



COMMITTEE OF ADJUSTMENT

Planning Staff Report

Meeting date: May 7, 2026
Department: Building, By-law and Planning
Report No.: BBP-2026-42
Submitted by: Alyssa Soldo, Planner, County of Middlesex
Reviewed by: Tim Williams, Manager of Planning, County of Middlesex
Approved by: Jake DeRidder, Manager of Growth and Development
SUBJECT: **Application for Consent (B6-2026) – 7222 Walkers Drive**
Owner: Kirk Zavitz Agent: Courtney Sinclair

RECOMMENDATION: THAT: Application for Consent B6-2026 be approved with conditions.

PURPOSE:

The purpose of this application is to execute a surplus farm dwelling severance. The owner is proposing to retain the larger farm parcel and to sever the residential lot.

BACKGROUND:

The subject property is located on the northwest side of Walkers Drive, northeast of the intersection at Glen Oak Road (see Location Map). The land as a whole is approximately 19.85 ha (49.05 ac) in size, with 236 m (774.3 ft) of frontage along Walkers Drive. A portion of the lands are regulated by the St. Clair Region Conservation Authority, and another portion of the lands are identified as 'significant woodlands' within the Middlesex Natural Heritage Systems Study (2014).

The proposed land to be severed as part of the surplus farm dwelling severance is approximately 1.02 ha (2.52 ac) in size, with 60 m (196.85 ft) of frontage along Walkers Drive, containing a single detached dwelling connected to private water and a private septic system, and a garden shed.

The proposed lands to be retained as part of the surplus farm dwelling severance are approximately 18.83 ha (46.53 ac) in size, with 176 m (577.4 ft) of frontage along Walkers Drive, containing lands for agricultural production and woodlands.

Walkers Drive is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. Surrounding land uses are predominantly agricultural and rural residential in nature, with an open space zone to the northeast owned by the Conservation Foundation.

POLICY AND REGULATION BACKGROUND:

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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 Official Plan. The lands are within the underlying 'Agricultural Area' designation of the Strathroy-Caradoc Official Plan.

The subject lands are located within the 'General Agricultural (A1) Zone' of the Strathroy-Caradoc Zoning By-law.

The Provincial Planning Statement (PPS), County of Middlesex 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.

Section 4.3.3.1c) of the PPS outlines the criteria for lot creation in prime agricultural areas for a residence surplus to an agricultural operation.

Section 4.5.3.4 of the County Official Plan indicates 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 4.2.1.1 of the Strathroy-Caradoc Official Plan states that the primary use of lands designated Agricultural shall be for the cultivation of land, the raising of livestock and the growing of trees. A full range of agricultural activities shall be permitted including general farming, livestock farming, cash crop farming, market gardening, tobacco farming, specialty crops, horticulture, cannabis production, and agro-forestry.

Section 4.2.1.7 of the Strathroy-Caradoc Official Plan states that dwellings considered surplus to a farming operation may be severed from the balance of the farm provided the residential dwelling was built 10-years prior to the date of the application. Through OPA 14 which partially came into force and effect on December 4, 2025, the Strathroy-Caradoc Official Plan was updated 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. OPA 14 amended the date of construction for surplus farm dwellings from 'January 1, 1999' to a rolling date of 'at least 10-years prior to the date of the application', which was reflective of the change to the County Official Plan.

Section 4.2.1.7 further states, "the loss of productive agricultural land shall be minimized to the greatest extent possible taking into account the location of the dwelling, accessory buildings, driveway, on-site water supply and sanitary waste disposal system". Other matters include adequacy of water supply, sanitary waste facilities, vehicular access, proximity to livestock operations and lot frontage / depth and size shall be suitable for the intended use of surplus farm dwelling lot and shall comply with the Zoning By-law.

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).

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' and a minimum lot frontage of 150 m.

