

**Meeting Date:** August 6, 2024  
**Department:** Building, By-law, and Planning  
**Report No.:** BBP-2024-97  
**Submitted by:** Tim Williams, Manager of Planning  
**Approved by:** Jennifer Huff, Director of Building, By-law and Planning  
Trisha McKibbin, Chief Administrative Officer  
**SUBJECT:** Applications for Official Plan Amendment (OPA 3-2024) and Zoning By-law Amendment (ZBA 5-2024)  
Owner: 2102603 Ontario Inc.

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**RECOMMENDATION: THAT:** the subject report BBP-2024-97 for Official Plan Amendment 03-2024 and Zoning By-law Amendment 5-2024 be received for information.

## EXECUTIVE SUMMARY:

- This is an information report that provides background for the statutory public meeting and seeks comments from the public and Council. The proposal may then be amended, or additional information provided to address comments before a planning evaluation report is presented to Council.
- The applications propose two 7-storey apartment buildings containing a total of 160 units. The development will be accessed from Saxton Road and through a network of private roads internal to the shopping centre which connect to Adelaide Road and Carrol Street East.
- The proposal requires an official plan amendment which seeks to redesignate the property from “Commercial” to “Residential”. The application for zoning by-law amendment seeks to amend the zoning for the subject lands from “Highway Commercial (C2) zone” and site specific “Highway Commercial (C2-13) zone” to a site specific “High Density (R3-#) zone”. The site-specific zone provisions would recognize the proposed:
  - side yard setback of 0.1 m and 1.9 m to an accessory structure (covered parking) whereas 3 m is required,
  - lot area of 113 m<sup>2</sup> per unit whereas the by-law requires 130 m<sup>2</sup> per unit is required,
  - accessory building coverage 25.3 m<sup>2</sup> per unit whereas 10 m<sup>2</sup> per unit is permitted
  - parking coverage of 38.3% whereas 25% is required,

- visitor parking provided 14 parking spaces whereas 24 parking spaces are required,
- tenant parking provided 186 parking spaces whereas 200 parking spaces are required, and
- building heights of 27 m whereas 15 m is the maximum permitted.
- A public open house was held on May 28, 2024.
- The Planning Department continues to receive comments from agencies, departments and the public on the application and will advise the applicant of any additional outstanding details prior to coming back to Council with a recommendation.

**PURPOSE:**

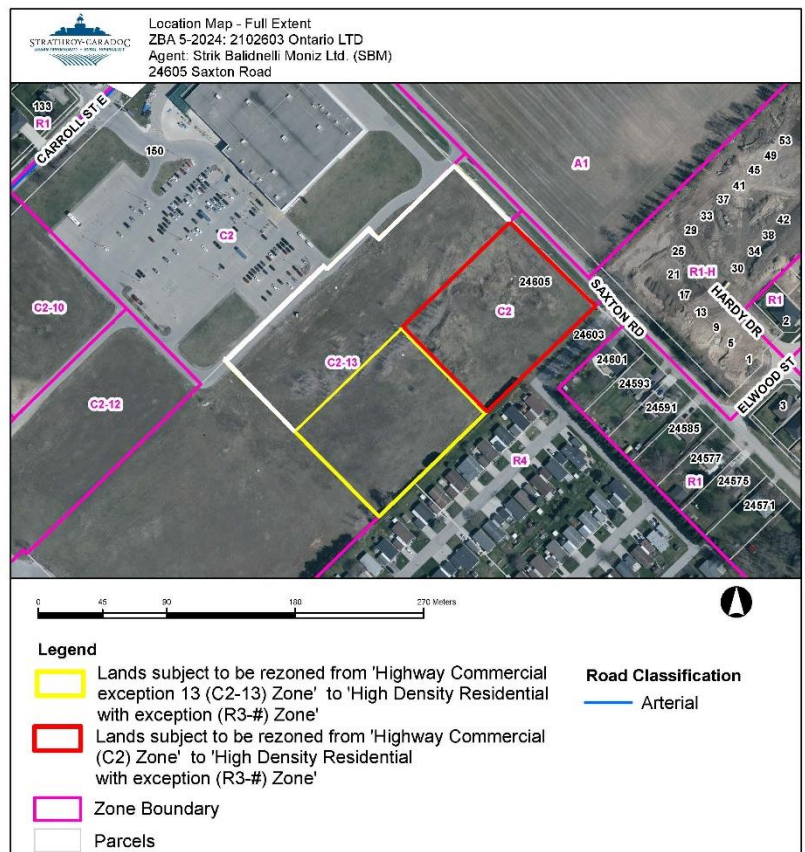
The purpose of the subject information report is to provide Council and the public background information on the proposed official plan amendment (OPA) and zoning by-law amendment (ZBA) to accompany the scheduled public meeting on the August 6, 2024, Council Meeting. The public meeting seeks to collect comments from the public and Council. The proposal may then be amended, or additional information provide to address comments before a planning evaluation report is presented to Council.

**SITE CONTEXT:**

The lands are municipally known as 24605 Saxton Road, Strathroy and is part of a larger property that extends to the existing private road adjacent to the Walmart property. Subject site area is approximately 1.822 ha (4.5 ac) in size with approximately 86.3 metres of frontage along Saxton Road. The lands are currently vacant of buildings and not used. The property is located on the southwest side of Saxton Road at south end of Strathroy.

These lands are currently designated for commercial development within the Official Plan and are within the 'Highway Commercial (C2) zone' and within the site-specific 'Highway Commercial (C2-13) zone'.

The lands have municipal water and sanitary running within Saxton Road. Saxton Road is a local municipal road that is owned and operated



