



## COMMITTEE OF ADJUSTMENT Planning Staff Report

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**Meeting date:** March 6, 2025  
**Department:** Building, By-law and Planning  
**Report No.:** BBP-2025-14  
**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 (B2-2025) – RANGE 1S N PT LOT 1 & RANGE 1S N PT LOT 2 & RANGE 1S PT LOTS 2,3 RP 34R861 PART 6**  
**Owner: Bruce Harold Carruthers**

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**RECOMMENDATION: THAT: Application for Consent B2-2025 be denied.**

### **PURPOSE:**

The purpose of this application is to create a new agricultural lot for estate planning purposes. The owner is proposing to retain both lots until it is decided who the severed lot would be transferred or sold to.

### **BACKGROUND:**

The subject property is located on the south side of Longwoods Road (County Road 2), east of Melbourne Road (County Road 9), and north of Switzer Drive (see Location Map). The lands as a whole are approximately 75.69 ha (187 ac) in size and the property abuts a hydro corridor to the north.

The proposed lands to be severed are approximately 49.1 ha (121.3 ac) in size, with approximately 908 metres (2,979 ft) of frontage along Switzer Drive. The lands contain farmland for crop production. Portions of both the proposed severed and retains lands include areas of 'Significant Woodlands' as identified by the Middlesex Natural Heritage Systems Study (2014). A municipal drain is present on the proposed severed lands. Both parcels also contain land regulated by the Lower Thames Valley Conservation Authority (LTVCA).

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The proposed lands to be retained are approximately 26.59 ha (65.7 ac) in size, with approximately 15 m (49.2 ft) of frontage along Longwoods Road. The lands contain farmland for crop production, with a westerly portion being used by the neighbouring property as a racetrack. There is an existing easement on the retained lands for the adjacent hydro line.

Longwoods Road (County Road 2) is classified as an 'arterial road' under the jurisdiction of the County of Middlesex. Switzer Drive is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. The surrounding land uses to the north, east, and south are agricultural in nature and land uses to the west are residential in nature as the lands abut the community of Melbourne.

The owner wishes to sever the larger parcel along Switzer Drive to be conveyed in the future, but wants to retain the smaller parcel to be operated as part of his home farmland located on the north side of the hydro corridor. Due to the hydro corridor physically acting as a barrier, they are unable to merge their home farmland with the smaller parcel that they wish to retain from this severance.

The proposed parcel to be retained includes a portion currently used by the racetrack. There is no proposed change to the use of this land therefore this use will continue to operate as is.

#### **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' and 'Environmental Protection (EP) 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%. The 'EP' zone does not provide lot provisions because this is a zone generally for natural heritage lands and building are not permitted.

#### **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 noted the following:

- The only frontage of this property is along Londwoods Road which may be difficult to provide access given the small amount of frontage as well as the presence of a low lying area with standing water. Additionally, it appears that there is a hydro easement across this portion of the property which may further limit the access.
- If approved, a condition should be added that an entrance to the retained parcel be established to the satisfaction of the Municipality and the County of Middlesex.

Middlesex County Emergency Services noted that, if approved:

- 1) That the lands to be retained have a proposed municipal 911 property address that is sequential in existing 911 addressing for Longwoods Road and that proposed 911 property address number be submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. If the 911 property address is approved the property owner is to ensure that the 911 property address sign is installed and maintained to municipal standards at the main entrance to the retained lands and that it is visible and unobstructed so emergency responders easily identify the 911 property address sign when responding from either direction on Longwoods Road, road allowance.
- 2) That the lands to be severed have a proposed municipal 911 property address that is sequential in existing 911 addressing for Switzer Drive and that proposed 911 property address 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 at the main entrance to the

severed lands and that it is visible and unobstructed so emergency responders easily identify the 911 property address sign when responding from either direction on Switzer Drive road allowance.

The Middlesex County Engineer states that the owner will be required to dedicate lands up to 18 m from the centreline of construction of County Road 2 (Longwoods Road) across the retained parcel to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.

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

**ANALYSIS:**

Agriculture is the predominant land use within the County and an important component of the economy and culture. The protection of agricultural land therefore represents a major pillar of the County's Official Plan and of the Provincial Planning Statement. A component of managing the agricultural resource is the general discouragement of severances which result in an undersized agricultural parcel.

From a land use planning perspective, the policies that seek to limit the creation of smaller farm parcels are an attempt to ensure that viable agricultural parcels are available to support current and future farming practices. The agronomist had an opinion that farming practices are supported by larger farm parcels in part because they are operationally more efficient and maintain greater flexibility for varying types of agricultural use. Specifically, the County and Strathroy-Caradoc Official Plans state the creation of parcels of land for agriculture of less than 40 hectares shall generally not be permitted. In this consent application, while the severed parcel would maintain the minimum farm parcel size, the retained parcel would not meet this threshold.

