

Meeting Date: March 3, 2025
Department: Building, By-law, and Planning
Report No.: BBP-2025-20
Submitted by: Alyssa Soldo, Planner
Reviewed by: Tim Williams, Manager of Planning, County of Middlesex
Erin Besch, Planner
Approved by: Jake DeRidder, Senior Development Coordinator
Rob Browning, Chief Administrative Officer
SUBJECT: **Application for Zoning By-law Amendment (ZBA-2-2025)
7859 Parkhouse Drive
Owners – Amanda Fawcett & Luke Fawcett**

RECOMMENDATION: THAT: Report BBP-2025-20 regarding rezoning application ZBA 2-2025, be received for information, and further;

THAT: By-law No. 18-25 be referred to the Consideration of By-laws Section of the Agenda for consideration and approval.

PURPOSE:

The purpose of the Zoning By-law Amendment application is to rezone the lands to be retained from the 'General Agricultural (A1) Zone' to a site-specific 'Agricultural Small Holdings (A2-41) Zone' and the lands to be severed from the 'General Agricultural (A1) Zone' to the 'Agricultural Purposes Only (A3) Zone'.

SUMMARY HIGHLIGHTS

- The application satisfies a condition of consent for a Surplus Farm Dwelling Severance.
- The Zoning By-law Amendment application proposes to rezone the lands to be retained from the 'General Agricultural (A1) Zone' to a site-specific 'Agricultural Small Holdings (A2-41) Zone' and the lands to be severed from the 'General Agricultural (A1) Zone' to the 'Agricultural Purposes Only (A3) Zone'.
- The retained parcel will require amendment to the provisions of the A2 zone to recognize the residential nature of the lot, to restrict permitted uses, and to recognize the size and location of the existing accessory building.
- No concerns or objections have been identified by staff, agencies or the public.

BACKGROUND

A zone change application has been submitted to satisfy a condition of consent respecting Consent Application File No.: B18-2024. The consent application proposed the severance of a dwelling surplus to a farm operation as a result of a farm consolidation. The application was originally brought to the Committee of Adjustment meeting on November 7th, 2024. Committee approved the application in principle and directed staff to prepare conditions of approval to be brought back to a subsequent meeting, being December 5th, 2024. Planning staff did not bring forward conditions with the original evaluation report, as the planning recommendation was denial. The subject zone change application proposes to re-zone the 'lands to be retained' to a site-specific 'Agricultural Small Holdings (A2-41) Zone' and to re-zone 'lands to be severed' to the 'Agricultural Purposes Only (A3) Zone' in order to satisfy one of the consent conditions.

The subject lands are located on the south side of Parkhouse Drive, west of Christina Road (see Location Map). The lands are approximately 40.21 ha (99.36 ac) in size, with approximately 604 m (1,983 ft) of frontage along Parkhouse Drive. The surrounding land uses are primarily agricultural and rural residential in nature.

The proposed lands to be retained are approximately 0.99 ha (2.45 ac) in size, with approximately 85 m (278.9 ft) of frontage along Parkhouse Drive. The lands contain a single detached dwelling that is privately serviced, and a 436.6m² (4,699.5 ft²) storage barn. The applicant has advised that the septic system and well are wholly located on the retained lot. The existing dwelling was constructed in 2018 and replaced the original farm dwelling that was constructed in the early 1900s. The accessory building was built in 1964.

The proposed lands to be severed are approximately 39.2 ha (96.9 ac) in size, with approximately 519 m (1,702.8 ft) of frontage along Parkhouse Drive. The severed parcel contains land primarily in agricultural production. It also contains a portion of 'significant woodlands' per the Middlesex Natural Heritage Systems Study (2014), and an irrigation pond in which a portion is regulated by the St. Clair Region Conservation Authority.

POLICY AND REGULATION BACKGROUND

The lands are located within a 'Prime Agricultural Area' as defined by the 2024 Provincial Planning Statement and within the 'Agricultural' designation of the County and Strathroy-Caradoc Official Plan. The lands are currently located within the 'General Agricultural (A1) Zone' of the Strathroy-Caradoc Zoning By-law.

The Provincial Planning Statement (PPS), County Official Plan, and Strathroy-Caradoc Official Plan permit lot creation in agricultural areas for a residence surplus to a farming operation as a result of farm consolidation.

The County Official Plan states in Section 4.5.3.4 a) that consents to sever a residence surplus to a farming operation as a result of farm consolidation may be permitted, provided the residence was built at least 10-years prior, the new lot will be limited to a minimum size needed to accommodate the use

and appropriate sewage and water services, and that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

Section 5.3.1.8 of the Strathroy-Caradoc Official Plan states that, “dwellings considered surplus to a farming operation as a result of farm consolidation may be severed from the balance of the farm provided the residential dwelling was built prior to January 1, 1999.”

The Strathroy Caradoc Official Plan was updated through OPA 14 in 2022. The purpose of this Amendment was to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Planning Statement (PPS), and reflect changing community needs for the next 25-years. The most significant and relevant update to the Plan was the change to the date of construction for eligible surplus farm dwellings from ‘January 1, 1999’ to a rolling date of ‘at least 10 years prior to the date of the application’. Staff note that as OPA 14 is currently under appeal, the updated policies are not in effect for this application.

The ‘Agricultural Small Holdings (A2) Zone’ is intended to recognize lots created by surplus farm dwelling consents and existing undersized agricultural lots. The ‘A2’ Zone requires a minimum lot area of 0.4 ha (0.98 ac), a minimum lot frontage of 30 m, a minimum front yard depth of 20 m, a side yard width of 3 m, a minimum rear yard depth of 10 m, and a maximum lot coverage of 20%.