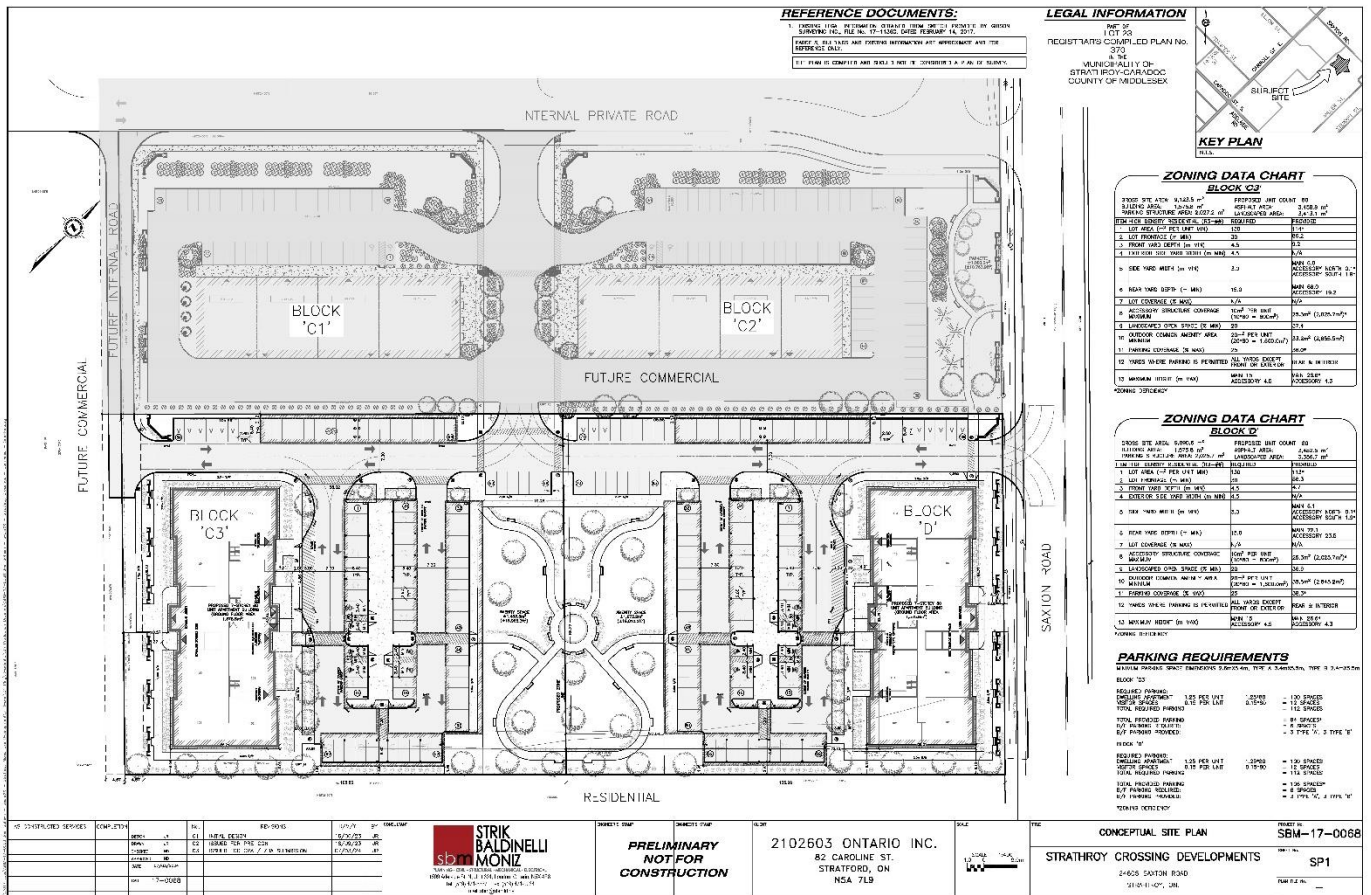
by Strathroy-Caradoc. Adelaide Road and Carroll Street (directly north and west of the site) are County Road owned and operated roads. A larger location map is found in Attachment #1 below.

**PROPOSAL SUMMARY:**

The purpose of the subject official plan and zoning by-law applications is to facilitate the development of two 7-storey apartment buildings containing a total of 160 dwelling units on a private driveway with a mostly covered surface parking lot. The proposal includes 200 parking spaces of which 14 will be visitor parking spaces. The proposal includes an access from Saxton Road to the parking areas as well as future internal connections to the remainder of the shopping centre. Approximately 3,156.7 m<sup>2</sup> of common amenity space is proposed between the parking areas for the buildings. One building is setback 6 metres from the Saxton Road frontage. The second building is set deep on the lot 10.57m from the rear lot line. The buildings each have roof top amenity area with a void to the south to reduce the overlook on existing residential dwellings to the southeast of the property.

Applications for OPA and ZBA were received concurrently and deemed complete on July 12, 2024, and full details on the application material submitted can be found in Attachment #3 below.

The current site plan is shown below and is included as Attachment #2 to this report.



## TECHNICAL DISCUSSION:

Staff and the applicant have worked through a few issues during the pre-consultation process however the following issues still remain. It is recommended that these items either need to be addressed prior to bringing the item back to Council or potentially some may need to be addressed as “Hold” in the zoning. Outstanding issues include:

- 1) The property currently lacks an outlet for stormwater until the new municipal drain is constructed to the west of the subject site. The proposal aims to capture and infiltrate the water as well as convey water to the existing SWM infrastructure however municipal engineering have concerns with this approach. It is noted that the Strathroy Crossings Drain is currently under construction.
- 2) It is unclear if the existing 250mm watermain can support the proposed apartments from a fire suppression need. Additional information is requested.
- 3) The applicants have provided a joint agreement that involves all owners within the Strathroy Crossing area. The agreement is primarily for maintenance and easement purposes, but it also addresses uses of the property including restricting development of the lands as follows: “*so that the Lands shall appear for all purposes to constitute an integrated and unified retail shopping centre*”. The agreement also addresses compliance with the parking requirements of the zoning by-law. Although the agreement has been submitted, the applicants have not yet confirmed how this has been addressed.
- 4) A single access to Saxton Road is proposed, with future access points planned for the rest of the plaza once developed. Staff are concerned that these additional access points, despite being planned, depend on other lands that have had site plan approval for years but remain undeveloped. Additional information will be required and the secondary access points will need to be addressed at site plan approval.
- 5) The parking reduction justification is missing some of the required details. The technical comment below (attachment 4 below) describes the outstanding information in more detail, but in summary, information about the surveyed municipalities in their study is missing and off-site parking is found in the technical comments.
- 6) The impact of the proposed height on the adjacent Parkbridge Community needs to be outlined in more detail. The proposed height is 27 metres and the justification has referenced shadow impacts but not provided the supporting documentation. The justification report references no balconies facing the southwest however the elevations show wrap around balconies. Greater details are found in the technical comments.
- 7) The redesignation of the subject site from a commercial to residential designation will lead to the removal of one of Strathroy’s prime commercial properties. The planning justification states that this change would result in a reduction of 85 jobs coming from the lands. While it is acknowledged that there is an excess of lands designated for commercial use and a demand for residentially designated lands, there are few areas that include larger contiguous blocks that are

part of planned commercial centre, such as the subject site. The planning justification should clarify why this property is deemed most suitable for redesignation to residential use.

- 8) Staff have not yet received the results of the peer review of the Noise Study and Traffic Study.

All technical comments are detailed in Attachment 4 below.

## **PUBLIC CONSULTATION SUMMARY:**

### Public Open House

A Virtual Neighbourhood Open House was held on May 28, 2024. There were members of the public who attended the meeting as well as staff to observe. The comments and concerns related to a number of topics, from access to municipal services (Stormwater management), tenure of the building, the side yard setback to the apartment building, traffic/parking, concern about impact on the character of the neighbourhood, too close to Saxton Road, Saxton Road is not high enough quality to take the additional traffic, concerned about the density and proposed building height (adjacent to single storey dwellings, highest in the Strathroy and overlook).

Staff notes from the Open House, as well as meeting minutes are included in Attachment 5 below.

### Statutory Notice Requirements

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act. This included the circulation of the Notice of Public Meeting (which also served as the Notice of Complete Application and Notice of Application for the zoning by-law amendment) which included details of the application, a copy of the site plan, and a location map.

On July 12, 2024, the Notice of Public Meeting was circulated to property owners within 120 metres of the subject property, two signs were posted on the property as well as circulated agencies and departments.

Comments received and responses are detailed in Attachment 5 below.

Copies of the Notice of Application is included in Attachment 7 below.

## **PLANNING CONSIDERATION:**

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement and the County of Middlesex Official Plan. The lands are designated “Commercial” under the Strathroy-Caradoc Official Plan. The subject lands are within the ‘Highway Commercial (C2) zone’ and within a site-specific Highway Commercial (C2-13) zone’.

