

Meeting date: April 15, 2019
Department: Building and Planning
Prepared by: Tim Williams, Senior Planner
Reviewed by: Matthew Stephenson, Director, Building/Waste Services
Greg McClinchey, Chief Administrative Officer

SUBJECT: **Scott Stallaert**
9449 Glendon Drive
(Geographic Town of Strathroy)
Re-Zoning File No. ZBA7-2019

RECOMMENDATION: It is recommended that the application for rezoning be **approved**.

PURPOSE

The purpose of the subject zone change is to permit two dwellings on the subject lands for a temporary period of time. The applicant's wish to live in the existing dwelling while a new dwelling is being constructed on the property. The existing dwelling is to be removed at the time that the new dwelling is completed.

SUMMARY HIGHLIGHTS

- **The application seeks to rezone the lands to site-specific 'General Agricultural (A1-14-T)'.**
- **The owner is looking to build a home on the property while living in the existing home.**
- **Staff have not identified concerns or objections with the application.**
- **Staff recommend the rezoning to site-specific 'General Agricultural (A1-14-T)' for a period of one year.**

BACKGROUND

The subject lands comprise approximately 13.17 ha (32.54 ac) of agricultural land located on the south side of Glendon Drive east of Highway 402. More specifically the property is located at the southwest corner of Glendon Drive and Amiens Road. The lands currently contain a single-detached dwelling, barn and shop and agricultural land in crop production.

Surrounding land uses are predominately agricultural in nature. The property is also on the border between Middlesex Centre to the east.

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 Zone (A1)' of the Strathroy-Caradoc Zoning By-law. The location of the subject lands is shown on the Location Map, attached below.

The policies of the Strathroy-Caradoc Official Plan and County Official Plan permit second dwellings on farm parcels in select circumstances, provided the second residence is a temporary residential unit (i.e. granny flats, seasonal farm workers).

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.

CONSULTATION

Notices have 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 County of Middlesex Engineer indicated no comment on the rezoning

The Upper Thames River Conservation Authority (UTRCA) advised they have no objection.

It is also noted that Andrea Bezaire of BHB Law, the municipal solicitor has prepared the temporary use agreement associated with the subject application for Council's consideration.

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. As the intent of the application is to permit two dwellings on a single lot for only a temporary period of time, the application is consistent with the policies of the local and County Official Plan. The applicants are required to enter into a temporary use agreement with the municipality and to post security in order to ensure that the existing dwelling will be removed as required. Please note that this agreement is also on Council's agenda.

Given the above, staff are supportive of the proposed rezoning of the subject lands to permit two dwellings on the subject lands for a temporary period of time, in this case not to exceed one (1) years in order to provide the applicant time to complete the construction of the 'new' dwelling.

SUMMARY

Based on the above analysis, staff recommend the following:

THAT the application for rezoning be **approved**, as the application would be: consistent with the Provincial Policy Statement; conforms to the Official Plans of both the County and Municipality; and constitutes good planning.

A zoning amendment by-law has been prepared for Council's consideration.

FINANCIAL IMPLICATIONS

None

ATTACHMENT

Location Map

