



MUNICIPALITY OF THAMES CENTRE

REPORT NO. PDS-021-25

FILE NO. B3-25 & Z5-25

TO: Mayor and Members of Council

FROM: E. Besch, Planner

MEETING DATE: April 28, 2025

SUBJECT: Applications for Consent (B3-25) and Zoning By-Law Amendment (Z5-25); Bloetjes Farms Ltd. (Applicants); 914 Donnybrook Drive (County Road 78)

RECOMMENDATION:

THAT Application for Consent B3-25 requested by Bloetjes Farms Ltd. for lands legally described as Part of Lot 20, Concession B S.R.T., (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 914 Donnybrook Drive (County Road 78) **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 applicant obtains a rezoning approval to prohibit any new residential use on the lands to be retained being the remnant farm parcel.
3. 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.
4. That all applicable property taxes, municipal fees and charges be paid to the Municipality.
5. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
6. That the owner dedicate land up to 18 m from the centreline of construction of Donnybrook Drive to the County of Middlesex across the severed and retained parcels for the purposes of road widening if the right of way is not already to that width.
7. That the surplus farm buildings on the lands to be severed be deemed to be structurally

sound and in good condition for residential accessory use by a professional structural engineer or be demolished 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 Planning 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 Z5-25 requested by Bloetjes Farms Ltd. for lands legally described as Part of Lot 20, Concession B S.R.T., (geographic Township of North Dorchester), Municipality of Thames Centre, and known municipally as 914 Donnybrook Drive (County Road 78) be **APPROVED**;

AND THAT the implementing by-law be **CONSIDERED**, 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 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 27.88-hectare (68.9 acre) farm situated on the northeast corner of Donnybrook Drive (County Road 78) and Harris Road. The farm contains a single detached dwelling serviced by a private well and septic system, as well as two storage sheds and a

garden shed which houses the well. The remainder of the lands are primarily used for 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 agricultural and industrial as the Donnybrook industrial area is located just south of Donnybrook Drive (County Road 78). The settlement area boundary for Dorchester is located just north of the subject lands.

The lands to be severed would have frontage of approximately 58 m (190.3 ft) along Donnybrook Drive (County Road 78), an area of approximately 0.46 ha (1.1 ac) and would contain the single detached dwelling and all three accessory buildings. The applicant has advised that there is also a dilapidated concrete block barn that cannot be used for storage purposes. The house is serviced by a private well and septic system and has an existing access off Donnybrook Drive.

The lands to be retained, being the remnant farm parcel, would have a frontage of approximately 446 m (1,463.3 ft) along Donnybrook Drive (County Road 78), and an area of approximately 27.42 ha (67.8 ac). The lands are vacant of buildings or structures; however, it does contain a small woodlot at the far east side of the lot which has been identified as 'significant woodlands' within the Middlesex Natural Heritage Systems Study (2014). A portion of this area is regulated by the Upper Thames River Conservation Authority (UTRCA).

The applicants are also proposing to rezone the lands to be retained, 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 Planning 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 1969; the purchasers' home farm is located within the Municipality and the purchasers own and operate at least six (6) farms totaling approximately 255 ha (630 ac). In all, staff are satisfied that the foregoing criteria have been satisfied. Issues including the location of the septic system and potable well, etc. are capable of being addressed through conditions of consent.

The land to be severed, which would contain the single detached dwelling and three sheds, 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 requested for the land to be retained. In all,

this rezoning is appropriate and represents good planning.

Based on the foregoing, the subject applications are consistent with the Provincial Planning 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:

Director of Public Works:

Public Works have no comments/concerns with this application.

Drainage Superintendent:

Drainage reassessment is required.

County Engineer:

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

Chief Building Official:

1. 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 to the satisfaction of the Chief Building Official.
2. 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 to the satisfaction of the Chief Building Official.
3. All surplus farm buildings on the lands to be severed shall be deemed to be structurally sound and in good condition for residential accessory use by a professional structural engineer or be demolished to the satisfaction of the Chief Building Official.

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

Prepared by: E. Besch, Planner

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

Reviewed by: D. Barrick, Chief Administrative Officer