Further detail is found the Planning Policy Background, provided in Attachment 6 below.

## **FINANCIAL IMPLICATIONS:**

This application would have a positive impact on assessment growth and tax revenues over the current vacant parcel. The amount of increase is dependent on the assessed value of the dwellings on the properties which review is completed by the Municipal Property Assessment Corporation (MPAC). Financial Services will work with Planning Staff to collect any required security deposits / bonds related to the potential development.

The Municipality will also receive Development Charges as per the most recent Development Charge By-law and subsequent indexing / phasing. Upon building permit issuance, Finance Department will help calculate the development charges, subject to any credits or exemptions, or reductions, if they arise at that time.

The Municipality will also receive building permit fees as per the most recent Building Fees and Charges By-law. The amount of building permit fees collected will be determined upon the refinement of the building plans during preparation of the permit application.

Ultimately, upon the substantial completion of the development, the municipality will assume any new infrastructure found on municipal streets (if any), as new assets that will require a commitment for future maintenance. However, as this development will remain under private ownership, the Municipality will not be assuming the internal streets and infrastructure.

## **STRATEGIC PLAN ALIGNMENT:**

This matter is in accord with the following strategic priorities:

- 1) *Economic Development, Industry, and Jobs:* Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.

## **SUMMARY AND NEXT STEPS**

The intent of the subject report is to provide Council and the public with information regarding the proposed development, the relevant policies and regulatory context, and to summarize comments received by the public and agencies to date.

A subsequent report will be provided and will include a full policy analysis and responses to comments received related to the OPA and ZBA applications. The ZBA will receive a final decision by Strathroy-Caradoc Council. The OPA will receive a decision by Strathroy-Caradoc Council which will be forwarded to County Council for a final decision.

## **ATTACHMENTS:**

Attachment No. 1 – Location Map

Attachment No. 2 – Site Plan

Attachment No. 3 – Application Summary

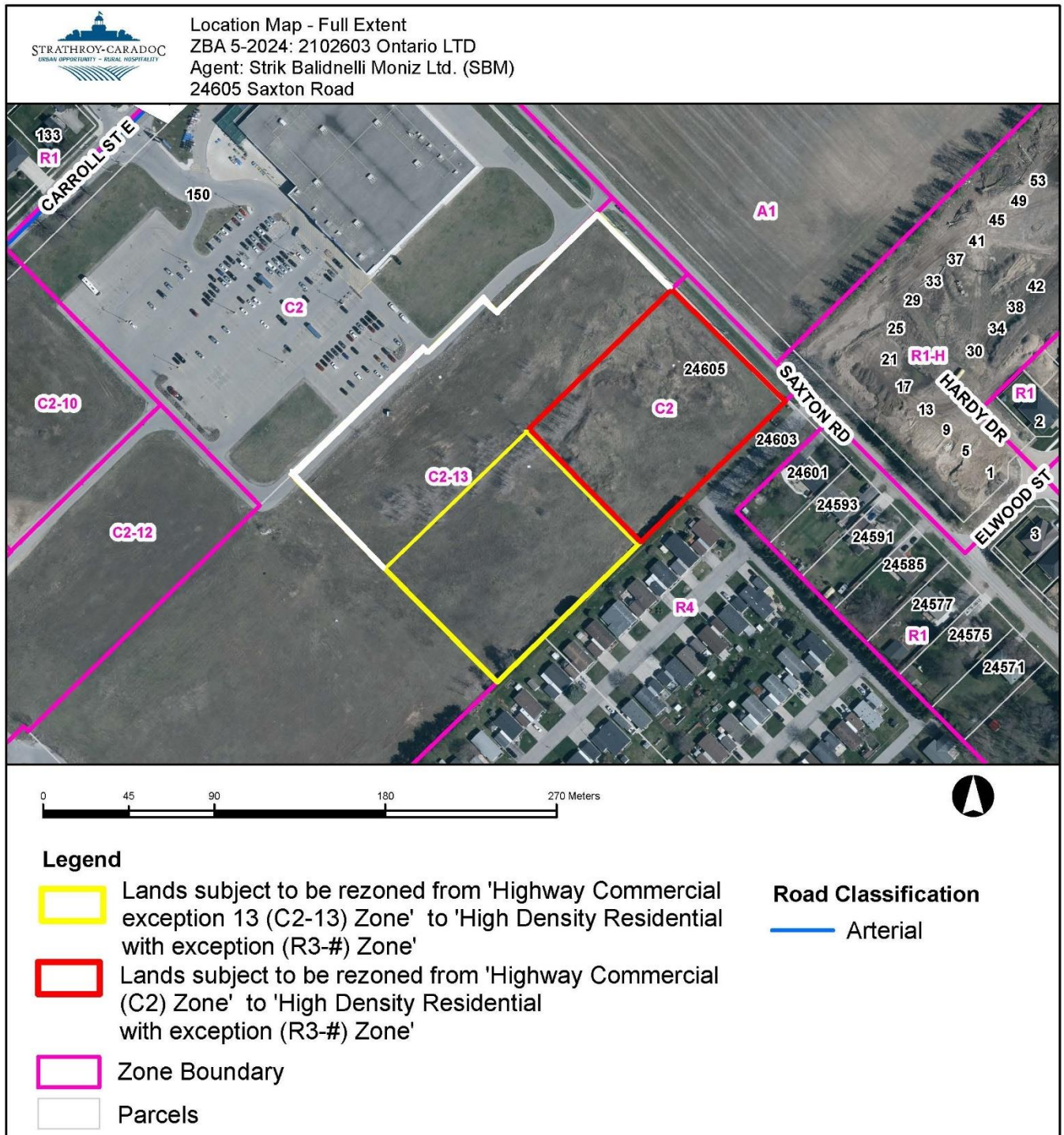
Attachment No. 4 – Technical Comments

Attachment No. 5 – Public Consultation details

Attachment No. 6 – Planning Policy Background

Attachment No. 7 – Notice of Complete Application /Public Meeting / Notice of Application

# Attachment 1: Location Map







### Attachment 3: Application Summary

There is a long planning application history for properties owned by this developer.

- 2012 - Blocks A and B were the subject of a rezoning application in 2012, which resulted in the property being rezoned to a site specific 'Highway Commercial (C2-10) zone' to permit additional uses including large format retail with a minimum floor area of 464.5 square metres, 5 retail stores with a minimum of 88 square metres in floor area and a financial institutional with a minimum floor area of 371.6 square metres.
- Spring 2017 - Consent applications (B7/2017 and B8/2017) for easements and severance were applied for but deferred by the Committee of Adjustment in 2017.
- Fall of 2017 - variance approval for Block C is final and binding (A33/17).
- 2018 – incomplete OPA and Zoning Amendment applications filed for Block C3 to convert to residential.
- Summer of 2018 - Minor Variance & Site Plan applications were submitted for Blocks A, B and C with the variance applications for Block A and B being placed on hold by the applicant. Site Plan application was never complete.
- B13-19-2020 – Consent for servicing easements. Complete and finalized in March 2023.
- SPA6-2020. Site plan approval applications have been submitted for Blocks A and B which have been put on hold by the applicant. For Block C3 the site plan approval application is under review. For Block C1 and C2 the site plan approval has been finalized. Site Plan Agreement executed April 2022, approval has now lapsed.
- In 2020 two building permits applications were made for Commercial buildings however fees for the permit were never paid.
- July 15, 2019 – ZBA application is approved to amended the C2-10 zoning and create the C2-2 and C2-13 zoning.
- 2020 – OPA and ZBA applications for a single apartment on Block D, the applicant withdrew the application prior to submitting a complete application.
- SPA 6-2022 – site plan approval for a mixed use building (hotel and residential), block D
- Minor Variance application A/32/22 (to address zoning deficiencies for mixed use building – hotel / residential)
- OPA 3-2024 and ZBA 5-2024 – current applications for two residential apartment buildings.

