



MUNICIPALITY OF THAMES CENTRE

REPORT NO. PDS-032-24

FILE NO. Z3-24

TO: Mayor and Members of Council

FROM: Director of Planning & Development Services

MEETING DATE: May 27, 2024

SUBJECT: **APPLICATION FOR ZONING BY-LAW AMENDMENT; JAMIE AND TANYA BUCK; 18065 THORNDALE ROAD**

RECOMMENDATION:

THAT Application for Zoning By-law Amendment (Z3-24) filed by Jamie and Tanya Buck to permit an Additional Residential Unit for lands legally described as Part of Lot 15, Concession 7, (geographic Township of West Nissouri) and designated as Part 1 on Plan 33R-20519, Municipality of Thames Centre and known municipally as 18065 Thorndale Road be **APPROVED** in principle and that staff be directed to bring forward the implementing by-law for Council's consideration at the next regular meeting.

PURPOSE:

The purpose and effect of this Application is to rezone the subject property from the Agricultural (A) Zone to a site-specific Agricultural (A-#) zone to permit an Additional Residential Unit (ARU), which is otherwise not permitted.

BACKGROUND:

The subject property is a 0.5 hectare (1.1 ac) residential lot situated on the south side of Thorndale Road (County Road 28), east of Cobble Hills Road. The lands contain a single detached dwelling with a floor area of 196 square metres (2,110 ft²) serviced by private well and septic system and an existing shed with a floor area of 35 square metres (377 ft²). Access for the lands is available off Thorndale Road (County Road 28).

The applicants are proposing to construct an ARU within a new accessory building (shop). The shop is to be incorporated into the existing shed located in the rear yard. The shop is proposed to have a floor area of 372 square metres (4,000 ft²) of which the ARU would have a floor area of 93 square metres (1,001 ft²) being less than 50% of the gross floor area of the primary dwelling. The current zoning of the property does not permit an ARU. The applicants

advised the ARU would be used to house family members.

The lands are designated 'Agricultural' according to the Thames Centre Official Plan and are zoned Agricultural (A) Zone according to the Thames Centre Comprehensive Zoning By-law. Surrounding land uses are predominantly agricultural in nature.

ANALYSIS:

The Provincial Policy Statement (PPS) provides policy direction to encourage an appropriate range and mix of housing types (including ARUs) to meet long-term needs of the community. The *Planning Act* also requires that official plans include policies to authorize the use of ARUs either within a single, semi or townhouse dwelling or within a structure ancillary or accessory to that form of housing in areas specified by a municipality.

The County of Middlesex Official Plan also encourages a broad range of housing types to meet projected demographic and market requirements of current and future residents including the provision of alternative forms of housing. Specifically, the County Plan indicates that ARUs created outside of settlement areas shall be grouped to the primary dwelling, shall meet Minimum Distance Separation (MDS) formulae, and shall be prohibited from being severed from the property unless as part of the severance of the primary dwelling unit as a residence surplus to a farming operation.

The Thames Centre Official Plan provides policy direction to allow ARUs in agricultural areas provided they are capable of being appropriately serviced. The Official Plan also notes that any regulation concerning ARUs shall limit their size to ensure it remains clearly secondary to the primary dwelling unit and furthermore compliance with the Ontario Building Code shall be required. Those matters are capable of being addressed at the time of the issuance of the building permit and through the zoning regulations that limit the size of the ARU being no more than 50% of the gross floor area associated with the primary dwelling.

The Thames Centre Official Plan require that prior to the approval of a zoning by-law amendment, it shall be established to the satisfaction of Council that:

- soil and drainage conditions are suitable to permit the proper siting of buildings;

This is capable of being addressed at the building permit issuance stage.

- the services and utilities, whether they are municipal or private, can adequately accommodate the proposed development. Full municipal or communal sanitary and water services will be preferred method of servicing development;

The adequacy of private services will need to be demonstrated as a prerequisite to obtaining a building permit.

- the road system is adequate to accommodate projected increases in traffic;



This property has access to Thorndale Road (County Road 28), being an arterial road designed to accommodate high volumes of traffic within and beyond the limits of the Municipality. No concerns were identified by the County Engineer.

- the land fronts on a public road (unless specifically noted as an approved private road) which is of a reasonable standard of construction and maintenance;

The lands front onto a public road, Thorndale Road (County Road 28), which is constructed and maintained to County standards.

- lot frontage and area is suitable for the proposed use and conforms to the standards required by the implementing Zoning By-law; and

The subject property was created through a previous surplus farm dwelling severance and therefore complies with the undersized lotting provisions under the Zoning By-law. The lot frontage and area are suitable for the proposed use.

- adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any proposed or existing or adjacent use or on the natural heritage features and functions.

Unacceptable adverse effects on surrounding uses are not anticipated considering the nature of the proposed development and that there are also no natural heritage features on the subject lands.

Based on the foregoing, the subject proposal is consistent with the PPS, conforms to the Middlesex County and Thames Centre Official Plans.

CIRCULATION CONSULTATION:

Agency Comments

In the circulation of the notice of public meeting to prescribed agencies, the following comments were received:

County Engineer:

No comment.

Upper Thames River Conservation Authority

No objections.

Chief Building Official

The proponent shall be advised that buildings permits for the proposed structure as well as for any new septic system associated with the proposed structure are required to be obtained prior to the commencement of any work.

Drainage Superintendent:

No comment.

Public Comments

To date, no written submissions have been received by the public.

FINANCIAL IMPLICATIONS:

None.

STRATEGIC PLAN LINK

Pillar: *Smart Planning*

Goal: *Make smart planning decisions to grow the community, while maintaining a "hometown feel"*

ATTACHMENTS:

Location Map

Prepared by: A. Kertesz, Planner, in consultation with M. Bancroft, Director of Planning and Development Services

Reviewed by: D. Barrick, Chief Administrative Officer