



## MUNICIPALITY OF THAMES CENTRE

**REPORT NO.** PDS-035-24

**FILE NO.** Z7-24

**TO:** Mayor and Members of Council

**FROM:** A. Kertesz, Planner

**MEETING DATE:** June 24, 2024

**SUBJECT:** **Application for Temporary Zoning By-law Amendment; Milleny Farms Inc. (Applicant), Kevin Miller (Agent); 4607 Lewis Road**

### RECOMMENDATION:

**THAT** the Municipality of Thames Centre Comprehensive Zoning By-law 75-2006 be **AMENDED** to permit two single unit dwellings on the property municipally known as 4607 Lewis Road, for a temporary period not to exceed three (3) years, as filed by Kevin Miller on behalf of Milleny Farms Inc. (Z7-24), as included in the by-law portion of the agenda;

**AND THAT** the Mayor and Clerk be **AUTHORIZED** to execute a Temporary Use Agreement, substantially in form of the agreement attached, as included in the by-law portion of the agenda.

### PURPOSE:

The purpose and effect of this Application is to permit two single-detached dwellings on the subject lands for a temporary period not to exceed three (3) years to allow a new dwelling to be constructed on the subject property.

### BACKGROUND:

The subject property is 40.5 hectare (100 ac) agricultural lot situated at the southwest corner of Lewis Road and Crampton Drive. The lands contain a single detached dwelling which the applicant has indicated has a floor area of approximately 74.3 square metres (800 ft<sup>2</sup>), serviced by private well and septic system and also contains a barn and silo. Access for the lands is available off Lewis Road. The lands are primarily used for agricultural purposes in the form of field crop cultivation. According to the Thames Centre Official Plan, the lands are designated Agricultural and Protection Area. The lands are zoned Agricultural (A), Wetland (W) and Environmental Protection (EP) within the Thames Centre Zoning By-law. The Agricultural (A) Zone permits a range of uses such as a single detached dwelling. The property contains natural heritage features including significant woodlands as identified by the Middlesex Natural Heritage Systems Study (MNHSS, 2014) and provincially significant wetlands. The property contains lands regulated by the Upper Thames River Conservation

Authority (UTRCA). Surrounding uses are predominantly agricultural in nature with the exception of provincially significant wetlands to the west and significant woodlands to the west, north, and south of the property.

The applicants are proposing to construct a new single detached dwelling while retaining the existing single detached dwelling on a temporary basis. Within three (3) years of the new dwelling being constructed, the applicants intend to remove the existing single detached dwelling from the property.

## **ANALYSIS:**

The Thames Centre Official Plan allows temporary uses for up to three (3) years including the construction of a second dwelling while retaining the existing dwelling under certain circumstances. The Official Plan provides criteria for the evaluation of temporary uses namely: the proposed use is temporary; the proposed use will not create detrimental effects on the surrounding area; compatibility with adjacent and surrounding area; the proposed use can be adequately serviced and will not create any undue traffic or parking impacts; and the proposed use shall conform to the general intent of the Plan.

The foregoing criteria have been satisfied or are capable of being satisfied by having the owner enter into an agreement with the Municipality to require removal of the existing dwelling no later than six (6) months after final completion and occupancy of the new dwelling, or expiry of the temporary use by-law (whichever occurs first). A draft agreement is included for Council's consideration, which includes payment of a \$5,000 security deposit due at the time of the issuance of the building permit.

Under the Agricultural (A) zoning, one single detached dwelling is permitted. The proposed temporary use by-law would permit the existing single detached dwelling to remain until it ceases to be occupied as a residence, or at the end of the period specified in the by-law (whichever occurs first). At that time, the dwelling would have to be removed from the lands. The new dwelling is proposed to be constructed east of the existing dwelling and will meet the setback requirements of the Agricultural (A) Zone.

Furthermore, the subject application would ensure consistency with the Provincial Policy Statement and conformity with the County and Thames Centre Official Plans.

## **CIRCULATION CONSULTATION:**

### **Agency Comments**

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

#### County Engineer:

No comment.

Director of Public Works:

Public Works have no comments/concerns with this application.

Drainage Superintendent:

No comment.

Upper Thames River Conservation Authority:

No objections.

Chief Building Official:

The proponent be advised that a building permit(s) are required prior to the demolition of the existing single detached house and any accessory structures which are ancillary to the house. The existing well and septic system shall also be decommissioned in accordance with applicable regulations as part of the demolition process.

## 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 A. Storrey, Interim Director of Planning and Development Services

Reviewed by: D. Barrick, Chief Administrative Officer