Specifically, this application was submitted in 2024, in addition to the application forms, the submission included the following support documents:

- Concept Site Plan, dated Mach 7, 2024, by SBM Inc.;
- Building Elevations, dated June 6, 2023, prepared by SBM Inc.;
- Traffic Impact Study, dated February, 2024, by SBM Inc.;
- Environmental Noise Assessment Report, dated February, 2024, by SBM Inc.;
- Planning Justification Report dated March 14, 2024, by SBM Inc.;
- Servicing Feasibility Study, dated February 9, 2024, by SBM Inc.; and
- Easement and Operating Agreement for The Strathroy Crossings Lands.

The application was submitted, and payment received on March 19, 2024, the application was deemed complete on July 12, 2024, the open house was held on April 24<sup>th</sup>. The public meeting is scheduled for August 6, 2024. A report to Council evaluating the application will follow. The Planning Act sets out a 120 day timeline for combined official plan and zoning by-law amendment applications.

Considering recent changes to the Planning Act that clarified that planning refunds apply only to applications that were submitted before Bill 185 came into force (being June 6, 2024), the application remains subject to the requirement to refund planning fees if application timelines are not met. Accordingly, when a decision is not made within 120 days (July 17<sup>th</sup> in this case) the applicant would receive a refund for part of the application fees (50% of the fee 0 to 59 days beyond the July 17<sup>th</sup> date, 75% of the fee 60 to 119 days beyond the July 17<sup>th</sup> date and 100% for applications 120 days beyond the July 17<sup>th</sup> date).

## **Attachment 4: Technical Comments**

St. Clair Region Conservation Authority advised that the site is not within the regulated area.

Chippewas of the Thames First Nation: advised that they have minimal concerns with the proposed amendments. However, moving forward we would like to be engaged at the planning stage prior to development to ensure COTTFN is notified of archaeology and environmental surveys.

County Engineer has advised that they have no objection to the official plan amendment or zoning by-law amendment application. It is acknowledged that the County Official Plan contains a policy that developments such as this should have two access points there are private roads this will be confirmed and secured during the site plan approval process.

Fire Chief has advised that they have no objection to the official plan and zoning by-law amendments. They will have comments on this site plan when the application is submitted. Specifically but not limited to access, turning radius on all roads, widths and fire route marking widths and locations of sprinkler room, Fire department connection. If there are any grade elevation changes on the road entrance & exit as well we would need the degree change over run.

Municipal Engineering Comments advised the following comments need to be addressed:

- Sanitary servicing capacity needs to be confirmed as part of the ZBA, servicing details can be addressed at SPA.
- Further information is request for the water servicing, it's unclear if the existing 250mm watermain can support the fire suppression needs. It's understood that the exact fire suppression layout is not known at this time but if the existing watermain cannot support the system once its designed, it needs to be understood how this will be addressed now. (Planning Act requires service capacity to be addressed at time of zoning by-law amendment.)
- There reports do not address a stormwater outlet for the site. Its assumed (but needs to be confirmed through the servicing report) the site will utilize the Strathroy-Crossings municipal drain but it's unclear if the storm flows can be controlled sufficiently to meet the maximum flow rate assigned to this property through the drain design process.
- Site plan matter, the future road to the southwest should be constructed as part of this development if its proceeds before the commercial area.

Director of Community Services advised that the parkland required is 5% for residential developments however, given the size of the dedication it is more appropriate for this development to provide a cash in lieu of parkland.

Director of Planning and Building advised that the Strathroy-Caradoc Strategic Plan (or the SCOP) includes, the support for the provision of attainable housing options. The dwelling type proposed as part of this application will help address the need in Strathroy for a more diversified housing stock. The

benefits with the potential development of new residential opportunities may be considered alongside the potential negative impacts associated with the removal of a large parcel of land within a key commercial node in Strathroy on local employment and commercial taxation revenue opportunities. Further, staff have responded to numerous applications over the years, none of which have ever resulted in the construction of new buildings. The commitment of the owner to develop the lands is unknown at this time.

Prior to the application being brought back to Council, staff have requested additional information on a number of items which should be addressed by the application

Further, it is recommended that consideration be given to the use of a “Holding” symbol until such time as an adequate stormwater management solution has been approved by the Municipality given that the property will be relying on an “under construction” storm outlet, depending on the timing of the development and the completion of the outlet.

Finally, as Bill 185 has now been granted Royal Assent, appeal rights have been further modified such that only prescribed bodies and the applicant may appeal a zoning by-law amendment or official plan amendment application.

**Planning comments:**

- The applicants have provided a joint agreement that involves all owners within the Strathroy Crossing. The agreement is primarily for maintenance and easement but it also addresses uses of the property including restricting development of the lands as follows: “*so that the Lands shall appear for all purposes to constitute an integrated and unified retail shopping centre*”. The agreement also addresses compliance with the parking requirements of the zoning by-law. Although the agreement has been submitted, the applicants have not yet confirmed how this has been addressed.
- A single access to Saxton Road is proposed, with future access points planned for the rest of the plaza once developed. Staff are concerned that these additional access points, despite being planned, depend on other lands that have had site plan approval for years but remain undeveloped. Additional information will be required and the secondary access points will need to be addressed at site plan approval.
- The applicants have submitted that the parking reduction is justified based on a survey of parking standards in other municipalities, although the identity of these municipalities have not been specified. Staff acknowledge that lower parking standards can be found in southwestern Ontario, however, they tend to be in areas served by transit or in downtown cores. The applicant has noted that the apartment units will cater to a “higher end” demographic, which typically owns more vehicles. It is also noted that if on-site parking is unavailable, alternatives are limited. Reference, during the open house, was made to parking on adjacent commercial properties, however staff consider this option to be unreliable for a variety of reasons.

- The proposed location of the 7-storey buildings is 6 m from the lot line adjacent to Parkbridge Community which is greater than the 3 m setback required in the zoning by-law. However, typically greater setbacks are required for apartment buildings, although this is not currently captured in the current zoning by-law and a 12-metre height increase is being proposed in this case. The applicant justifies the placement of the apartment by noting that each building will only have 28 units with windows facing the area, no balconies, and the outdoor amenity space is not in this (southeast) section of the roof top. However, balconies wrap around the corners of the building providing direct view southeast toward the Parkbridge Community and 28 units with windows facing this direction is considerable.

The planning justification further states that the proposed building will not cast shadows on adjacent sensitive land uses, but a shadow study to confirm this has not been included. Staff have reviewed other shadow studies in the immediate area over the years, and if similar angles were applied here, indicate shadows would be cast on the Parkbridge Lands starting around noon on June 21<sup>st</sup> and 2 pm on March and September 21<sup>st</sup>.