The retained parcel has limited frontage onto Longwoods Road, with physical barriers such as hydro poles/lines and an area of 'Environmental Protection' zone. This parcel is landlocked on all remaining sides by the hydro easement and adjacent farm parcels. It is assumed that this property is currently accessed through the owner's property proposed to be severed, which has greater access from Switzer Drive. The applicant proposes to access this parcel through his home farm north of the hydro corridor. If the home farm is ever sold, the only way to access these proposed retained lands would be through an access created off of Longwoods Road. Staff are of the opinion that the proposed access onto the retained parcel from Longwoods Road may not be sufficient or feasible due to the hydro and environmental barriers.

It is for the reasons listed above that Planning staff are unable to support the application as proposed. Both the County Official Plan and Strathroy-Caradoc Official Plan have strong policy direction in regard to consents in the agricultural area in order to protect the fundamental economic base of the Municipality and prevent the further fragmentation of farmland. The proposal is inconsistent with these policies as the parcels do not meet the minimum size requirements for an independent farm lot and the hydro corridor creates a barrier in being able to consolidate with the existing home farm.

**CONCLUSION:**

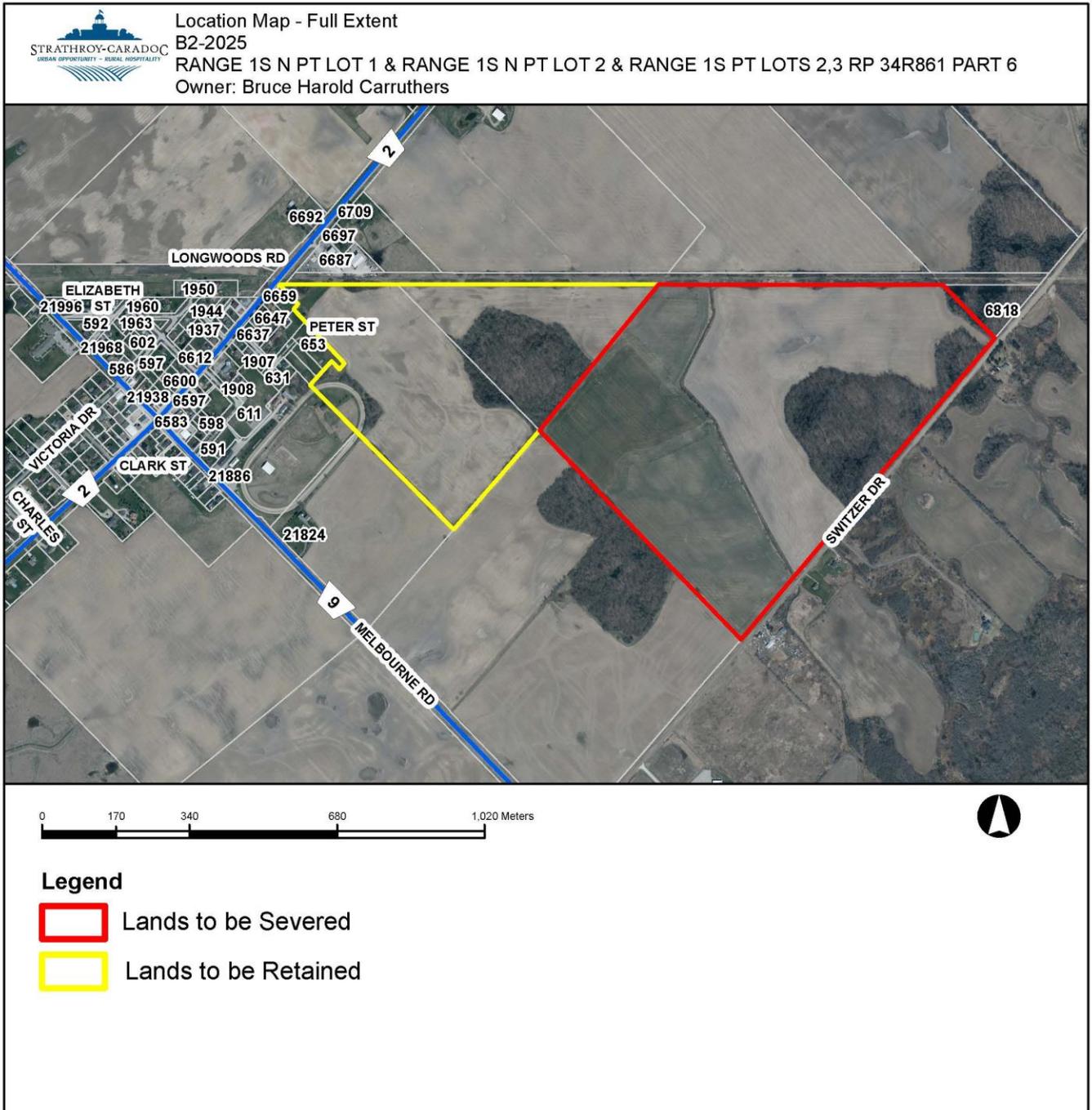
Based on the above analysis, it is recommended that the application for consent under Section 53 of the *Planning Act* be **denied** as the application is not consistent with the Provincial Planning Statement, is not in conformity with the County Official Plan and is not in conformity with the Strathroy-Caradoc Official Plan.

