



COMMITTEE OF ADJUSTMENT Planning Staff Report

Meeting date: March 6, 2025
Department: Building, By-law and Planning
Report No.: BBP-2025-13
Submitted by: Alyssa Soldo, Planner
Reviewed by: Tim Williams, Manager of Planning
Erin Besch, Planner
Approved by: Jake DeRidder, Senior Development Coordinator
SUBJECT: Application for Consent (B1-2025) – 6766 Inadale Drive
Owners: Julie & Joe Hardy

RECOMMENDATION: THAT: Application for Consent B1-2025 be approved with conditions.

PURPOSE:

The purpose of this application is to create an agricultural lot from a larger farm parcel. The owner is proposing to retain the portion of the lot with the existing home and accessory buildings and convey the other portion of the lot with farmland to Tom and Linda Hardy.

BACKGROUND:

The subject property is located on the north side of Inadale Drive, east of Melbourne Road (County Road 9) (see Location Map). The lands as a whole are approximately 81 ha (200 ac) in size, and are made up of land with frontages on separate roads that are connected by a 5.3 m (17.4 ft) strip of land. Due to this overlap, the parcels have merged under common ownership.

The proposed lands to be severed are approximately 40.5 ha (100 ac) in size, with approximately 589 m (1,932.4 ft) of frontage along Scotchmere Drive and 653 m (2,142.4 ft) of frontage along Melbourne Road (County Road 9). The lands contain farmland for crop production, as well as an open municipal drain that runs across the centre of the property, and is almost completely regulated by the St. Clair Region Conservation Authority (SCRCA).

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The proposed lands to be retained are approximately 40.5 ha (100 ac) in size, with approximately 600 m (1,968.5 ft) of frontage along Inadale Drive, containing a single detached dwelling, two storage sheds, and farmland for crop production. A municipal drain runs north-south across the property, which is also regulated by the SCRCA.

Inadale Drive and Scotchmere Road are classified as 'local roads' under the jurisdiction of the Municipality of Strathroy-Caradoc. Melbourne Road (County Road 9) is classified as an 'arterial road' under the jurisdiction of the County of Middlesex. Surrounding land uses are predominantly agricultural in nature.

POLICY AND REGULATION BACKGROUND:

2024 Provincial Planning Statement (PPS)

The lands are located within a 'Prime Agricultural Area' as defined by the 2024 Provincial Planning Statement. The Provincial Planning Statement (PPS) provides policy direction on land use planning matters that are of Provincial interest and all planning decisions 'shall be consistent' with the PPS.

The PPS seeks to protect 'prime agricultural areas' for long-term use for agriculture and discourages lot creation within the 'prime agricultural area'. In this regard, Section 4.3.3.1(a) of the PPS permits lot creation for:

"agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations"

Section 4.3.2.1 of the PPS states that "in prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses." Further: "Proposed agriculture-related and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations"

Section 4.3.2.2 states that within prime agricultural areas "all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards."

Middlesex County Official Plan, 2023

The subject property is located within the 'Agricultural Area' designation on Schedule 'A' of the County Official Plan. The intent of the 'Agricultural Area' designation is to protect lands for agricultural uses.

Section 2.2.2.1 identifies that all of the Agricultural Area, comprising all lands outside of the identified Settlement Areas, is determined to be Prime Agricultural Areas as defined by the Provincial Planning Statement.

Section 3.3.2 of the County Official Plan states that farm parcels shall remain sufficiently large to ensure flexibility and the economic viability of the farm operation. The creation of parcels of land for agriculture of less than 40 hectares shall generally not be permitted.

Section 4.5.3.4 (c) of the County Official Plan states that consents for new farm lots are discouraged where the result is the creation of a farm lot less than a typical township lot of about 40 hectares. Consents for the creation of new farm lots shall be considered where both the size of the lands being severed and the lands being retained are appropriate to:

1. The type of agriculture being engaged in or proposed to be engaged in; and
2. The type of agricultural activity and farm lot size common in the area.

Strathroy-Caradoc Official Plan

The subject property is located within the 'Agricultural' designation on Schedule 'H' of the Strathroy-Caradoc Official Plan. The intent of the 'Agricultural' designation is to ensure the continuation of farming as the predominant use in this area – free in its ability to function and expand in accordance with sound farm management techniques and conservation practices and without the constraints imposed by potentially conflicting land uses. The primary use of land in this designation shall be for the cultivation of land, the raising of livestock and the growing of trees. A full range of agricultural activity shall be *permitted* including general farming, livestock farming, cash crop farming, market gardening, tobacco farming, specialty crops, horticulture and forestry.