The separation from building face to face (apartment building to existing homes) is approximately 18 metres. A 27-metre tall building would exceed a 45-degree angular plane from the main rear wall of the existing dwelling, which is commonly used to assess impact.

Given these considerations, additional information, such as a cross-section illustrating mitigating factors and a shadow study, will be crucial to understand the impact of increased height on this interface.

- The redesignation of the subject site from a commercial to residential designation will lead to the removal of one of Strathroy's prime commercial properties. The planning justification states that this change would result in a reduction of 85 jobs coming from the lands. While it is acknowledged that there is an excess of lands designated for commercial use and a demand for residentially designated lands, there are few areas that larger contiguous blocks that are part of planned commercial centre, such as the subject site. The planning justification should clarify why this property is deemed most suitable for redesignation to residential use.

## Attachment No. 5 – Public Consultation details

As part of the official plan amendment and rezoning by-law amendment applications an open house and public meeting are to be held. The open house was held on April 24, 2024. This report is prepared to be alongside the public meeting held on July 2, 2024.

### Open House

The virtual public open house was held by the applicants with members of the applicant team, the public, municipal Councillors, and staff. The meeting could be summarized as follows (responses were provided by the applicant during the meeting):

- Concern about access to municipal services specifically stormwater management.
  - Response: the municipality is actively working on this issue with a new municipal drain to be constructed this year.
- Concern about who this building is being marketed to.
  - Response: The building is proposed to be marketed to seniors and mature families that would be interested in a higher end product.
- Concern: the setback from the apartment building to the adjacent dwellings. Confirmation that accessory structure will be less than 2 m from the property line
  - Response: Confirmed that the apartment building will be setback 6 m and that the outdoor amenity area on the road is not located at this end of the building. Further confirmed that the accessory building was the covered parking lot structure.
- Concern: The proposal will increase traffic in the area that is already busy
  - Response: The area was designed with commercial traffic from this property which would during certain times of the day have a greater traffic generation. It is noted also that Saxton Road is scheduled for improvements this year.
- Concern: The proposal is requesting a parking reduction which will impact the surrounding area parking supply
  - Response: The demand for parking is expected to be lower given the proximity to commercial uses. (Staff comment: there was reference to allowing over flow parking on commercial lands by the applicant however this would not be supported by planning staff as the ownership of the two uses would be different and has not yet been constructed).
- Concern: The proposal will be 7 storeys which is greater in height than any other building in Strathroy, this will impact the character of the neighbourhood.
  - Response: The height increase will ensure that the property is appropriately intensified.
- Concern: The proposed building is too close to Saxton Road,
  - Response: It is considered good built form to construct the building forward to the street to strengthen the streetscape and provide a similar setback to other buildings at the street.
- Concern: Saxton Road is not high enough quality to take the additional traffic,
  - Response: Saxton Road is slated for improvement later this year.
- Concern: concerned about the proposed density of just under 100 units per acre (UPA).

- Response: The proposal includes intensification that is encouraged by the Provincial Policy Statement as well the local and County Official Plans,
- Concern: The proposed building height (adjacent to single storey dwellings, highest in the Strathroy and overlook).
  - Response: This answer is covered in the setback response and the density concern. The development will be providing a housing product that is in demand and in limited quantity in Strathroy.

## Open House Minutes



## MEMO

<b>To:</b> Tim Williams	<b>From:</b> Jamie Robertson
<b>Company:</b> County of Middlesex	<b>Company:</b> Strik, Baldinelli, Moniz Ltd.
<b>Address:</b> 399 Ridout Street North London, ON, N6A 2P1	<b>Address:</b> 1599 Adelaide Street North, #301 London, ON, N5X 4E8
<b>Date:</b> July 24, 2024	<b>Phone:</b> (519) 471-6667 x 167
<b>Our File:</b> SBM-17-0068	<b>Email:</b> <a href="mailto:jrobertson@sbmltd.ca">jrobertson@sbmltd.ca</a>

**RE: Public Open House (Virtual) Meeting Summary – May 27, 2024**

Thank you for attending last evening and the following is a summary of the abovementioned public meeting:

- ATTENDANCE:
  - 10 notices were sent to surrounding landowners;
  - 27 households registered for the event.
  - Approximately 9 households provided comments/questions at the meeting.
  - 1 household registered but missed the meeting and requested to be provided with meeting information.

The Project Team comprised of:

- Jamie Robertson & Nick Dyjach, Strik Baldinelli Moniz Ltd. (SBM)

Observing the meeting were:

- Tim Williams (Manager of Planner, County of Middlesex, Strathroy-Caradoc)
- Jennifer Huff (Director of Buildings & Planning, Strathroy-Caradoc)
- Jake DeRidder (Senior Development Co-ordinator, Strathroy-Caradoc)

The meeting began at 6:00 pm.

The Project Team provided a short presentation of the general planning process and proposed development.

Each attending household was given an opportunity to make comments and ask questions from the Project Team.

The following summarizes the comments or issues that were heard, and the responses given during the open house:

- **Traffic/Parking:** Questions related to the increase of traffic to Saxton Road, and the safety of the Saxton Road and Carroll Street intersection. Road and intersection improvements are required to make this area safer. Concerns regarding the amount of provided parking and visitor parking overflow for a “Travel Town”.

**Response:** A Traffic Impact Study (TIS) has been completed in the fall of 2023, to the Terms of Reference agreed upon by the Municipality and County. The study looked at various peak time traffic data and background traffic information. The study concluded that the proposed development would not increase



traffic levels beyond the acceptable levels of service for Saxton Road and the Saxton and Carroll intersection.

There are intentions from the Municipality to complete Saxton Road improvements. Jennifer Huff confirmed that Tender was out for bid and will be going to Council this year with construction by end of the year. There are no current plans for intersection improvements for Saxton at Carroll.

The TIS also provided comment on the parking reduction as requested. Current parking standards in Strathroy are higher than the average of many other municipalities. The TIS concluded that the proposed parking rates (approximately 1:1) would be sufficient for the proposed development. There would also be opportunities to provide overnight overflow parking to the adjacent Commercial parking lot also located on 24605 Saxton Road (under the same ownership). Saxton Road would not be used for overflow parking.

- **Proposed Building Height:** Several landowners shared concerns with the proposed height of 7 storeys. Additionally, comments were made indicating a sense of cramming buildings into a small lot creating density. Concerns were raised regarding the aesthetic appeal and cohesiveness of the area due to the proposal.

**Response:** The proposed height is meant to provide a more Urban style development within the existing urban area. The subject property provides an excellent opportunity to locate people in close proximity to existing amenities and provide pedestrian connections to shopping.

The proposed building design is to be of higher end materials to provide an appealing aesthetic. The buildings are also aiming to provide a boundary from the Commercial Urban area to the residential area.

- **Stormwater Management:** Concern for drainage was raised as existing stormwater issues are present to developed lands south of the proposed development.

**Response:** Full engineering is to be completed during the Site Plan process. Municipal regulations will be followed to ensure stormwater is managed on site and post development water run off matches or is reduced to the pre-development rates.

- **Tenure of proposed Units:** Concern that units may be rentals.

