

Meeting Date: October 21, 2024
Department: Building, By-law and Planning
Report No.: BBP-2024-118
Submitted by: Tim Williams, Manager of Planning
Reviewed by: Jake DeRidder, Senior Development Coordinator
Approved by: Trisha McKibbin, Chief Administrative Officer

SUBJECT: **Application for Zoning By-law Amendment (ZBA-15-2024)**
62 McKellar Street, Strathroy
Owner: Corbel Properties Inc. (Drew Stephenson)

RECOMMENDATION: THAT: Report BBP-2024-118 regarding rezoning application ZBA 15-2024, be received by Council for information; and further,
AND THAT: By-law 98-2024 be referred to the Consideration of By-laws Section of the Agenda for consideration and approval.

SUMMARY HIGHLIGHTS

- The application is facilitating the construction of a semi-detached dwelling.
- The applicant is proposing to rezone from the 'Low Density Residential (R1) Zone' to a site-specific 'Medium Density Residential (R2-29) Zone' to permit the semi-detached dwelling type.
- The site-specific 'R2-29 Zone' would also recognize a driveway width 7.75 m (25.5 ft) for total driveway, whereas a maximum of 7.3 m (24 ft) is permitted for semi-detached dwellings.
- No concerns or objections have been identified with the application by staff or agencies.

BACKGROUND:

The subject lands are located on the northwest corner of McKellar Street and Scott Street West and are approximately 637.71 m² (6864.3 ft²) in size with approximately 15.85 m (52 ft) of frontage on McKellar Street. The Scott Street frontage has 40.234 m (132 ft). The property contained a single detached dwelling which was recently removed.

The subject zone change application proposes to re-zone the lands to be within the 'Medium Density Residential (R2) Zone' this would permit the semi-detached dwelling type.

The property is connected to municipal water and sanitary services, and access will be from Scott Street once the building is constructed. Both McKellar and Scott streets are classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc.

Surrounding land uses are predominantly residential in nature and includes a mix of singles, semi-detached and townhouse dwellings in the immediate vicinity.

POLICY AND REGULATION BACKGROUND:

The Provincial Policy Statement, Middlesex County Official Plan, and Strathroy-Caradoc Official Plan all encourage intensification in designated settlement areas, provided the development is compatible with the surrounding area and represents an orderly and efficient use of land and infrastructure.

Provincial Policy Statement 2024

The subject lands are located within a 'Settlement Area' according to the 2024 Provincial Planning Statement (PPS).

The PPS encourages lands use patterns with settlement areas that are based on densities and a mix of land uses that (s.2.2.1):

- Efficiently use land and resources;
- Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoids the need for their unjustified or uneconomical expansion;
- Provides for a range of uses and opportunities for intensification and redevelopment taking into account existing building stock or areas; and,
- The availability of suitable existing or planned infrastructure.

Section 3.6. provides 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.

It is noted that an updated 'Provincial Planning Statement' has been approved and has an implementation date of October 20, 2024. In light of the application being considered by Council on October 21, 2024 the application has been evaluated under the PPS 2024. Staff note that the policies continue to maintain the servicing hierarchy and direct that municipal water and sewage services are the preferred option for of servicing for new development.

Comments on Consistency with the Provincial Policy Statement 2024

- The property is located within a designated 'Settlement Area' which permit residential uses such as semi-detached dwellings.
- The semi-detached dwelling is a higher form of density than a single-detached structure.
- The lots are developed on full municipal services, which is identified as the preferred form of servicing for development areas and makes most efficient use of existing infrastructure.

Given the above, it is staff's opinion that the Zoning By-law amendment application is consistent with the Provincial Policy Statement.

County of Middlesex Official Plan, 2023

The subject lands are located within the Strathroy Settlement Area according to the Middlesex County Official Plan.

Section 2.3 contains the County's growth management framework which directs that the majority of growth is to occur in designated settlement areas. The intent of the growth management framework is to make efficient use of existing infrastructure. The goal of the County Plan is that future development within settlement areas proceed on the basis of full municipal services. The County Official Plan also encourages a wide variety of housing by type, size, and tenure achieved in part by way of intensification and redevelopment of vacant or otherwise underutilized lands.

Section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS. Specifically, the County encourages new development to proceed based on full municipal services.

Comments on the Conformity with the County of Middlesex Official Plan

- As noted above, the properties are within a *settlement area*, are fully serviced and provide for the efficient use of infrastructure and public service facilities.
- The proposal provides for a housing type that is in demand in the community.

Given the above, it is staff's opinion that the Zoning By-law amendment application is consistent with the County Official Plan.

Strathroy-Caradoc Official Plan

The subject lands are within the designated Settlement Area of Strathroy. The property is designated 'Residential' on Schedule 'B' of the Official Plan.