**ATTACHMENTS**

Location Map – Full Extent

Location Map – Zoomed In

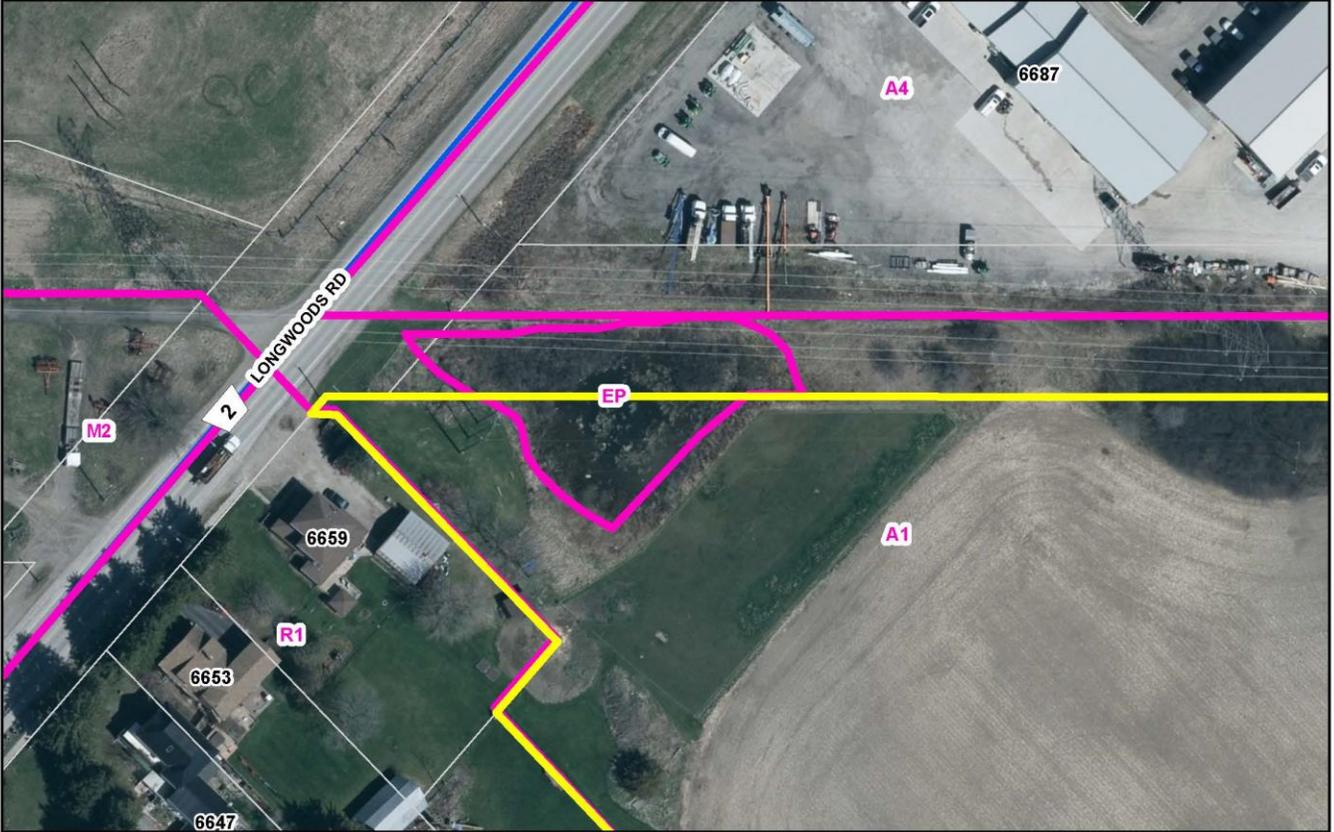
# Location Map – Full Extent



# Location Map – Zoomed In



Location Map - Zoomed In  
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### Legend

-  Lands to be Severed
-  Lands to be Retained
-  Zone Boundary