

COUNCIL REPORT

Meeting Date: March 17, 2025
Department: Building, By-law, and Planning
Report No.: BBP-2025-24
Submitted by: Tim Williams, Manager of Planning
Reviewed By: Jake DeRidder, Senior Development Coordinator
Approved by: Rob Browning, Chief Administrative Officer

SUBJECT: Application for Zoning By-law Amendment to extend temporary zoning
22130 Christina Road
Owners: Peter and Tracy Gubbels

RECOMMENDATION:

THAT: Report BBP-2025-24 regarding rezoning application ZBA 5-2025 for 22130 Christina Road be received for information; and

THAT: By-law No. 36-25 be referred to the Consideration of By-laws section of the agenda for approval.

SUMMARY HIGHLIGHTS

- The application seeks to rezone the lands to site-specific 'General Agricultural (A1-21-T)'.
- The owner is looking to convert an existing home on the property for use by seasonal farm workers.
- Staff have not identified concerns or objections with the application.
- Staff recommend the rezoning to site-specific 'General Agricultural (A1-21-T)' for the maximum period of three years.

PURPOSE AND BACKGROUND:

The purpose of the subject zone change is to permit the conversion of the existing dwelling to house seasonal farm workers on the subject lands for a temporary six (6) year period. However, they would need to reapply after three (3) years as this is the maximum time a temporary zoning can span. The applicants are in need of additional workforce to operate the farming operation. The applicants are not proposing any modifications to the exterior of the existing dwelling. The interior renovations are primarily related to the life safety requirement (smoke detectors etc.) which would either remain or could

be reverted back to a residence after the temporary period has expired. The second purpose of the application is to provide relief from Section 4.26(1) of the Zoning By-law that requires a seasonal farm worker dwelling not be in the front or exterior side yard whereas the seasonal farm worker dwelling will be located in the building closest to the front property. It will also address the requirement that seasonal farm worker dwellings shall be located on a minimum of 40-hectare lot whereas the subject lands are less than 40 hectares.

The subject lands are approximately 38.8 ha (96 ac) in size and are located on the southeast corner of Christina Road and Irish Drive. Both roads are under the jurisdiction of Strathroy-Caradoc. Surrounding land uses are predominately agricultural in nature. The location of the subject lands is shown on the Location Map, attached below.

The land currently contains a single-detached dwelling, bunkhouse (for seasonal farm workers) and two barns. The buildings range in age from 1946 and 1998 with the existing dwelling being constructed in 1946.

POLICY AND REGULATION BACKGROUND

The subject lands are located on lands designated 'Agricultural' within the Strathroy-Caradoc Official Plan and the County Official Plan. The subject lands are located within the 'General Agricultural (A1) Zone' of the Strathroy-Caradoc Zoning By-law.

The policies of the Strathroy-Caradoc Official Plan and County Official Plan permit secondary dwellings on farm parcels in select circumstances, provided the second residence is a temporary residential unit (i.e. granny flats, seasonal farm workers). More specifically, section 5.3.1.10 of the Strathroy-Caradoc Official Plan allows for temporary dwellings on farms where the parcel is large and the nature of the operation warrants, to the satisfaction of the Municipality, that such accommodation is required for the purposes of farm help on the same farm. The dwelling or living quarters shall be located within close proximity to the existing cluster of farm buildings and in compliance with the Minimum Distance Separation (MDS) Formula relative to any neighbouring livestock facility. A Temporary Use By-law shall be required in accordance with the Planning Act along with an agreement with the Municipality, which addresses occupancy of the dwelling or living quarters and their removal or conversion to other uses at the end of the temporary period.

Section 39 of the Planning Act provides Council the ability to approve uses that are not otherwise permitted by the Zoning By-law for a maximum period of three (3) years.

Section 4.26 of the Zoning By-Law regulates the seasonal farm worker dwellings. Subsection (1) requires, the minimum lot area for a seasonal farm worker dwelling shall be 40 ha and a seasonal farm worker dwelling shall not be located in a front or exterior side yard. Subsection (2), under the authority of Section 39 of Planning Act, an Agreement is required to address such matters as Council considers necessary or advisable including:

- a) the installation, maintenance and removal of the seasonal farm worker dwelling;

- b) the period of occupancy of the seasonal farm worker dwelling; and
- c) the monetary security that Council may require for actual or potential costs to the Municipality related to the seasonal farm worker dwelling.

CONSULTATION

A Notice of Public Meeting has been circulated to agencies, as well as property owners and sign has been posted on the site in accordance with the requirements of the Planning Act. At the time this report was completed, the following comments were received:

The Director of Building and Planning indicated no comment on the rezoning.

The Director of Engineering and Public Works advised they have no objection to the use of the existing building.

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

ANALYSIS

It is the opinion of staff that the application is consistent with the PPS and conforms to the policies of the County of Middlesex Official Plan and Strathroy-Caradoc Official Plan. As the intent of the application is to permit seasonal farmer workers for only a temporary period, the application is consistent with the policies of the local and County Official Plan. Further to this, the existing building is an adaptive reuse of an otherwise vacant structure so it cannot easily be relocated. It is noteworthy that the existing location is within the cluster of buildings on the property, which conforms with policy 5.3.1.10 encouraging the buildings on the property to be in close proximity. The applicants are required to enter into a temporary use agreement with the municipality and to post security to ensure that the use is removed as required. Please note that the required temporary use agreement has been signed by the applicants and is on Council's agenda. Security has also been collected.

