



Meeting Date: August 16, 2023

Submitted by: Dan FitzGerald MPI MCIP RPP, Senior Planner

Report No: PLA-56-2023

Subject: Application for Zoning By-law Amendment (Z-9-2023) and Application for Consent Cancellation B-17-2023); 24072 Richmond Street and 14434 Sixteen Mile Road

Zoning By-law Recommendation:

THAT the Zoning By-law Amendment application, as filed by Jack Sousa on behalf of Shmuel Farhi, and recommended for amendment by staff in order to rezone the property known municipally as 24072 Richmond Street and 14434 Sixteen Mile Road from Surplus Residence (SR) and Agricultural – No Residences (A3) to the site-specific Agricultural (A1-#) zone, be **APPROVED**; and that the zoning by-law be brought forward following the merger of the two lots subject to the zoning by-law amendment and confirmation from the applicant's solicitor that the severed lot of Consent B-5/16 may not be transferred without a further consent from the Municipality.

Consent Cancellation Recommendation:

THAT as permitted under section 53(45) of the Planning Act, the Clerk be authorized to issue a Certificate of Cancellation confirming that Subsection 50(12) of the Planning Act does not apply in respect of the land, and that Subsection 50(3) or (5) applies to a subsequent conveyance or other transaction involving the land, authorizing the lands to remerge while removing their rights to be conveyed without further future consent.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding a rezoning proposal for a property located at the northeast corner of the intersection of Richmond Street (Highway No. 4) and Sixteen Mile Road. A location map is included in Attachment 1.

Background:

The purpose of the zoning by-law amendment application is to rezone a residential lot and retained farm of a surplus farm residence severance from Surplus Residence (SR) and Agricultural – No Residences (A3), respectively, to the Agricultural (A1) zone. The owners

intend to merge the two properties for the purposes of permitting livestock as well as an expansion to the existing single detached dwelling.

Analysis:

The subject land is designated Agricultural Area according to the County of Middlesex Official Plan and Agriculture by the Middlesex Centre Official Plan. The applicants completed a surplus farm residence severance in 2016, which included a rezoning of both the severed and retained lots in order to recognize the residential use of the former and prohibit new dwellings from being constructed on the retained farm. The severed lot contains a single-detached dwelling. The retained farm contains a number of buildings, including a horse barn and run-in sheds. The applicants would like to merge the severed and retained lots and rezone the farm back to the Agricultural (A1) zone with the intent of re-establishing the horse stalls within the barn while also permitting an addition to the single detached dwelling.

Staff is supportive of the request as it would reinstate the dwelling as a farm residence on the land and permit agricultural activities, including equestrian uses, to be carried out in an agricultural area of the Municipality and on a property that has historically accommodated these uses. I have reviewed the proposal against MDS and have found no potential conflicts. Staff recommend that the land be rezoned to a site-specific Agricultural (A1-#) zone in order to recognize the property's 79.5 metre (260.8 ft) lot frontage along Elginfield Road (Highway No. 7) and 31.6 hectare (78.1 ac) area.

It is recommended that the implementing by-law be brought forward following the issuance of the certificate of consent, and merger of the two lots subject to the zoning by-law amendment and confirmation from the applicant's solicitor that the severed lot of Consent B-5/16 may not be transferred without a further consent from the Municipality.

Financial Implications:

None.

Strategic Plan:

N/A

Attachments:

1. Location Map