



MUNICIPALITY OF THAMES CENTRE

PLANNING & DEVELOPMENT SERVICES

REPORT NO: PDS-063-23

FILE: Z29-23

TO: Mayor and Members of Council

FROM: Marc Bancroft, Director of Planning and Development Services

MEETING DATE: October 30, 2023

**RE: APPLICATION FOR TEMPORARY USE / ZONING BY-LAW
AMENDMENT**

**M & C BONTJE LTD. (MICHAEL AND CORNELIA BONTJE)
16760 WYTON DRIVE**

1. PURPOSE

The purpose and effect of this Application is to rezone the subject lands to permit the temporary occupancy of the existing single unit dwelling while a new single detached dwelling is being constructed.

2. BACKGROUND (see attached map)

The subject lands are a 1.4 hectare (3.5 ac) parcel situated on the north side of Wyton Drive west of Nissouri Road (County Road 27). The lands contain a single detached dwelling, and two accessory buildings in the form of sheds. The lands are designated Agricultural according to the Thames Centre Official Plan and are zoned Agricultural (A), which permits a variety of uses such as a single detached dwelling including a dwelling on an undersized lot (in accordance with Subsection 5.4.7). Surrounding uses are predominantly agricultural in nature.

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.

3. 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 west of the existing dwelling and is capable of meeting the setback requirements of the Agricultural (A) zone.

Furthermore, the subject proposal would ensure consistency with the Provincial Policy Statement, conformity with the Middlesex County and Thames Centre Official Plan and constitutes sound land use planning.

3.1 Agency Comments

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

3.1.1 County Engineer: No comment.

3.1.2 Upper Thames River Conservation Authority: No objections.

3.1.3 Director of Public Works: No comment or concerns.

3.1.4 Drainage Superintendent: No comment.

3.1.5 Chief Building Official: No comment.

3.2 Public Comments

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

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4. RECOMMENDATION

THAT the Application for a Temporary Use / Zoning By-law Amendment (Z29-23) filed by M & C Bontje Ltd. (Michael and Connie Bontje) for lands known municipally as 16760 Wyton Drive and legally described as Part of Lot 11, East Side of Railway, Concession 2 (geographic Township of West Nissouri) and designated as Part 1 on Reference Plan 33R-21600, be approved in principle subject to a maximum of three (3) years, provided the attached agreement is executed incorporating such further restrictions, terms and conditions as may be deemed necessary by the Municipality; and that the implementing Zoning By-law Amendment be passed by Council.

Prepared by: Marc Bancroft, Director of Planning & Development Services

Reviewed by: David Barrick, Chief Administrative Officer