It is the opinion of staff that the permission for buildings to be in front of the other agricultural buildings and on a lot slightly less than 40 hectares conforms to the policies of both the County and Strathroy-Caradoc Official Plan. The intent of the location provision is to limit the visibility of the building on the property so that it is not the dominant structure on the property. However, in this case, the house is an existing (for more than 50 years) structure, and this is an adaptive reuse of the house and so will not be an issue given the unique set of circumstances.

The applicant has advised that their business plan is to operate the watermelon farm for the next 6 years and then look to retire. Considering this, they have used the proposed temporary zoning for the first 3 years and now are reapplying for an additional 3 years that would extend the time to the end of their business plan for the property. At this point, the building would revert to a single detached dwelling before the property was sold. The proposed works in the building are mainly designed to increase safety and as such can be either be removed with relative ease or could remain without issue.

SUMMARY

Given the above, staff are supportive of the proposed rezoning of the subject lands to permit seasonal worker dwelling use on the subject lands for a temporary period. In this case for three (3) years, being the maximum period for a temporary zoning by-law under the Planning Act. Further, staff are supportive of the site-specific amendments to permit the existing location and lot size as the intent of the zoning by-law is being met.

A zoning by-law amendment has been prepared and is included on the agenda for Council's consideration.

FINANCIAL IMPLICATIONS

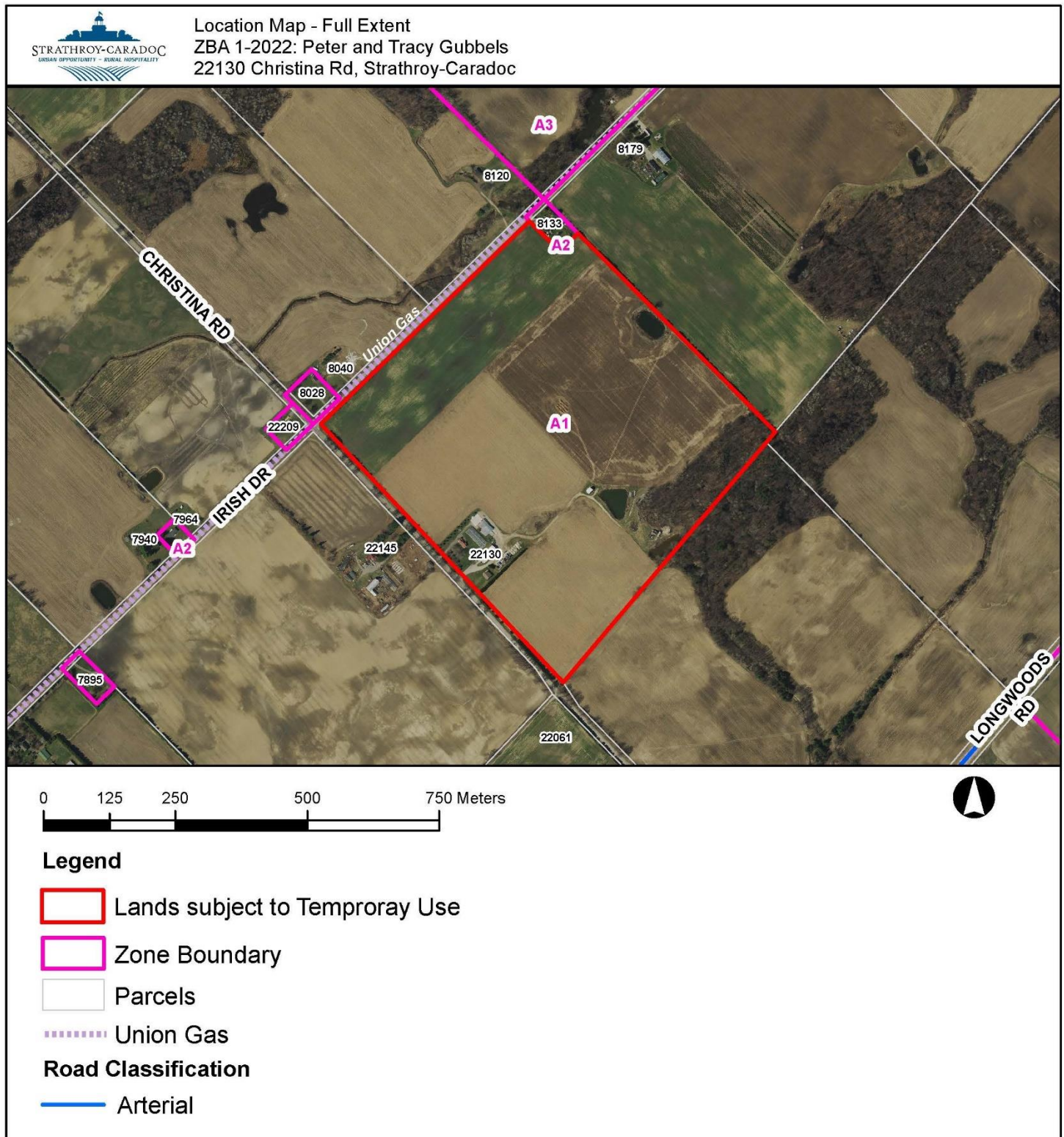
None

ATTACHMENT

Location Map

Site Sketches

Location Map



Site Sketch



Christina Rd

Christina Rd

Christina Rd

22130 Christina Rd,
Mount Brydges, ON

160 FT

REMOVED

1. HOUSE TO BECOME
TEMPORARY BUNK HOUSE
 2. BARN 100FT x 60FT
 3. BARN 120FT x 60FT
 4. CURRENT BUNKHOUSE
- 1CM = ±40 FT

Christina Rd

LCP Farms

Christina Rd

Google

Chr

Map data ©2022 20 m