

**Meeting Date:** October 24, 2018  
**Submitted by:** Kelly Henderson, Planner  
**Report Number:** PLA-59-2018  
**Subject:** Application for Zoning By-law Amendment (ZBA 21 2018); filed by Anibal Sanchez, 21347 Vanneck Road

---

**Recommendation:**

THAT the Zoning By-law Amendment application, filed by Anibal Sanchez in order to permit two single-detached dwellings on one property for up to two years while a new residence is being constructed on the land, be approved, and that the Owners be required to enter into a Temporary Use Agreement with the Municipality and submit a deposit of \$10,000 to ensure that the removal of the existing residence occurs.

**Purpose:**

The purpose of this report is to provide Council with a recommendation regarding a rezoning proposal for a property located on the west side of Vanneck Road and north of Sunningdale Road West.

A location map is included as Attachment 1.

**Background:**

The purpose and effect of the Zoning By-law Amendment application is to permit two single-detached dwellings on a rural residential lot for a period not to exceed two years while a new residence is being constructed on the land. The existing residence would be removed upon the expiration of the two year period or the occupancy of the new single-detached dwelling; whichever occurs first.

The subject property currently contains a single detached dwelling and barn, is serviced by private services and has access onto Vanneck Road.

A concept of the proposal is included as Attachment 2.

**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 land is zoned Agricultural (A1) by the Middlesex Centre Comprehensive Zoning By-law.

Section 39 of the *Planning Act* allows the Municipality to authorize the temporary use of land, buildings or structures for any purpose that is otherwise prohibited by the Comprehensive Zoning By-law up to a maximum of three years. Section 10.11 of the Middlesex Centre Official Plan authorizes Council to pass temporary use by-laws provided that the proposed use is compatible with the surrounding area; adequate services exist for the proposed use; access, traffic and parking are addressed; and that the use being proposed conforms to the Official Plan, among other items.

The effect of the application is the replacement of a single-detached dwelling with a new residence, which is a use that is permitted in this location by the Middlesex Centre Official Plan. The new dwelling would continue to utilize private services, specifically a septic system and water well. There is no anticipated increase in traffic or parking requirements.

Staff note that a security deposit in the order of \$10,000 is being requested through a temporary use agreement between the applicants and the Municipality in order to ensure that the existing residence is removed upon completion of the new dwelling.

**Consultation:**

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements of the Planning Act.

**Public Comments:**

At the time of writing the subject report, no comments or concerns had been received from the public regarding this proposal.

**Agency Comments:**

The following comments were received at the time of writing this report;

The Municipality of Middlesex Centre's Director of Building and Planning, Corporate Services and Public Works and Engineering Department have advised of no concerns or requirements for the subject application.

Given the above, planning staff are recommending that the subject application be approved.

This opinion is provided prior to the public meeting and without the benefit of potentially receiving all comments from agencies or members of the public. Should new information arise regarding this proposal prior to or at the public meeting, the committee is advised to take such information into account when considering the application.

**Financial Implications:**

None.

**Strategic Plan:**

N/A