**Response:** The intent is to create condo units that are owned by the residents. They are not geared towards pure rentals.

- **Disappointment Council Members were not present:** One resident stated they were disappointed that Council was not in attendance for this open house.

**Response:** This was addressed by Tim Williams. The meeting was organized per availability of Council to attend. Unfortunately, an emergency council meeting arose, and council was unable to attend.

The following are some general questions that were asked:

- **Construction Date if approved:** When would shovels be in the ground if the proposal were to be approved?

**Response:** The Official Plan and Zoning timing is the fall. If approved the Site will still need to go through the Site Plan Application process. Reasonably expect a year before and development construction to begin.

- **Accessory Structure Height:** A participant misheard and wanted to confirm that the accessory parking structure was not 27m tall.

**Response:** The accessory parking structure (roofs over parking spaces) is not 27m, that is the requested height for the proposed 7 Storey apartment buildings. The parking structure height is 4.3m.

- **Confirmation of fully Residential:** Confirmation question that the proposal is all residential and no commercial is proposed on the development lands.  
**Response:** *The Official Plan and Zoning By-Law Amendments are only for Residential development.*
- **Internal Road Connections:** One participant inquired regarding the timeline for creating a road connecting to Canadian Tire.  
**Response:** *The lands between the existing Canadian Tire and the subject lands are not owned by the applicant. Future connections through those lands will be dependent upon the landowner and their intent on future development.*
- **Other lands owned by the Applicant:** It was asked if the applicant owns other lands in the commercial block and whom they should contact regarding people parking in undeveloped portions of the commercial lands.  
**Response:** *The applicant does own other commercial land within the immediate commercial node. This could be a parking by-law enforcement issue; the owner will be notified that people are parking in non-developed areas.*
- **Demographic and Unit Range:** Are the units high-end and which demographic are they intended for.  
**Response:** *The units are intended to be "higher end", but no specific targeted demographic is intended currently.*
- **Electric Vehicle Support:** Will plug in parking spaces be created for the residents.  
**Response:** *EV parking has not explicitly been proposed at this time. There may be opportunity to explore as the development progresses.*
- **Information on Public Meeting:** Request for getting information for the public meeting.  
**Response:** *The municipality will provide required notice of the statutory public meeting.*

The meeting concluded at 7:20 pm.

Respectfully submitted,

Jamie Robertson

### Statutory Public Meeting

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act. This included the circulation of the Notice of Public Meeting to property owners within 120 metres of the subject application on July 19, 2024, as well as a sign posted on the Saxton Road frontage.

### **Attachment No. 6 – Planning Policy Background**

The subject lands are within the designated Settlement Area of Strathroy. The Provincial Policy Statement (PPS), the Middlesex County Official Plan, and the Strathroy-Caradoc Official Plan. The lands are designated “Commercial” under the Strathroy-Caradoc Official Plan and within the ‘Future Development (FD) Zone’ and ‘General Agricultural (A1) zone’ pursuant to the Strathroy-Caradoc Zoning By-law.

### Planning Act

Under Section 2 of the Planning Act, there are several criteria that a development must meet that addresses public interest. The list includes but is not limited to, the orderly development of safe and healthy communities; the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies; the adequate provision of a full range of housing, including affordable housing; the adequate provision of employment opportunities; the protection of public health and safety; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Under Section 3 of the Planning Act, where a municipality is exercising its authority affecting a planning matter, such decisions, “shall be consistent with” all policy statements issued under the Act.

Section 36 (1) of the Planning Act, provides for Council to pass a holding symbol “H” in conjunction with any use designation to limit the uses on the property until such time in the future as the holding symbol is removed by amendment to the by-law.

### Provincial Policy Statement (2020)

The PPS provides policy direction on matters of provincial interest related to land use planning and development.

Section 1.1.1 establishes that healthy, liveable, and safe communities are sustained by accommodating an appropriate range and mix of residential housing (including additional units, affordable housing, and housing for older persons) to meet long-term needs and promotes cost-effective development that minimizes land consumption and servicing costs.

Section 1.1.3.1 and 1.1.3.2 states that settlement areas will be the focus of growth. Land use patterns within settlement areas shall be based on:

- Densities and a mix of land uses which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planning or available;
- Support active transportation;
- Efficiently use land and resources; and,
- A range of uses and opportunities for intensification and redevelopment in accordance with the criteria of Policy 1.1.3.3, where this can be accommodated.

Section 1.4 and 1.5 of the PPS identifies that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents as well as promoting the creation of healthy, active communities by encouraging pedestrian connections.

Section 1.6.6 of the PPS outlines the hierarchy for sewage and water services and establishes that municipal water and sewage services are the preferred form of servicing for development areas to support protection of the environment and minimize potential risks to human health and safety.

Section 1.7 of the PPS speaks to the long-term economic prosperity which includes the encouragement of residential uses that respond to the dynamic market-based needs and provide housing options.

#### Middlesex County Official Plan (2023 Update)

The subject lands are designated ‘Settlement Areas (Urban and Community)’ according to *Schedule A: Land Use, and “Urban Areas”* as contained within the County of Middlesex Official Plan. The Minister has approved Amendment No. 3 to the County Official Plan on July 7, 2023. The purpose of the Amendment was to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. The below review of policy includes the newly approved Official Plan policies.

Section 2.3.4 of the Middlesex County Official Plan (MCOP) includes Economic Development policies in subsection a) that the supply of employment land should be monitored especially lands with access to provincial highways and major arterials roads. In subsection d) speaks to high standard of urban design including principles such as pedestrianization, compact form, mixed use among other features to create a healthy vibrant community.

Section 2.3.7 of the Middlesex County Official Plan identifies that the County encourages a wide variety of housing by type, size, and tenure to meet projected demographic needs and market requirements of current and future residents of the County, and further, that the County will support intensification and redevelopment within settlement areas where an appropriate level of services are, or will be, available

to service the lands, and further, that 15 percent of all development occur by intensification and redevelopment.

Section 2.4.2.2 of the MCOP indicates in subsection f) that the development should encourage safe, convenient, and visually appealing pedestrian and cycling infrastructure for all ages and abilities. Subsection g) limits direct vehicular access to County Roads where access is available by a local road. Section h) and i) identifies the need for an engineer's report for developments that are likely to generate traffic and any improvements be paid for by the developer. Subsection l) requires that all new residential developments provide a minimum of two access points to the existing road network. Exceptions to this policy shall be considered if the proposed street pattern is approved by the local Municipality, emergency service provider(s), and the County Engineer.

Section 2.4.2.4 of the MCOP indicates that setback of buildings should be as stipulated in the local zoning by-law when within a settlement boundary.

Section 2.4.5 states that the County shall encourage development on municipal water and sanitary systems.

Section 3.2.1 directs a significant portion of the County's future growth to Settlement Areas in order to protect agricultural resources, natural environment and promote efficient municipal services.

Section 3.2.2 directs that settlement areas shall develop in a manner that is phased, compact, and does not result in a strip pattern of development. Further, development is to complement the positive elements of the existing built form in an effort to preserve the historic character of the area.