The ‘Agricultural Purposes Only (A3) Zone’ applies to farm lots in the ‘Agricultural’ designation which have been zoned to prohibit residential uses on the parcel. The prohibition exists as a result of a condition of a severance, to ensure that agricultural lands are preserved for agricultural uses and to maintain conformity with the Provincial, County and Local land use policies. While a wide variety of agricultural uses are permitted, those uses that are associated with residential use are expressly prohibited. The ‘A3’ zone requires a minimum lot area of ‘as it existed on the day the residential use was discontinued’, a minimum lot frontage of 150 m, a minimum front yard depth of 15 m, a minimum side yard width of 5 m, a minimum rear yard depth of 10 m, a maximum lot coverage of 30%, and minimum landscaped open space of 30%.

Section 4.2(1)(c) states that no accessory building, structure or use shall, with the exception of buildings and structures for agricultural uses, be erected in the front yard or exterior side yard in the case of a corner lot.

CONSULTATION

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act.

At the time of writing the subject report, the following comments were received:

The Senior Development Coordinator advised of no comments.

St. Clair Region Conservation Authority advised that they previously provided comments regarding the surplus farm dwelling severance and has no further comments regarding the Zoning By-law Amendment.

Middlesex County Emergency Services advised that if approved:

- 1) That the lands to be rezoned from “General Agricultural (A1) Zone” to a site specific “Agricultural Small Holdings (A2-41) Zone” retain the existing 911 property address of 7859 Parkhouse Drive and that the property owner ensure the 911 property address sign and post is installed to municipal standards and it is to be maintained, visible and unobstructed so it is easily identified by emergency responders from the road allowance when responding from either direction on Parkhouse Drive.
- 2) That the lands to be rezoned from “General Agricultural (A1) Zone” to an “Agricultural Purposes Only (A3) Zone” have a proposed 911 property address that is sequential in numbering to the existing 911 addressing of Parkhouse Drive and it be submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. If approved the property owner is to install the 911 property address sign and post at the main entrance to the lands being rezoned to municipal standards and it is to be maintained, visible and unobstructed so it is easily identified by emergency responders from the road allowance when responding from either direction on Parkhouse Drive.

No comments have been received by the public at the time of writing this report.

ANALYSIS

With respect to this analysis, while the test of farm consolidation concerning the age requirements of the surplus dwelling was not met through the consent application, and the planning recommendation was denial, Committee has made the decision to approve the consent application with rezoning as part of the conditions. Therefore, the below analysis focuses only on the zoning provisions and tests related to a Zoning By-law amendment and is being viewed as separate from Planning Staff’s previous consent application recommendation.

The subject lands are located in the Prime Agricultural Area as defined by the Provincial Planning Statement and identified by the County of Middlesex Official Plan. Locally, the land is within the ‘Agricultural’ designation of the Strathroy-Caradoc Official Plan. The lands are located within the ‘General Agricultural (A1) Zone’ of the Strathroy-Caradoc Zoning By-law.

Staff are satisfied that the configuration of the retained residential parcel represents a reasonable size necessary to accommodate the dwelling, and private services. The proposed site-specific ‘Agricultural Small Holdings (A2-41) Zone’ will limit the permitted uses to residential and accessory uses and prohibit livestock. Staff note that prohibiting livestock on a surplus dwelling lot is appropriate, as the lot is generally small in size and compatibility concerns can develop between livestock and well water quality, as they would be in close proximity. According to the applicant, the accessory structure, in the form of a storage barn, has a floor area of approximately 436.6 m² (4,699.5 ft²). While this area is greater than what would otherwise be permitted within the ‘A2’ zone, the building appears to be in good condition and is currently being used by the landowner for storage purposes. The structure is accessory to the residential dwelling on the property, which satisfies the farm building policy in Section 5.3.1.8 g) of the Strathroy-Caradoc Official Plan. Staff are of the opinion that the size of the accessory structure should be recognized in the zoning by-law amendment. Staff also note that the existing location of the

accessory structure is within the front yard of the residential dwelling. Due to the length of time that the accessory structure has existed (1964), staff are of the opinion that the location of the accessory structure should also be recognized in the zoning by-law amendment. The residential parcel will meet all remaining lot provisions provided in the A2 Zone.

The balance of the farm parcel is proposed to be rezoned to the 'Agricultural Purposes Only (A3) Zone' to prohibit future residential uses. The farm parcel will meet all of the lot provisions provided in the A3 Zone. Staff are of the opinion that this zone is appropriate and will ensure consistency with the Provincial Planning Statement and the County and Strathroy-Caradoc Official Plans.

SUMMARY:

In summary, staff are supportive of the proposed rezoning as it is considered to be consistent with the Provincial Planning Statement; conforms to the Official Plans of both the County of Middlesex and the Municipality of Strathroy-Caradoc; and represents sound land use planning.

ALTERNATIVE(S) TO THE RECOMMENDATION:

Planning Staff have provided their recommendation however there are alternative options to this recommendation:

1. THAT: the subject report BBP-2025-20 for ZBA 2-2025 be received for information and the application for Zoning By-law Amendment be deferred sine die.;
2. THAT: the subject report BBP-2025-20 for ZBA 2-2025 be received for information and the application for Zoning By-law Amendment be denied.; OR
3. THAT: the subject report BBP-2025-20 for ZBA 2-2025 be received for information.

AND THAT: Council to provide alternate direction.

STRATEGIC PLAN ALIGNMENT

This matter is in accord with the following strategic priorities:

- 1) *Economic Development, Industry and Jobs:* Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.
- 2) *Managing the Challenges of Growth for the Municipal Organization:* Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources. We are committed to maintaining operational efficiency and economies of scale through these times of change.

FINANCIAL IMPLICATIONS

None

ATTACHMENTS

Location Map

Location Map