The Strathroy-Caradoc Official Plan states that development within the 'Residential' designation shall be used for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings (Section 3.3.4.1).

As per Section 3.3.4.3, low density development proposals (e.g., single unit dwellings and two-unit dwellings) are to be encouraged to:

- Create a sense of neighbourhood identity;
- Result in attractive and distinctive streetscapes;
- Incorporate public amenities and safety measures;
- Utilize traffic calming measures;
- Preserve and enhance natural features;
- Provide a mix of housing types;
- Ensure appropriate and effective buffering from neighbouring non-residential uses;
- Minimize total road length and road surface within practical considerations for snowplowing, surface drainage, and on-street parking; and,
- Maximize energy saving criteria such as southern exposure for solar gain and landscaping and to minimize the adverse effects of winds.

Section 3.3.4.7 states that residential intensification, including infilling, is considered desirable to make efficient use of underutilized lands and infrastructure. It further requires infilling proposals to be evaluated and conditions imposed as necessary, to ensure that any proposed development is in keeping with the established residential character and constitutes an appropriate 'fit' in terms of such elements as height, density, lot fabric, building design, dwelling types and parking.

The Strathroy Caradoc Official Plan has been updated through OPA 14 in 2022. 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 most significant relevant update to the Plan was the change in designation title from 'Residential' to 'Neighbourhoods'. This designation maintains the intent of the 'Residential' designation in that it continues to support and encourage a range of housing types and densities. Section 3.3.5.6 of the adopted Plan supports residential intensification, and the Municipality will require that 15% of development in urban settlement areas occur by way of intensification annually. Residential intensification should allow for a full range and mix of housing options throughout the Municipality. OPA 14 is currently under appeal and, while generally in line with the proposal, the updated policies are not determinative for this application.

Comments on Conformity to the Strathroy-Caradoc Official Plan and OPA 14

- The lots are located within a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The lots are fully serviced and provide for the efficient use of infrastructure.
- With respect to the policies of the Official Plan relating to development of residential within Strathroy, the Plan encourages medium density development in the form of semi-detached and multi-unit dwellings.
- As the proposed structure is a semi-detached dwelling, staff are of the opinion that the structure will not appear to be out of character of the area, which is made up of one and two storey dwellings, including several other semi-detached structures and a townhouse (4 unit) building directly across McKellar Street.
- The application was evaluated against the recently adopted Official Plan Amendment (OPA14) and staff are of the opinion that, while the updated policies are not determinative for the purposes of this application, the proposed rezoning is generally consistent with the updated policies.

Strathroy-Caradoc Zoning By-law

The property is currently zoned 'Low Density Residential (R1) Zone' according to the Strathroy-Caradoc Zoning By-law.

The 'R1' zone permits single detached dwellings, secondary suites and Type 1 Group Homes.

The 'Medium Density Residential (R2)' zone permits single detached, semi-detached, townhouse and multi-unit dwellings and requires a minimum lot area of 300 m² per unit, minimum lot frontage of 10 m (per unit), minimum front yard depth of 5 m, minimum side yard width of 1.2 m, minimum rear yard depth of 8 m, maximum lot coverage of 40%, and minimum landscaped open space area of 30% for a

semi-detached dwelling with full municipal services. The 'R2' zone also allows for a 0 m side yard setback for semi-detached dwellings between the common walls dividing the dwelling units. Section 4.23 permits the maximum driveway width on a 15.8 m (52 ft) lot is 7.3 m (24ft). Section 4.23(1)(20i) requires 1.5 parking spaces per semi-detached dwelling unit.

Comments on Amendments to the Strathroy-Caradoc Zoning By-law

- Staff are of the opinion that the rezoning from 'R1' to a 'R2' is appropriate to recognize the proposed semi-detached dwelling, which is not permitted in the 'R1' zone.
- The rezoning will include on site-specific amendment to address the driveway that is designed to match the garage door opens for the two units and taper at the road.
- The lots comply with the other 'R2' provisions for additional setbacks, height, lot area and lot coverage.

CONSULTATION:

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 October 1, 2024.

At the time of writing the subject report, no comments/concerns had been raised by the public. The following department and agency comments were received:

Department and Agency Comments

Engineering and Public Works have advised that the driveway must be off of Scott Street West. Given the close proximity and skewed alignment of the intersection, a driveway off of McKellar Street could cause a hazard for the intersection.