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 Middlesex County Safety and Standards Officer has provided the following comments:

1. That the lands to be severed retain the existing 911 property address of 7222 Walkers Drive and the property owner ensure that the 911 property address sign is posted to municipal standards at the main entrance to the lands to be severed so it is maintained, visible and unobstructed so emergency service responders can easily identify the 911 property number when responding from either direction from the Walkers Drive road allowance.
2. That the lands to be retained have a new proposed 911 property address and that proposed 911 address be sequential in existing 911 numbers for Walkers Drive. The proposed 911 address is to be submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. The approved 911 address is to be posted to municipal standards at the main entrance to the lands to be retained so it is maintained, visible and unobstructed so emergency service responders can easily identify the 911 property number when responding from either direction from the Walkers Drive road allowance.
3. That that lands to be retained and the lands to be severed have both 911 property address marker signs updated and made to the new municipal standard that includes both the applicable 911 number and road name.

The St. Clair Region Conservation Authority has noted that the proposed severed lot (surplus farm dwelling) is entirely outside the regulated area. SCRCA has no concerns with the proposed consent application. Any future development and/or site alteration within the regulated area on the retained lot will require written permission from the Conservation Authority under Ontario Regulation 41/24.

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

ANALYSIS:

With respect to the County and the local Official Plan, farm consolidation appears to have been achieved in that the lands are part of a larger operation, which includes at least one additional farm

parcel and one additional farmhouse. The existing dwelling is habitable, in good condition, and was constructed more than 10-years prior to the date of this application. The garden shed is to remain with the residential use.

The eligibility criteria for surplus farm dwelling severance includes language about limiting the new lot to a minimum size needed to accommodate the residential use and appropriate sewage and water services. While staff are satisfied that the dwelling is considered to be surplus to a farming operation and that farm consolidation will be achieved, staff are of the opinion that the proposed lot may be larger than necessary to accommodate the residential use and services. Further, it is the position of staff that surplus dwelling lots should be kept to less than 1 ha of area to ensure that they are subject to the maximum accessory building size provisions and other provisions that are appropriate for rural residential lots in the 'A2' zone. The area proposed by the applicant exceeds 1 hectare, therefore staff recommend, as a condition of approval, that the lot to be retained be reduced in size to meet this threshold.

The surplus farm dwelling parcel will be required to be rezoned to the 'Agricultural Small Holdings (A2) Zone' to maintain conformity with the Zoning By-law. This rezoning would restrict the uses to only residential and accessory uses thereto and prohibit livestock uses to ensure that any accessory buildings (current or future) will not contain livestock. The balance of the farm parcel will be required to be rezoned to the 'Agricultural Purposes Only (A3) Zone' in order to be consistent with the PPS and the Official Plan.

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

Conditions of Approval (B6-2026)

