

AMENDMENT NUMBER 334
TO THE COUNTY OF OXFORD OFFICIAL PLAN

The following text attached hereto,
constitutes Amendment Number 334 to the County of Oxford Official Plan.

1.0 PURPOSE OF THE AMENDMENT

The purpose of this amendment is to permit the severance of the only dwelling from an agricultural lot through a farm consolidation. The applicants are proposing a farm consolidation that would result in the retention of a surplus farm dwelling on a separate lot. The proposal would result in approximately 33.9 ha (84 ac) of land being severed and conveyed to the lot to be enlarged, which is approximately 12.3 ha (30.6 ac) in size. The resulting lot would be 46.3 ha (114.6 ac) in size.

The Canadian Pacific Kansas City mainline railway (CPKC) currently separates agricultural lands owned by the applicants (the Hoffers), located at 786037 Township Road, which is a 27.3 ha (67.6 ac) agricultural lot, south of the CPKC mainline railway. The applicants (the Hoffers) also own the 12.3 ha (30.6 ac) lot north of the CPKC mainline railway, which is identified as the lot to be enlarged in the subject proposal. The lands north of the railway (the lot to be enlarged) are currently landlocked and access to them has generally been from the Hoffer lands south of the railway through an informal private crossing of the CPKC mainline railway. The proposal being considered would eliminate a landlocked lot, which is generally considered good planning, and will remove the need for farm equipment to cross an active rail corridor.

2.0 LOCATION OF LANDS AFFECTED

The subject lands are described as N Lot 5 and S Lot 5, Concession 6, Except Part 1, Plan 41R-372 and Part 3, Plan 41R-3127 in the former Township of Blandford, now in the Township of Blandford-Blenheim. The lands are located on the south side of Oxford Road 29, between Blandford Road and Oxford Road 22, and are municipally known as 806046 Oxford Road 29.

3.0 BASIS FOR THE AMENDMENT

The amendment has been initiated to permit the severance of the only dwelling from an agricultural lot through a farm consolidation.

It is the opinion of Council that the proposed amendment is consistent with the relevant policies of the Provincial Planning Statement (PPS) as the resulting enlarged agricultural lot size and configuration is consistent with the PPS direction of maintaining farm parcels of adequate size to adapt to changing agricultural conditions.

The lot to be enlarged is currently owned by the same landowners (the Hoffers) of the lot to the south of the rail corridor abutting the lot to be enlarged. Currently, in order to access the lot to be enlarged the Hoffers must cross the CPKC rail corridor from their lands to the south through an informal private crossing of the CKPC mainline railway. CKPC has expressed concerns with this arrangement and the status of the private crossing over the mainline railway is legally unclear. In considering the subject proposal for a farm consolidation, the lot to be severed would be conveyed to the lot to be enlarged and once consolidated, would provide access from an improved street to the formerly landlocked lands. It is the opinion of Council that it is generally considered good planning to eliminate landlocked parcels, where possible.

Through these applications, the resulting lot to be enlarged will no longer be landlocked and will have legal frontage and access to a municipal road and with a lot area of 46.3 ha (114.6 ac). The resulting lot would not have any dwelling located on it. While the proposal does not conform to the Official Plan policies with respect to severing the only dwelling from an agricultural lot, Council is of the opinion that, in this specific circumstance, the proposal will maintain the general intent and purpose of the County Official Plan and not create an undesirable precedent for other requests to create new non-farm rural residential lots.

In light of the foregoing, Council is satisfied that the proposal is consistent with the policies of the PPS and is in-keeping with the strategic initiatives and objectives of the County Official Plan.

4.0 DETAILS OF THE AMENDMENT

“3.1.8.8 N and S Lot 5, Concession 6 (Blandford), Except Part 1, Plan 41R-372 and Part 3, Plan 41R-3127, Township of Blandford-Blenheim

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Policies Notwithstanding Section 3.1.5.3, *Creation of Rural Residential Lots*, or any other applicable policies of the Official Plan to the contrary, a severance resulting in the only dwelling being severed from an agricultural lot through a farm consolidation, to facilitate the elimination of a landlocked lot, shall be permitted.

5.0 IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the implementation policy of the Official Plan.

6.0 INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the interpretation policy of the Official Plan.