

COUNCIL REPORT

Meeting Date: May 5, 2025

Department: Building, By-law, and Planning

Report No.: BBP-2025-40

Submitted by: Tim Williams, Manager of Planning

Reviewed by: Jake DeRidder, Senior Development Coordinator

Approved by: Robert Browning, Chief Administrative Officer

SUBJECT: Application for Zoning By-law Amendment (ZBA 7-2025)
6978 Scotchmere Drive
Owner – Stanley Deluce

RECOMMENDATION: THAT: Report BBP-2025-40 regarding rezoning application ZBA 7-2025, be received for information, and further;

THAT: the rezoning application ZBA 7-2025 be approved, and further;

THAT: By-law No. 53-25 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 property from the 'General Agricultural (A1) Zone' to a site-specific 'Agricultural Small Holdings (A2-44) Zone'.

SUMMARY HIGHLIGHTS

- The property was the subject of consent for a Surplus Farm Dwelling Severance on December 7, 2007.
- The Zoning By-law Amendment application proposes to rezone the subject lands from the 'General Agricultural (A1) Zone' to a site-specific 'Agricultural Small Holdings (A2-43) Zone'.
- The subject lands will require an amendment to the provisions of the A2 zone to recognize the residential nature of the lot, and to restrict permitted uses.
- No concerns or objections have been identified by staff, agencies or the public.

BACKGROUND

A zone change application has been submitted to rezone a previously created surplus dwelling severed lot. Normally this would be a condition of consent. A Consent Application File No.: B35-2007. The consent application severed a dwelling surplus to a farm operation as a result of a farm consolidation. The application was conditionally approved by the Committee of Adjustment on December 7, 2007. The subject zone change application proposes to re-zone the lands to a site-specific 'Agricultural Small Holdings (A2-43) Zone'.

The subject lands are located on the north side of Scotchmere Drive, west of Glen Oak Road (see Location Map). The lands are approximately 0.32 ha (0.88 ac) in size, with approximately 50.29 m (165ft) of frontage along Scotchmere Drive. Surrounding land uses are predominantly agricultural in nature. The lands are not within the area regulated by the St. Clair Region Conservation Authority. There are no natural heritage features on the property or in close proximity. The property contains a single detached dwelling and a workshop.

The existing dwelling was constructed in 1922, however it was when the applicant started to investigate building a new dwelling and it was discovered that they would not be able to build a new dwelling because of A1 zone standards without rezoning the property.

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 which is how this lot was created in 2007.

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) and a minimum lot frontage of 30 m (98 ft).

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 concerns.

The St. Clair Region Conservation Authority advised they reviewed the subject property and has no concerns with the proposed application.

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

ANALYSIS

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.

The lands were created through a consent application in 2007 and was evaluated against the County and the local Official Plan.

The proposed site-specific 'Agricultural Small Holdings (A2-44) Zone' on this surplus farm dwelling parcel 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 and compatibility concerns can develop between livestock and well water quality, as they would be in close proximity. The proposed site-specific zoning will also recognize the size of the lot area. While the area is less than would otherwise be permitted within the 'A2' zone, the lot has existed for nearly two decades. Therefore, staff are of the opinion that this rezoning is appropriate, that the size of the lot should be recognized through the zoning by-law amendment, and that the lot frontage meets the provisions of the 'A2' zone and conforms to Section 5.3.1.8 of the Strathroy-Caradoc Official Plan.

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 recommendations, however the following are alternative options to this recommendation:

1. THAT: the subject report BBP-2025-40 for ZBA 7-2025 be received for information and the application for Zoning By-law Amendment be deferred sine die.;
2. THAT: the subject report BBP-2025-40 for ZBA 7-2025 be received for information and the application for Zoning By-law Amendment be denied.; OR
3. THAT: the subject report BBP-2025-40 for ZBA 7-2025 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