Location Map

APPLICATION FOR CONSENT: B6-2026

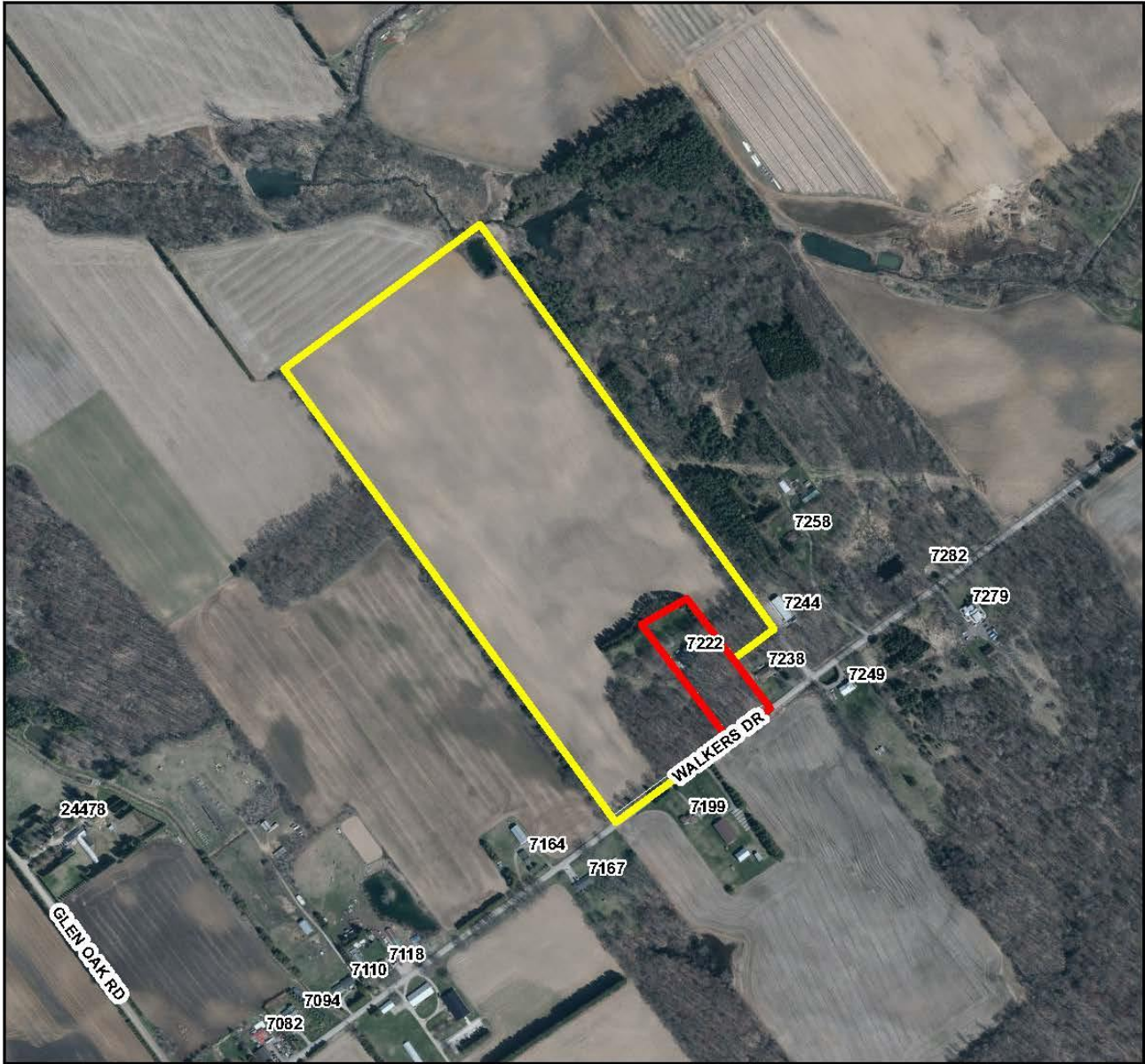
Owner: Kirk Zavitz and Nancy Zavitz
 Agent: Courtney Sinclair

7222 Walkers Dr
 CON 9 S PT LOT 6
 Caradoc Municipality



MUNICIPALITY OF
 STRATHROY-CARADOC

KEY MAP



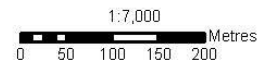
ORTHOGRAPHY: SWOOP 2020

Disclaimer: This map is for illustrative purposes only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

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 Planning Department April, 2026



- Subject Lands to be retained and rezoned (A3)
- Subject Lands to be severed and rezoned (A2)



Conditions of Approval (B6-2026)

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 the subject lands be appropriately rezoned.
4. That the lands to be severed be reduced to include area only required for the dwelling and its services and less than 1 hectare in size.
5. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B6-2026 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
6. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
7. That confirmation is obtained, ensuring that the private services are located wholly within the lot to be severed, to the satisfaction of the Municipality.
8. That a municipal 9-1-1 address be assigned to the 'lands to be retained', to the satisfaction of the Municipality and the County of Middlesex.
9. 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.
10. That a new access be provided for the lands to be retained if one does not already exist, to the satisfaction of the Municipality.
11. That the hydro service lines between the severed and retained lots be separate and not cross the new property lines.
12. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
13. 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.