Section 2.2.1 of the Official Plan outlines the goals and objectives of the Plan in regard to policies related to the agricultural area. They are listed as follows:

- a) To preserve and protect the Municipality's rich agricultural heritage and prime agricultural land;
- b) To maintain and promote agriculture as a major component of the local economy;
- c) To protect agricultural operations from the unwarranted intrusion of nonagricultural activities which potentially limit or conflict with these operations.

Section 5.3.1.6 states the splitting of *prime agricultural land* into smaller parcels shall generally be discouraged. Where the splitting of *prime agricultural land* is proposed, the owner shall demonstrate that the resulting smaller parcels would have no detrimental impact on agricultural productivity, operating efficiency and future farming *options*. In considering such applications, the Municipality shall also have regard to:

- a) the need to discourage the unwarranted fragmentation of farmland;
- b) the agricultural capability of the land;
- c) the type of agricultural activity engaged in and proposed to be engaged in;
- d) whether both the severed and retained parcels are sufficiently large to permit flexibility in farming in order to meet changing market conditions;
- e) whether both the severed and retained parcels are suitable for the type of agriculture in the *Municipality* and the size of both parcels is appropriate to the type of agriculture proposed;
- f) the requirements of the Planning Act;
- g) the minimum farm parcel size as established in the Zoning By-law;
- h) the criteria for the division of farm parcels in the County Official Plan.

Strathroy-Caradoc Zoning By-Law

The subject property is zoned 'General Agricultural (A1) Zone' according to the Strathroy-Caradoc Zoning By-law. The 'A1' zone permits a wide range of agricultural uses, as well as a single detached dwelling with a minimum lot size of 40 hectares, minimum lot frontage of 150 metres, minimum front yard depth of 20 metres, minimum side yard width of 15 metres, minimum rear yard depth of 30 metres, and maximum lot coverage of 20%.

CONSULTATION:

Notices have been circulated to agencies and the public in accordance with the requirements of the *Planning Act*. At the time this report was completed, the following comments were received:

The Senior Development Coordinator advised that a drainage reassessment will be required as a condition of the severance.

The Middlesex County Safety and Standards Officer advised of the following:

- 1) That the lands to be retained continue with the existing 911 property address of 6766 Inadale Drive and that the property owner ensure the 911 municipal property address is posted and maintained to municipal standards and that it is visible and unobstructed so emergency responders easily identify the 911 property address when responding from either direction from the Inadale Drive road allowance.
- 2) That the lands to be severed have a proposed municipal 911 property address that is sequential in existing 911 addressing for either Melbourne Road or Scotchmere Drive which ever road allowance the main field entrance is located off and or approved for and that proposed 911 number be submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. If the 911 address is approved the property owner is to ensure the 911 property address sign is installed and maintained to municipal standards and that it is visible and unobstructed so emergency responders easily identify the 911 property address sign when responding from either direction from the Melbourne Road or Scotchmere Drive (which ever location for the field entrance is approved) road allowance.

At the time of preparing this report, no concerns or comments have been received from the public.

ANALYSIS:

The Provincial Planning Statement, Middlesex County Official Plan, Strathroy-Caradoc Official Plan, and Strathroy-Caradoc Zoning By-law all permit the creation of agricultural farm lots which meet the minimum farm parcel size of 40 hectares. In this consent application, both the severed and retained parcels are proposed to be maintained at a size of 40 hectares each. The parcels will continue to be used for agricultural purposes, specifically crop production, therefore there is no change in use.

Staff are also satisfied that both farm parcels meet the minimum farm parcel size of 40 hectares and will remain zoned as 'General Agricultural (A1) Zone' as they will meet all lot provisions and uses.

CONCLUSION:

Based on the above analysis, it is recommended that the application for consent under Section 53 of the *Planning Act* be **approved** subject to conditions as the application satisfies the requirements of the

