



## MUNICIPALITY OF THAMES CENTRE

### PLANNING & DEVELOPMENT SERVICES

**REPORT NO:** PDS-065-23

**FILE:** B18-23

**TO:** Mayor and Members of Council

**FROM:** Marc Bancroft, Director of Planning and Development Services

**MEETING DATE:** October 30, 2023

**RE: APPLICATION FOR CONSENT**

**PAUL ANDREW SHACKLETON (APPLICANT)**

**PAUL RANDHAWA (AGENT)**

**1263 HARRIETSVILLE DRIVE & 5824 DORCHESTER R**

#### 1. PURPOSE

The purpose of the Consent Application is to convey a parcel of land to facilitate the severance of an existing farm generally into two equal halves.

#### 2. BACKGROUND (see attached map)

The subject property is an 81-hectare (200 ac) farm situated on the south side of Harrietsville Drive, on the north side of Avon Drive and on the east side of Dorchester Road. The north half of the farm contains a single detached dwelling (serviced by a well and septic system) known municipally as 1263 Harrietsville Drive and several farm buildings. The south half of the farm also contains a single detached dwelling (serviced by a well and septic system) known municipally as 5824 Dorchester Road. The farm is bisected by the Hunter Finch Drain which cuts across the southeast corner of the farm with adjacent lands being regulated by the Conservation Authority. This property is primarily used for agricultural purposes in the form of field crop cultivation except for the wooded areas located in the southeast quadrant of the farm.

This Application is being requested to allow the sale of the south half of the farm, which cannot occur without a consent under the Planning Act. Due to the north and south halves of the farm being in common ownership, the lands merged in 2017 to become a single lot. The lands to be severed would have a frontage of approximately 603 metres (1,980 ft) along Avon Drive and an area of approximately 41 hectares (100 ac). These lands contain the dwelling known municipally as 5824 Dorchester Road. Known municipally as 1263 Harrietsville Drive, the lands to be retained would have a frontage of approximately 573 metres (1,880.74 ft) along Harrietsville Drive and an area of approximately 40 hectares (99 ac). These lands contain a dwelling and a number of farm buildings.

According to the Thames Centre Official Plan and Zoning By-law, the subject lands are designated Agricultural and are zoned Agricultural (A) except for the wooded areas located in the southeast quadrant of the farm which is designated Protection Area and zoned Environmental Protection (EP). Surrounding land uses are predominantly agricultural in nature and used for the cultivation of field crops.

### **3. ANALYSIS**

The Provincial Policy Statement, the Middlesex County Official Plan and Thames Centre Official Plan generally permit lot creation in agricultural areas for agricultural purposes where farm lots are of a size sufficiently large to maintain productive and viable farm units. Both Official Plans also discourage the fragmentation of farmland unless new farm lots are at least 40 hectares in size. The foregoing would not be compromised given the size of both the lands to be severed and the lands to be retained would equal or exceed 40 hectares. Additionally, the proposed lots would be capable of complying with the minimum lot frontage and the minimum lot area requirements of the Agricultural (A) Zone.

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

#### **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 Kettle Creek Conservation Authority: No objection.

3.1.3 Hydro One: No comment or concerns.

3.1.4 Enbridge: There are service lines running within the area which may or may not be affected by the proposed severance. Any service relocation required due to this severance would be at the cost of the property owner.

3.1.5 Drainage Superintendent: No comment.

3.1.6 Director of Public Works: No comment or concerns.

3.1.7 Chief Building Official: No comments or concerns.

#### **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.

#### 4. RECOMMENDATION

**THAT** Application for Consent B18-23 requested by Paul Randhawa on behalf of Paul Andrew Shackleton, to facilitate the conveyance of a farm with the lot to be severed having an area of approximately 41 hectares, for lands legally described as Part of Lot 18, Concession 6, SRT (geographic Township of North Dorchester), Municipality of Thames Centre and known municipally as 1263 Harrietsville Drive and 5824 Dorchester Road, 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 for each consent. 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 fee of \$250.
2. That all applicable property taxes, municipal fees and charges be paid to the Municipality.
3. That all outstanding work orders or by-law enforcement issues be resolved to the satisfaction of the Chief Building Official.
4. That the necessary deeds, transfers and charges for certificates and /or instruments necessary for registration be submitted electronically prior to certification, all of which are to be fully executed.
5. That an electronic version of a deposited reference plan be submitted to legally describe the lands affected if required 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 would be met satisfied.
- The matters set out in Section 51(24) of the Planning Act would be satisfied.

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

Reviewed by: David Barrick, Chief Administrative Officer