### Strathroy-Caradoc Official Plan

The subject lands are designated 'Settlement Area' and 'Commercial' according to *Schedule A: Structure Plan* and *Schedule B: Land Use & Transportation Plan*, respectively. Given the request is to redesignate to 'Residential' this policy review has included the below policies. The Strathroy Caradoc Official Plan has been updated through OPA 14 and received approval from County in December 2023. It has been appealed by one party and as such is *not* in full force and effect. The purpose of this Amendment is to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. The changes in OPA 14 reflect the direction of Council so while they are not in force an additional note relating to each of the policies below has been included to provide detail to some of the changes as a result of OPA 14.

Section 2.3 encourages a wide range of commercial goods for the community and the strengthen of economic viability of existing commercial areas especially on main streets. Further commercial areas need to accommodate new trends and formats in retailing. The Municipality is to actively support and facilitate new and expanded commercial developments.

Section 2.4.1 encourages the provision of a wide variety of housing types with greater densities within the settlement area. Residential intensification and redevelopment are encouraged where compatible with existing development and infrastructure is appropriate. OPA 14 encourages development intensification where amenities are available rather than being compatible with existing development.

Section 2.4.4 encourages the municipality to partner with other levels of government to ensure adequate supply of housing is available for those in social and economic need. OPA 14 now includes this in a shared housing policy but still includes this intent of supply for all residents.

Section 2.4.6 establishes that residential intensification shall be encouraged in settlement areas where it is complementary to, and compatible with, the nature, scale, design, and general character of neighbouring development, and where municipal services and facilities are capable of accommodating the development. Where residential intensification is proposed, it shall keep with the character of the area and not adversely affect neighbourhood stability. OPA 14 continues the complementary reference and removes compatible with phrase from the policy.

Section 2.4.8 of the SCOP outlines the importance of housing affordability and meeting the social, health and well-being of current and future residents. OPA 14 continues this intent.

Section 2.6.3 of the SCOP details design principles to be applied to strengthen and maintain the role, character and function of settlements. These principles range from avoiding ad hoc development to adequate parking areas.

Section 3.2 outlines the goal of maintaining adequate supply of housing, more specifically dwelling types, tenure, and affordability. It also addresses the need to recognize and support the role of peripheral commercial areas in accommodating large scale, vehicular-oriented commercial establishments not suited to the downtown core. The section also has the objective to maintain the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility in residential areas. OPA 14 has modified this to focus on land use compatibility in neighbourhoods but continues this intent.

Section 3.3.2 provides direction on the Commercial designation in Strathroy. Outlining the permitted uses which are primarily Commercial uses and generally large scale with generous on-site parking. Commonly this would be automotive-related uses. In areas where conversions to commercial exists smaller scale commercial uses may be appropriate. The secondary uses may include residential, institutional, and small scale industrial. OPA 14 removes the focus on “big box” area around the Strathroy Crossing Area and replaces with the idea of a cluster of commercial uses that are oriented to the highway.

Section 3.3.2.3 provides details of how this commercial area/designation would be different from the Downtown Core designation. This includes policies related to built form and character of the development. Including commercial development as multi-unit developments or complexes under

single or multiple ownership with common parking, entrances, and other features. OPA 14 removes the “Character” policies and added to the development criteria including the need to link adjacent commercial development and comprehensive planning and coordination of development phases where development will occur in multiple phases.

Section 3.3.4 provides policies for lands designated ‘Residential’ and identifies that primary uses include residential purposes including a range of housing types and densities from single detached dwellings to high-rise apartment buildings. Secondary uses may be permitted that are complementary to, and compatible with the area, serve the neighbourhood needs, and do not detract from the predominantly residential nature, such as neighbourhood parks. OPA 14 does not substantially modify this direction.

Section 3.3.4.6 further details the policies related to the high density development (buildings greater than 3 storeys).

“High density development (i.e. >3 storeys) in keeping with the general scale and character of the town shall be considered based on the following criteria:

- a) adequate buffering and separation from low density development by an intervening area of medium density development or other suitable or comparable design features and site improvements;
- b) proximity to areas designated ‘Downtown Core’, ‘Community Facilities’ and/or ‘Open Space’;
- c) vehicular access to an arterial or collector road or from a local street designed to minimize the conflict between apartment generated traffic and any neighbouring low or medium density residential development;
- d) adequacy of municipal infrastructure (water supply, sanitary sewage, drainage, roads and sidewalks). If inadequate, an agreement shall be entered into with the proponent as to the design and cost of any improvements required to bring such services up to the required standards;
- e) maximum height and density as specified in the Zoning By-law;
- f) site design to minimize the shadow effect on surrounding buildings and the adverse effects of winter winds while maximizing exposure for solar gain;
- g) energy-efficiency through innovative site orientation and landscaping.”

OPA 14 modifies this section to relate the development to density rather than number of storeys or use. Based on the updated policies this development could be considered ‘High-Rise Residential’ (apartment building and 87.8 units per hectare). Further it directs high rise development to have direct access to arterial and collector road as is the case here.

Residential intensification within Strathroy is specifically addressed in Section 3.3.4.7, which identifies that residential intensification in existing developed areas is considered desirable to make efficient use of underutilized lands and infrastructure. This is subject to evaluation and conditions, as necessary, to ensure that the development is in keeping with the established residential character and is appropriate in terms of height, lot fabric, building design, dwelling types, and parking, and where appropriate

services are available. OPA 14 focuses on having 15% of development to be in the form of residential intensification and mix of housing options.

Strathroy-Caradoc Zoning By-Law No. 43-08

The property is currently within the Highway Commercial (C2) zone and site-specific Highway Commercial (C2-13) zone and the proposal is to rezone the property to site specific High Density Residential.

Section 3.3 of the zoning by-law outlines different holding provisions limit the use of the land until such time as the conditions of the hold is/are lifted. The application currently would require a holding provision to hold on the development until the stormwater outlet for site has been secured.

The 'R3' zone is intended for lands that are designated 'Residential' in the Strathroy-Caradoc Official Plan and permits a range of higher density residential uses, such as multiple unit dwellings, apartment buildings, townhouses, long term care facilities. The zone does not permit single detached homes. The following chart identifies the zoning provision applicable to the R3 zone as well as the zoning statistics for the proposed townhouses. Bold numbers below indicate provisions that do not meet the zoning standards.

Provision	High Density Residential (R3) Zone	Proposed
Use	Apartments, multiple unit dwelling, and townhouses use	Apartment dwellings
Lot Frontage (min)	30 m	86.3 m
<b>Lot Area (min)</b>	<b>130 m<sup>2</sup> for each unit (20,800m<sup>2</sup> (5.14 ac))</b>	<b>113 m<sup>2</sup> per unit (18,214.1 m<sup>2</sup> (4.5 ac))</b>
Front Yard Depth (min)	4.5 m	4.7m to canopy/awning 6.0 m to building face
Side Yard Width (min)	3 m	~17.52 m north and 6 m south
Rear Yard Depth (min)	9 m	10.57 m
Encroachment balconies	No closer to front lot line than 1.5 m	Primarily inset balconies
Lot Coverage (max)	NA	17.3%
Landscaped Open Space (min)	20%	~37%
Outdoor Common Amenity Area (min)	20 m <sup>2</sup> per unit (3,200 m <sup>2</sup> )	34.4 m <sup>2</sup> per units (5,500.7 m <sup>2</sup> )
<b>Parking Coverage (max)</b>	<b>25%</b>	<b>38.3%</b>
Parking to location	None in front or exterior side yards	All parking found behind the front face of the building
Parking, aisle, or driveway	Not permitted between building and street line	No parking or driveways in this area
Parking	<b>Tenant (1.25 sp per unit) = 200 sp</b>	<b>Proposed = 186 sp</b>



