



MUNICIPALITY OF THAMES CENTRE

REPORT NO. PDS-019-25

TO: Mayor and Members of Council
FROM: Lindsay Nooren, Senior Planner
MEETING DATE: April 28, 2024
SUBJECT: Application for Zoning By-law Amendment (Z9-25); Plover Mills Commodities (Applicants), 23364 Wellburn Road (County Road 27)

RECOMMENDATION:

THAT Application for Zoning By-law Amendment Z9-25 as requested by Plover Mills Commodities Ltd. to rezone the subject property from the Rural Industrial (M2) Zone to a site-specific Agricultural (A-70) Zone to permit a Grain Elevator and Drying Facility and to permit a front yard setback of 17m and an interior side yard setback of 11m for the lands legally described as Part of Lot 29, Concession 6; and Parts 1 & 2 of RP 33R5758 (geographic Township of West Nissouri), Municipality of Thames Centre, and known municipally as 23372 & 23364 Wellburn Road (County Road 27) Municipality of Thames Centre **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 rezone the subject lands to reflect recent legal changes on title and to align the zoning with the current land uses.

BACKGROUND:

The subject property is located at 23364 Wellburn Road which encompasses a 1.84-acre farm parcel located on the east side of Wellburn Road (County Road 27), approximately 500 metres south of the Hamlet of Wellburn. The lands are currently occupied by a single detached dwelling and several agricultural accessory structures. According to the Thames Centre Official Plan and Zoning By-law, the subject lands are designated Agricultural and zoned Rural Industrial (M2). Surrounding land uses are predominantly agricultural with the Wellburn settlement area located just to the north.

The property was purchased by the current owner just over a year ago and has since legally merged on title with the adjacent parcel to the north, municipally known as 23372

Wellburn Road and encompasses a 31.5 hectare (77.84 ac) farm. As a result of this legal merger, the interior lot line between the two properties is no longer applicable. Following the purchase, the owner proposed to install a new grain facility on the site. Although the current zoning, Rural Industrial (M2) technically permits these uses, one of the M2 provisions includes an 18m setback from any zone that is not Industrial.

After consulting with Municipal Planning Staff, it was determined that the most appropriate solution would be to rezone the land to a site-specific Agricultural (A) zone. This amendment will reflect the existing and proposed agricultural uses on the property and eliminate the artificial setback requirement triggered by the zone boundary.

ANALYSIS:

The 2024 Provincial Planning Statement (PPS) emphasizes the long-term protection of prime agricultural areas. The policies aim to maintain large, productive agricultural parcels and ensure that new development or land use changes do not conflict with or compromise ongoing agricultural operations.

The County of Middlesex Official Plan supports a range of agricultural related permitted uses in these areas. These uses must be compatible with surrounding farm operations and not compromise the long-term viability of agriculture. Overall, the policies aim to preserve large, contiguous areas of farmland while supporting the evolving needs of the agricultural economy.

The Thames Centre Official Plan places strong emphasis on the preservation of agricultural lands. Agricultural-related uses, such as those supporting farming activities (e.g., grain storage, processing), as well as on-farm diversified uses like agri-tourism and small-scale agricultural businesses, are permitted, provided they align with the primary agricultural function of the land. These uses must be compatible with the surrounding agricultural environment to maintain the productivity of the land. The overarching goal is to protect and sustain agricultural areas while allowing for complementary agricultural enterprises that support local farming economies.

The property to the North, 23372 Wellburn Road, was recently the subject of a surplus farm severance application (B17-24). This severed the dwelling at 23372 Wellburn road from the broader agricultural land which has now legally merged on title with 23364 Wellburn Road. As previously mentioned, the Rural Industrial (M2) zone requires an 18m setback from any zone that is not Industrial. Consolidating the properties into one site specific Agricultural (A) zone would eliminate that setback requirement entirely, allowing the existing and proposed farming operations to continue as desired.

The proposed zoning amendment to a site specific Agricultural (A) zone applies to the entirety of 23364 and 23372 Wellburn Road respectively and includes site-specific provisions to recognize:

- A reduced front yard setback from 25 metres to 17 metres for the structures fronting onto Wellburn Road; and,

- A reduced side yard setback of 11 metres where the single detached dwelling abuts the neighboring property not owned by the applicant.
- In addition, while the Agricultural (A) zone already permits a range of agricultural uses, grain elevator and drying facilities are not included. The site-specific amendment would allow for this permitted use as well as the rest of the permitted uses in the Agricultural (A) zone, reflecting the existing and intended agricultural business operations of the property owner.

The Thames Centre Official Plan requires 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 sitting of buildings;*

The existing buildings are to be utilized and the new additional facilities will require both Site Plan approval and a building permit which would address drainage as part of the application.

- *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 the preferred method of servicing development;*

The existing private sanitary sewage disposal and water systems are not proposed to be altered, and no change in the structures that they service is proposed at this time.

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

Impact to traffic is not expected as the rezoning is recognizing what is already on site. No change in use is proposed at this time.

- *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, being Wellburn Road and furthermore, the Director of Public Works identified no concerns in the circulation of this application.

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

The lot area and frontage of the proposed site-specific zone are appropriate as per provisions in the parent Agricultural (A) Zone; however, staff are of the opinion that the requested front yard and interior side yard setback are appropriate as they would recognize the existing situation and use of the lands.

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

Unacceptable adverse effects on surrounding uses are not anticipated considering the structures and uses would remain unchanged.

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

In summary, the proposed zoning amendment brings the entire subject lands into conformity, better reflects the existing and planned agricultural use of the property and supports the continued operation and growth of a local agricultural enterprise.

STRATEGIC PLAN LINK

Pillar: *Smart Planning*

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

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:

No Comment.

County Engineer:

No Comment.

ATTACHMENTS:

Location Map
Site Plan

Prepared by: Lindsay Nooren, Senior Planner

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

Reviewed by: D. Barrick, Chief Administrative Officer