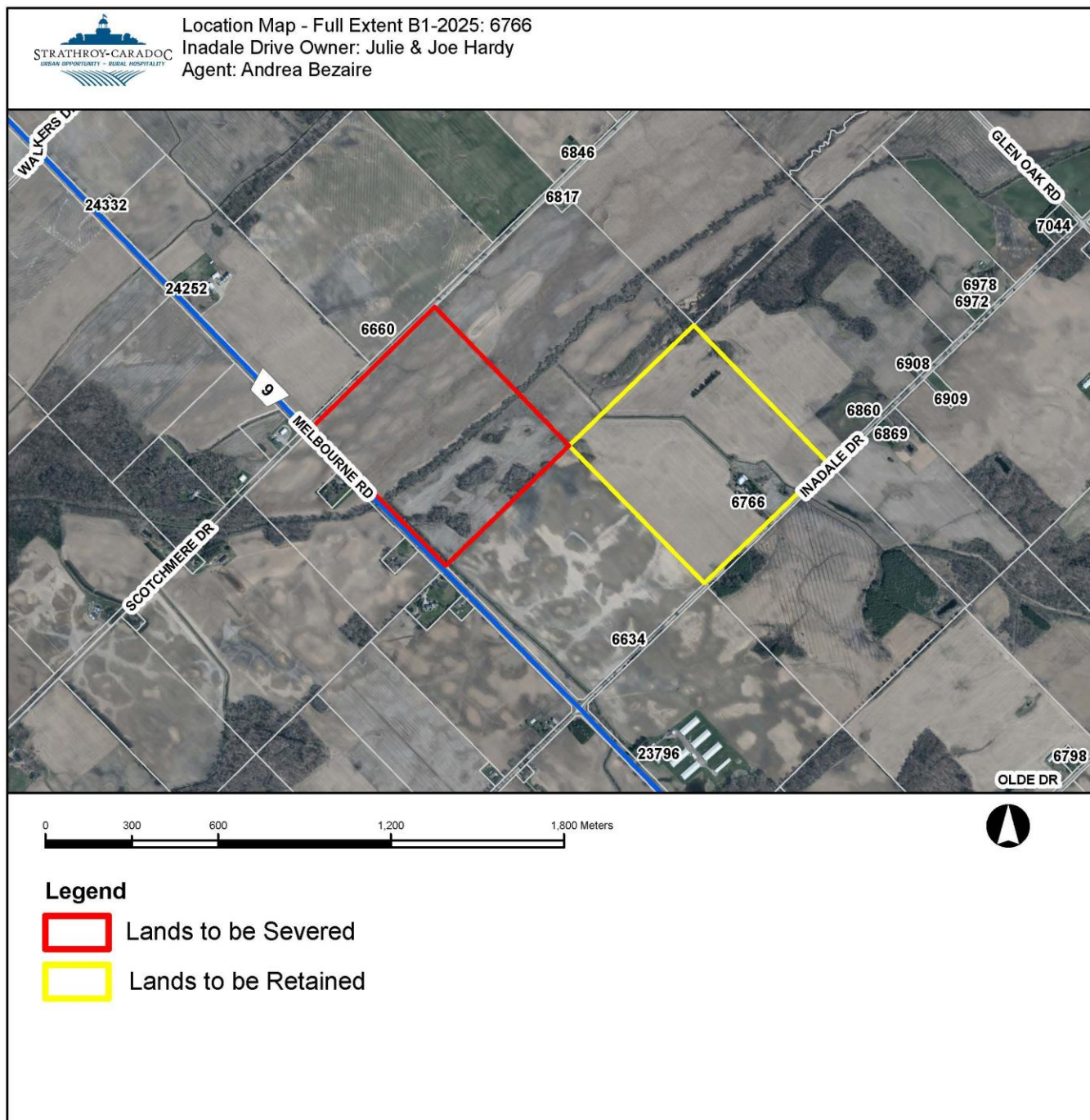
Planning Act, is consistent with the Provincial Planning Statement, conforms to the Official Plans of both the Municipality of Strathroy-Caradoc and the County of Middlesex, and represents sound land use planning.

ATTACHMENTS

Location Map – Full Extent

Conditions of Approval

Location Map – Full Extent



Conditions of Approval (B1-2025)

Approval of the subject application is conditional upon the following:

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within two years of the date of the notice of the decision and the consent certificate fee be paid to the Municipality.
2. That any outstanding property taxes be paid in full.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B1-2025 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
5. That a municipal 9-1-1 address be assigned to the 'lands to be severed', to the satisfaction of the Municipality and the County of Middlesex.
6. That the owner will be required to dedicate lands up to 18 m from the centreline of construction of County Road 9 (Melbourne Road) across the severed parcel to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.
7. That the applicants initiate and assume if necessary, all engineering costs associated with the preparation of revised assessment schedules for the applicable municipal drain(s) in accordance with the Drainage Act, R.S.O. 1990 as amended, such costs to be paid in full to the appropriate engineering firm prior to submitting a copy of the transfer as noted below.
8. That a new access be provided for the lands to be retained if one does not already exist, to the satisfaction of the Municipality.
9. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
10. That the applicant's solicitor submit an undertaking in a form satisfactory to the Secretary-Treasurer to register an electronic transfer of title consistent with the Acknowledgement and Direction and the decision of the Committee of Adjustment.