



## MUNICIPALITY OF THAMES CENTRE

**REPORT NO.** PDS-051-24  
**FILE NO.** B9-24 & Z10-24  
**TO:** Mayor and Members of Council  
**FROM:** A. Kertesz, Planner  
**MEETING DATE:** October 21, 2024  
**SUBJECT:** Applications for Consent (B9-24) and Zoning By-Law Amendment (Z10-24); John Goris & Theresa Goris (Applicants); Erin Goris & Chris Goris (Agents); 17210 Plover Mills Road

### RECOMMENDATION:

**THAT** Application for Consent B9-24 requested by John Goris and Theresa Goris for lands legally described as Part of Lot 26, Concession 4 (geographic Township of West Nissouri), Municipality of Thames Centre, and known municipally as 17210 Plover Mills Road (County Road 16) be **APPROVED**, subject to the following conditions:

1. That the Certificate of Consent under Section 53(42) of the Planning Act be given within two years of the date of the notice of the decision. The request for the Certificate of Consent shall be accompanied by a written submission that details how each of the conditions of consent has been fulfilled and the required fee.
2. That the lands to be severed be transferred to Erin Goris and/or Chris Goris or ECG Farms Ltd. or one of its affiliated farm holdings with Erin Goris and/or Chris Goris being the principal, to ensure farm consolidation.
3. That the applicants provide a road widening dedication to the County of Middlesex across the frontage of the lands to be severed and the lands to be retained measuring up to 18 metres from the centreline of County Road 16 (Plover Mills Road) if the right of way is not already to that width.
4. That the applicant obtain a rezoning approval to prohibit any new residential use on the lands to be severed being the remnant farm parcel.
5. That the applicant initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedule in accordance with the Drainage Act, RSO 1990, as amended, with such costs to be paid in full to the appropriate engineering firm, all to the satisfaction of the Drainage Superintendent.
6. That all applicable property taxes, municipal fees and charges be paid to the Municipality.



7. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
8. That the proponent provide evidence from an Ontario Land Surveyor which confirms that all structures will be compliant with applicable zoning by-law provisions on the lands to be severed.
9. That the proponent provide evidence from an Ontario Land Surveyor which confirms that the existing onsite sewage system and well are wholly contained and compliant with applicable setbacks from property line, as required by the Ontario Building Code, on the lands to be severed.
10. That the necessary deeds, transfers and charges for certificates and /or instruments necessary for registration be submitted electronically to the Municipality, all of which are to be fully executed.
11. That an electronic version of a deposited reference plan be submitted to legally describe the lands affected and in general conformity with this decision, all to the satisfaction of the Municipality.

## **REASONS**

- The application is consistent with the Provincial Policy Statement.
- Conformity with the County Official Plan and Municipal Official Plan would be maintained.
- The requirements of the Zoning By-Law are capable of being satisfied through the requested rezoning.

**THAT** Application for Zoning By-law Amendment Z10-24 requested by John Goris and Theresa Goris for lands legally described as Part of Lot 26, Concession 4 (geographic Township of West Nissouri), Municipality of Thames Centre, and known municipally as 17210 Plover Mills Road (County Road 16) be **APPROVED**;

**AND THAT** the implementing by-law be **APPROVED**, as included in the by-law portion of the agenda.

## **PURPOSE:**

The purpose and effect of the consent application is to sever a parcel of land to facilitate the disposal of a residence surplus to a farming operation as a result of a pending farm consolidation. The purpose of the zoning by-law amendment application is to rezone the balance of the farm to prohibit any new residential use consistent with provincial and local planning policy.

## **BACKGROUND:**

The subject property is a 19.78 hectare (48.88 ac) farm situated on the north side of Plover

Mills Road (County Road 16), and on the east side of Fairview Road. The farm contains a single detached dwelling serviced by a private well and septic system and also contains an accessory building in the form of a garden shed. The lands are used for agricultural purposes in the form of field crop cultivation. According to the Thames Centre Official Plan and Zoning By-law, the subject lands are designated Agricultural and zoned Agricultural (A). Surrounding land uses are predominantly agricultural in nature.

The lands to be retained would have frontage of approximately 621 metres (236.22 ft) along Plover Mills Rd (County Road 16) and an area of approximately 19.10 hectares (47.2 ac) and would contain the farmland, vacant of any buildings. The lands to be severed would contain the single detached dwelling and garden shed and would have a frontage of approximately 58 metres (190.29 ft) along Plover Mills Road (County Road 16) and an area of approximately 0.65 hectares (1.6 ac). The agents have entered into an agreement of purchase and sale with the applicants to purchase the lands to be severed, being the farmland, whereas the applicants would retain ownership of the lands to be retained containing the residential use.

The applicants are also proposing to rezone the lands to be severed, being the farmland from the Agricultural (A) Zone to the site-specific Agricultural (A-45) Zone to prohibit any new residential use.

## **ANALYSIS:**

The Provincial Policy Statement (PPS), the County of Middlesex Official Plan and the Thames Centre Official Plan generally permit lot creation in agricultural areas for a dwelling surplus to a farming operation as a result of farm consolidation subject to criteria including but not limited to the dwelling being habitable; at least 10 years old; the residential parcel is to be the minimum size need to accommodate the residential use and private servicing. Consolidation means the acquisition of additional farm parcels to be operated as a single farming operation.

The dwelling is habitable and constructed in 2004; the agents'/ purchasers' home farm is located in within the Municipality and the agents/purchasers own and operate four (4) farms totaling approximately 129.90 ha (321 ac). In all, staff is satisfied that the foregoing criteria has been satisfied. Issues including the location of the septic system and potable well, etc. are capable of being addressed through conditions of consent.

The lands to be retained, which would contain the single detached dwelling and garden shed, would comply with the undersized lot provisions of the Agricultural (A) Zone. To prohibit any new residential use on the balance of the farm and to be consistent with provincial and local policy, a site-specific Agricultural (A-45) Zone is being requested for the lands to be severed. In all, this rezoning, is appropriate and represents good planning.

Based on the foregoing, the subject applications are consistent with the Provincial Policy Statement and in conformity with the Middlesex County and Thames Centre Official Plans.

## **CONSULTATION:**

In the circulation of the notice of public hearing to prescribed agencies, the following

comments were received:

County Engineer:

The owner will be required to dedicate lands up to 18 m from the centreline of construction of County Road 16 (Plover Mills Road) across the severed and retained parcels to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.

No comments on the rezoning application.

Director of Public Works: Public Works have no comments/concerns with this application.

Drainage Superintendent: Drainage reassessment is required.

Hydro One: No concerns

Chief Building Official:

The proponent shall provide sufficient documentation from an Ontario Land Surveyor to demonstrate compliance of all buildings on the parcel to be retained (including septic tank, septic bed and well) with applicable zoning by-law setbacks and building code setbacks.

Upper Thames River Conservation Authority: No objections

In the circulation of the notice of public hearing to surrounding property owners, no responses have been received from the public as of the date of this report.

## 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 - B9-24 and Z10-24 - 17210 Plover Mills Rd

Prepared by: A. Kertesz, Planner

Reviewed by: A. Storrey, Interim Director of Planning and Development Services

Reviewed by: D. Barrick, Chief Administrative Officer