend

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- Municipal Boundary
- Property Boundary
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### Zoning Floodlines

#### Regulation Limit

- ♦♦ 100 Year Flood Line
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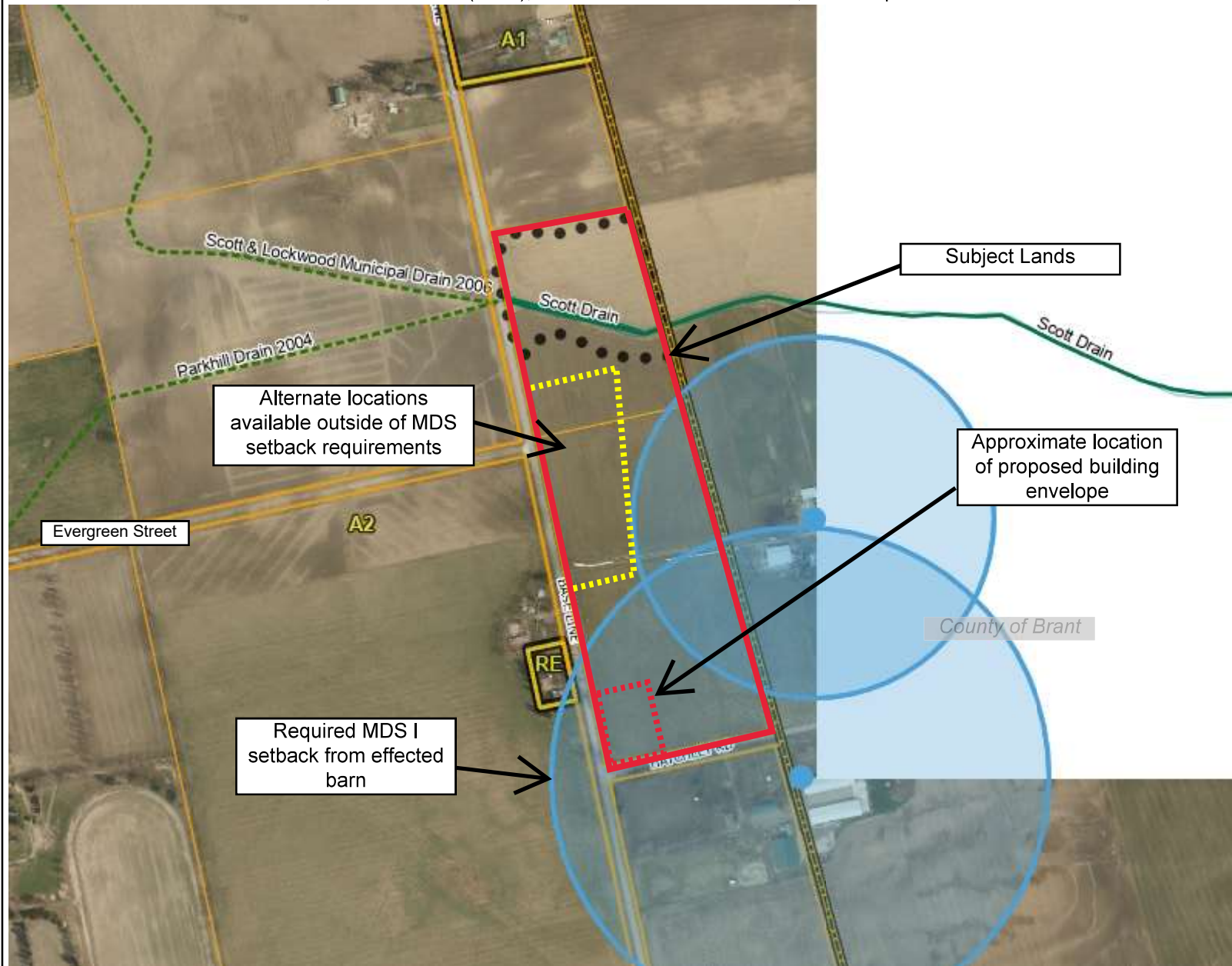
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### Constructed Drains

- Open or Unknown
- Closed/Tiled

## Notes





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