St. Clair Region Conservation Authority have advised a portion of the subject property is regulated by the Conservation Authority under Ontario Regulation 41/24. *SCRCA has no comments regarding the zoning by-law amendment application.*

The proposed development will require written permission from the Conservation Authority prior to works being undertaken. The applicant should submit a permit application after the rezoning has been approved. Information on our permit application process can be found here: <https://www.scrca.on.ca/planning-and-regulations/permits/>

Canada Post has advised that they do not have any comments for this application

Safety and Standards Officer has advised that the proposed semi-detached dwelling will be reconfigured to face Scott Street West. The proposed 911 property addressing that are sequential in existing 911 addressing to Scott Street West submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. Secondly, the 911 property addresses are approved when building permits are issued. The 911 property address shall be posted temporarily and permanently in the same location on each semi during all stages of construction so they are maintained,

visible and unobstructed so emergency responders can easily identify the 911 property address from the road allowance and when responding from either direction on Scott Street West.

SUMMARY:

In summary, staff are supportive of the proposed rezoning as it is considered to be consistent with the Provincial Planning Statement 2024; conforms to the Official Plans of both the County of Middlesex and the Municipality of Strathroy-Caradoc; and represents sound land use planning.

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, Council is advised to take such information into account when considering the application.

ALTERNATIVE(S) TO THE RECOMMENDATION:

Planning Staff have provided their recommendation, however there are alternative options to this recommendation:

1. THAT: the subject report BBP-2024-118 for ZBA 12-2024 be received for information and the application for Zoning By-law Amendment be deferred sine die.;
2. THAT: the subject report BBP-2024-118 for ZBA 12-2024 be received for information and the application for Zoning By-law Amendment be denied.; OR
3. THAT: the subject report BBP-2024-118 for ZBA 12-2024 be received for information.

AND THAT: Council provide alternate direction.

STRATEGIC PLAN ALIGNMENT:

This matter is in accord with the following strategic priorities:

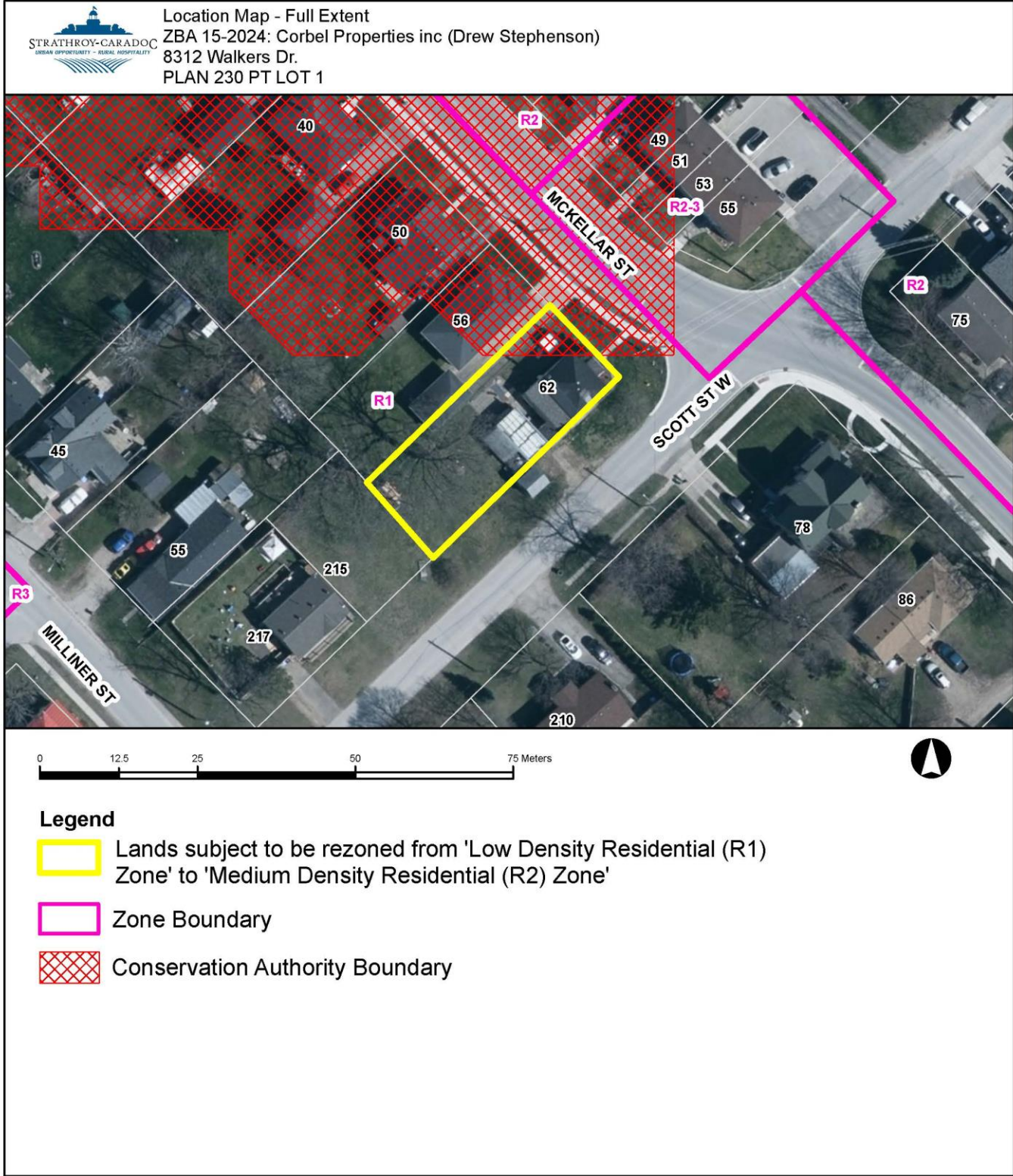
Economic Development, Industry and Jobs: Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.

