

File No.: **32-OP-218766**
Municipality: County of Oxford
Subject Lands: All lands within the County of Oxford that are outside of a designated settlement.

Date of Decision: February 8, 2024
Date of Notice: February 9, 2024

NOTICE OF DECISION

With respect to an Official Plan Amendment Subsection 17(34) and 26 of the *Planning Act*

A decision was made on the date noted above to approve, with three modifications, Official Plan Amendment 269 to the County of Oxford Official Plan, as adopted by By-Law 6437-2022.

Purpose and Effect of Official Plan Amendment 269

Official Plan Amendment 269 incorporates new provincial legislation and policies to update the agricultural policies within the County of Oxford Official Plan to be consistent with the Provincial Policy Statement (PPS), 2020, the *Planning Act* and other applicable legislation. Official Plan Amendment 269 provides local policy direction for both the long-term protection and development of prime agricultural lands within the County of Oxford.

The three modifications to the Official Plan Amendment have been made to address provincial policy direction related to the creation of additional residential units on agricultural lots, lot creation in prime agricultural areas, and the process of evaluating settlement area boundary expansion in prime agricultural areas.

Official Plan Amendment 269 applies to all lands in the County of Oxford outside of a designated settlement.

Decision Final

Pursuant to subsections 17 (36.5) and (38.1) of the *Planning Act*, this decision is final and not subject to appeal. Accordingly, Official Plan Amendment 269 to the County of Oxford Official Plan came into effect on February 9, 2024.

Other Related Applications:

None

Getting Additional Information

Additional information is available on the County of Oxford website found here: <https://www.oxfordcounty.ca/en/services-for-you/official-plan.aspx#More-Information-on-Official-Plan-Review> or by contacting the Ministry of Municipal Affairs and Housing:

Ministry of Municipal Affairs and Housing
Municipal Services Office – West
659 Exeter Road, 2nd Floor
London, ON N6E 1L3

DECISION

With respect to the

County of Oxford Official Plan Amendment 269

Subsection 17(34) of the *Planning Act*

I hereby approve, as modified, the County of Oxford Official Plan Amendment 269, as adopted by the County of Oxford by By-law No. 6437-2022, subject to the following modifications, with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Section 3.1.4.2.2 is modified by deleting all references to the term “~~converted dwelling~~” and replacing it with the term “**additional residential unit**” and by deleting all references to the term “~~converted dwellings~~” and replacing it with term “**additional residential units**”.

OBJECTIVES

The second bullet point under this heading is modified so that it reads:

- To permit the *development* of dwellings on agricultural lots as an accessory use only where required to accommodate for full-time farm labour, when the size and nature of the agricultural operation requires additional employment, or in accordance with the policies for ~~converted dwellings~~ **additional residential units** or *garden suites*.

POLICIES

The fifth paragraph under the subheading “*ADDITIONAL DWELING*” is modified so that it reads:

- ~~An converted dwelling~~ **additional residential unit** and/or *garden suite* may be permitted on an agricultural lot in the County’s *prime agricultural area* in accordance with the policies of Sections 4.2.2.1 and 10.3.9, respectively.

3.1.4.2.2.1 DEVELOPMENT CRITERIA FOR RESIDENTIAL USES ON AGRICULTURAL LOTS

The first paragraph under the subheading “*CRITERIA FOR ADDITIONAL ON-FARM RESIDENCES*” is modified so that it reads:

With the exception of **an additional residential unit** or a *garden suite* ~~or converted dwelling~~, all applications for additional dwelling units shall satisfy the

following criteria:

2. The second paragraph of Section 3.1.6 is modified so that it reads:

Consents granted for the above purposes shall not result in the creation of a new lot. ~~Notwithstanding this restriction, a consent to allow for the re-establishment of a previously existing rural residential lot may be considered, provided that the lot was previously held in distinct and separate ownership, but has since legally merged with an adjacent parcel and remained residentially zoned in the Area Municipal Zoning By-Law.~~

3. Section 3.1.7.3, under the heading "SCOPE OF STUDY", is modified so that it reads:

SCOPE OF STUDY

The scope of the Agricultural Impact Assessment (AIA) will be based on the proposed new settlement ~~expansion or expanded settlement~~ or non-agricultural use. A terms of reference may be required by the County to confirm the scope and level of detail required for the AIA.

At minimum the AIA shall characterize the surrounding *prime agricultural area*, including existing *agricultural uses*, evaluate the potential impacts of the proposed *development on agricultural uses* and the *prime agricultural area*, and demonstrate that:

- The lands do not comprise specialty crop areas;
- There are no reasonable alternatives which avoid *prime agricultural areas*;
- There are no reasonable alternatives on lands with lesser agricultural capability or on lands left less suitable for agriculture by existing or past *development*;
- *MDS I* is satisfied; and,
- Impacts from the new or expanded settlement ~~expansion~~ or non-agricultural uses on nearby agricultural operations and prime agricultural lands ~~areas~~ are avoided, **minimized**, or mitigated to the extent feasible.

Dated at Toronto this 8 day of February, 2024



Hannah Evans, Assistant Deputy Minister
Municipal Services Division
Ministry of Municipal Affairs and Housing