	<b>Visitor (0.15 sp per unit)= 24 sp Total= 224 sp</b>	<b>Res Visitor= 14 sp Total = 200</b>
<b>Accessory Use</b>	<b>10 m<sup>2</sup> per unit coverage</b>	<b>25.3 m<sup>2</sup> per unit coverage</b>
<b>Accessory Use</b>	<b>Setback min 3m</b>	<b>1.9 m and 0.1 m adjacent to commercial</b>
<b>Building Height (Max)</b>	<b>15 m</b>	<b>27 m</b>
<b>Parking Space Dimension</b>	<b>2.6 m by 5.4 m</b>	<b>2.6 m by 5.4m</b>

# Attachment No. 7 – Notice of Completion / Notice of Public Meeting



## NOTICE OF APPLICATIONS AND PUBLIC MEETING

APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

APPLICATION NO.: OPA3-2024 and ZBA5-2024

APPLICANT/AGENT: Strik Baldinelli Moniz Ltd for 2102603 Ontario Inc.

SUBJECT LANDS  
24605 Saxton Road, Strathroy

### Purpose and Effect

Applications for Official Plan and Zoning Amendment have been submitted by the owner of the property. The applications propose two residential apartment buildings that are 7 storeys with 80 units in each of the buildings. The parking area for the buildings will include 200 parking spaces in total for both buildings. The lot has frontage on Saxton Road but will also have access to Carroll Street and Adelaide Road via easements through the existing easements established when "Strathroy Crossing" shopping area was created. The proposal includes space between the buildings for residential amenity area.

Official Plan Amendment: The official plan application proposes to redesignate the subject lands from 'Commercial' to 'Residential'. With a site-specific policy area is proposed to address a regional servicing plan as part of the Official Plan Amendment.

Rezoning: The zoning by-law amendment application proposes to re-zone the land from site specific 'Highway Commercial (C2-13) zone' and 'Highway Commercial (C2) zone' to site specific 'High Density Residential (R3-#)' zone. A site plan application will be required prior to construction.

### PUBLIC MEETING

**Date: August 6, 2024**

**Time: 6:00 pm**

**Location: Hybrid Public Hearing (ZOOM and in person-52 Frank Street, Strathroy, 2<sup>nd</sup> floor Council Chambers)**

#### How to Participate in the Public Meeting:

- 1) Submit written comments to the Clerk at [clerk@strathroy-caradoc.ca](mailto:clerk@strathroy-caradoc.ca) or by mail to: 52 Frank Street Strathroy, Ontario N7G 2R4. Please note communications are part of the public record that will be provided to council and made available to the general public, pursuant to the Planning Act and the Municipal Freedom of Information and Protection and Privacy Act.
- 2) Speak to council by attending the meeting in person OR through ZOOM video or phone. Pre-registration is required by emailing [planning@strathroy-caradoc.ca](mailto:planning@strathroy-caradoc.ca) or by calling 519-245-1070 ext. 210. Leave your name, phone number, method you wish to participate in the meeting, as well as the application file number or address of the property you are calling about. Staff will return your call and provide participation details.
- 3) View the meeting online at [www.strathroy-caradoc.ca/meetings](http://www.strathroy-caradoc.ca/meetings). The livestream will begin at 6pm. No pre-registration is required.

If you wish to be notified of the decision of the Municipality of Strathroy-Caradoc on the proposed zoning by-law amendment, you must make a written request to the Clerk at [clerk@strathroy-caradoc.ca](mailto:clerk@strathroy-caradoc.ca) / 52 Frank Street, Strathroy, ON N7G 2R4. Should you require additional information relating to the proposed rezoning please contact Tim Williams, Manager of Planning by phone at: 519-930-1007 or by email at: [twilliams@middlesex.ca](mailto:twilliams@middlesex.ca).

#### Notice of Complete:

Per Section 34 of the Planning Act, information and material required under the Act have been provided and the zoning by-law amendment application is hereby considered complete.

[www.strathroy-caradoc.ca](http://www.strathroy-caradoc.ca)



## NOTICE OF APPLICATIONS AND PUBLIC MEETING

Per Section 22 of the Planning Act, information and material required under the Act have been provided and the official plan amendment application is hereby considered complete.

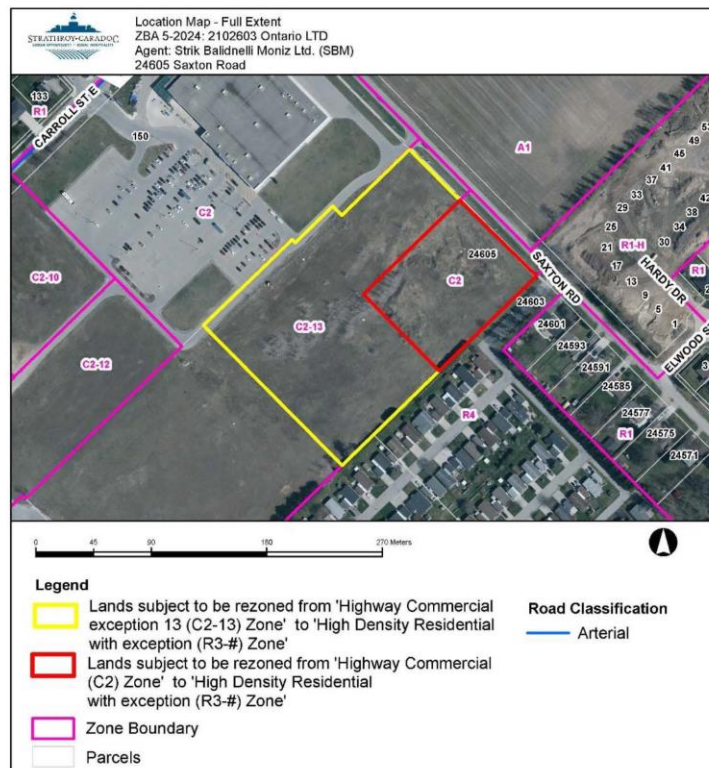
The applicant, or any authorized person, appointed in writing and acting on behalf of the applicant, must attend this Meeting. If you are aware of any persons affected by this application who have not received a copy of this notice, it would be appreciated if you would so advise them.

If a person or public body would otherwise have an ability to appeal the decision of the Municipality of Strathroy-Caradoc to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Strathroy-Caradoc before the by-law and proposed official plan amendment is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of Strathroy-Caradoc before the by-law and official plan amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Notwithstanding the above, subsection 34(19) and 17(36) of the Planning Act defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal. Pursuant to Section 1.0.1 of the Planning Act and in accordance with Section 32(e) of the Municipal Freedom of Information and Protection of Privacy Act, it is a policy of the Municipality of Strathroy-Caradoc to make all planning applications and supporting material, including signed written submissions regarding the application and received by the Clerk, available to the public.

DATED: July 12, 2024



[www.strathroy-caradoc.ca](http://www.strathroy-caradoc.ca)