Managing the Challenges of Growth for the Municipal Organization: Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources. We are committed to maintaining operational efficiency and economies of scale through these times of change.

ATTACHMENTS:

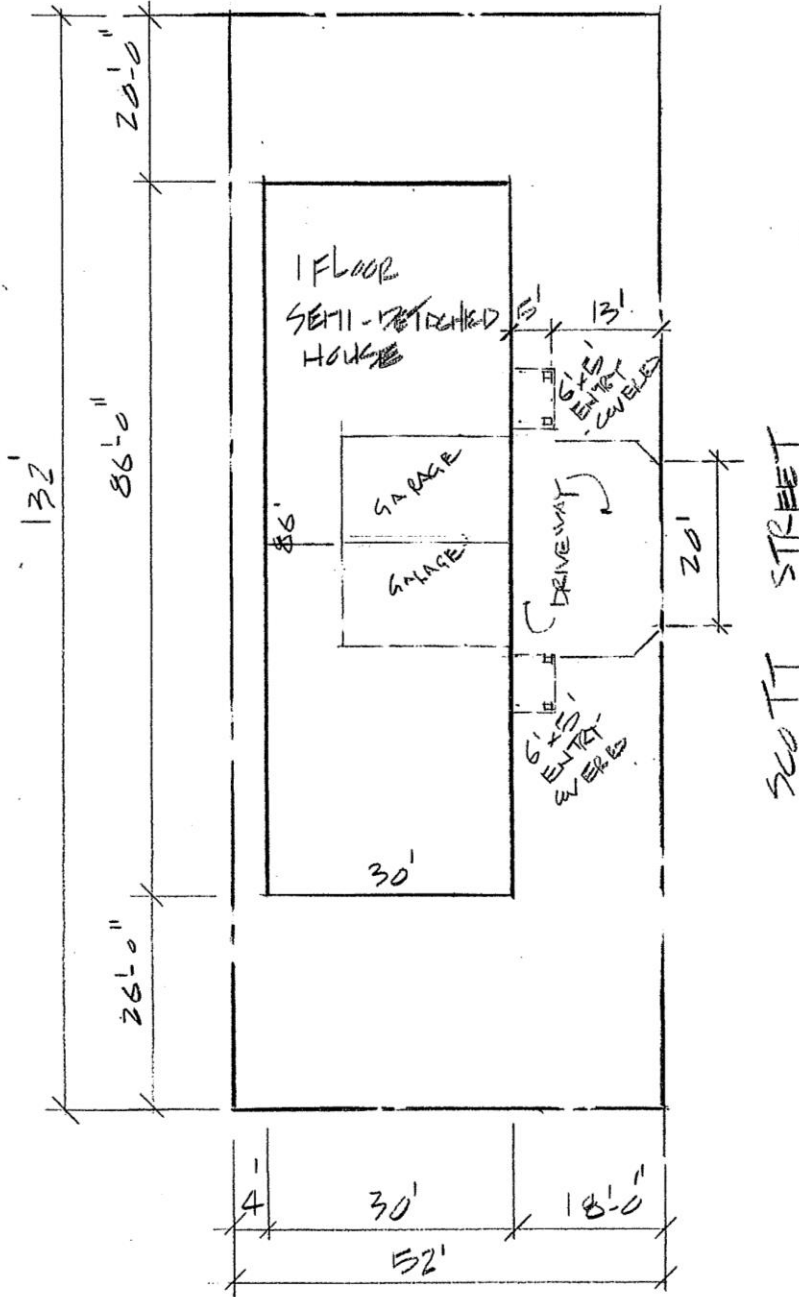
Location Map
Survey Plan
Front Elevation

Location Map



Survey Plan

McKELLAR STREET



- SITE PLAN -

McKellar Street 112'-0" 132' Scott Street

