

Meeting Date: March 17, 2025
Department: Building, By-law and Planning
Report No.: BBP-2025-18
Submitted by: Tim Williams, Manager of Planning, County of Middlesex
Reviewed by: Jake DeRidder, Senior Development Coordinator
Approved by: Rob Browning, Chief Administrative Officer

SUBJECT: Application for Zoning By-law Amendment
Block 278 and Part of Block 279 Plan 33M-619
Owner: Fieldcrest Ltd. (c/o Mohamed Abuhajar)

RECOMMENDATION: THAT: Report BBP-18-2025 regarding ZBA 1-2024 be received for information, and further;

THAT: the rezoning application, ZBA 1-2024, which would rezone the lands part of the lands legally known as Block 278 and Part of Block 279 Plan 33M-619, Strathroy from “Open Space (OS) zone” to site specific ‘High Density Residential (R3-25-H-1-H-5) as amended by staff, be approved, and further;

THAT: By-law No. 21-25 be referred to the Consideration of By-laws Section of the Agenda for adoption.

SUMMARY HIGHLIGHTS

- The application proposes to develop 16 block townhouse development with a total of 120 dwelling units with private driveways and access to Willis Avenue and Newton Crescent.
- The application for zoning by-law amendment seeks to amend the zoning by-law for the subject lands from “Open Space (OS) zone” to a site specific “High Density (R3-25-H-1-H-5) zone”. The site-specific zone provisions would recognize the proposed increased density, increased lot coverage, reduced landscape open space, garage/driveway width increase, reduced front-yard setback and reduced rear setback.
- The statutory public meeting was held on November 4, 2024. The comments were limited to those on Council and related to long dead-end private roads, variety of housing types, density does not provide outdoor amenity area, and the distribution of visitor parking spaces.

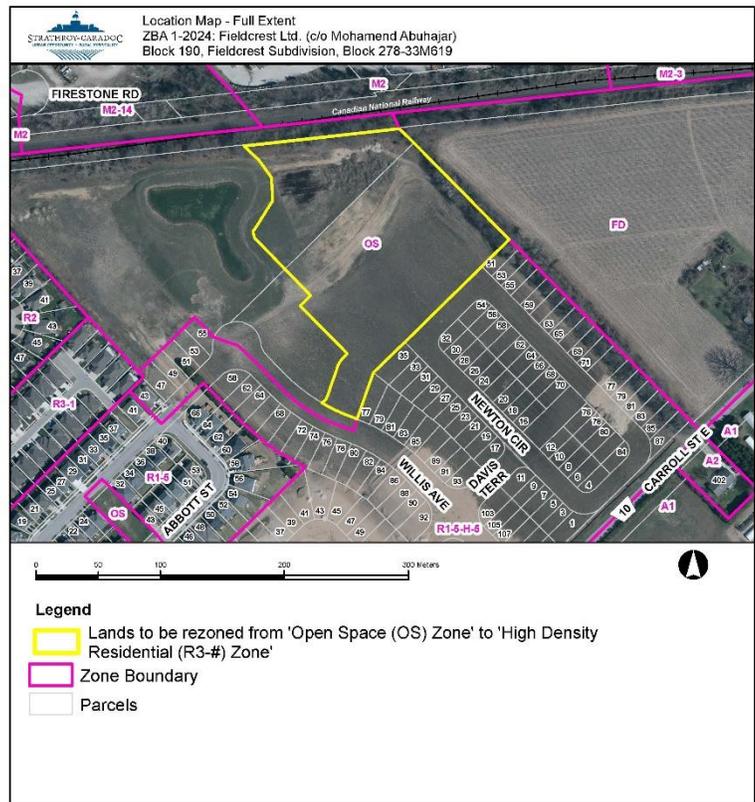
PURPOSE:

The purpose of the subject zoning by-law amendment application is to facilitate the development of the property with 120 multiple unit dwellings (townhouses back-to-back) FR-25 and the evaluation report provides background for planning staff's recommendation.

SITE CONTEXT:

The site is approximately 3.1 ha (7.63 ac) in size and is located in the southeast portion of Strathroy and north of Carroll Street East. The plan of subdivision is registered but only partially developed. The subject parcel has frontage on Willis Avenue which in turn connects to Carroll Street East in the south and to the west connects to Abbott Street and ultimately Queen Street. Secondary access is from Newton Circle which connects to Willis Avenue through Davis Terrace is also proposed.

These lands are currently designated in the Official Plan as Residential. They were zoned Open Space as they were originally designed as a school block and park for the overall subdivision. The Thames Valley District School Board has since expressed they have no need for this school block. The proposal moves the park from the Block 279 to Block 278 along Willis Avenue. The lands are currently vacant with some preliminary site alteration occurring over the past few years to construct the stormwater management facility. Surrounding land uses include primarily residential to the west, railway tracks to the north with industrial further north. To the south is the remaining residential subdivision and then agricultural land to the south of that.



From a servicing perspective, municipal water and sanitary services are to be constructed as the holds on the remaining subdivision phases are lifted.

PROPOSAL SUMMARY:

Following the public meeting the applicant submitted a revised plan to respond to comments from various sources of input. The plan has resulted in a re-routing of the private road in the northern portion of the site. It is still a long dead-end driveway (approximately 100 m) that needs to be addressed at site plan stage. The revisions to the plan result in an increase to the unit count from 118 to 120 townhouse units. The proposal will continue to have the following features:

- 1) On private roads, with access to Willis Avenue and Newton Circle;



TECHNICAL DISCUSSION:

Staff and the applicant have worked through a number of issues during the pre-consultation and application process and they include:

- 1) Reconfiguring the public parkland to provide better visibility and access from a public street.
- 2) Reconfiguring the units on site to address Newton Street.
- 3) Reconfiguring the driveway network to provide two public street access points for the development.
- 4) Reconfiguring the site to provide access to the Stormwater Management Facility that is not through the proposed condominium.

The proposal submitted still contains a few remaining items that need to be addressed. The July 2024 revised proposal was circulated, some commenting agencies have yet to provide comments however the comments below will either need to be addressed prior to bringing the item back to Council or potentially addressed by Council.

- 1) Engineering staff need to have a high-level understanding where services will be located on the site. More specifically, staff require confirmation that the municipal services can be accommodated for this specific block which will need to be details (currently included with the subdivision as a whole).
Response: *Engineering staff have received information that confirm capacity and while they will require details with the site plan submission, at a high level the plan can work.*
- 2) CN Rail has raised the need for a safety berm for noise and derailments as well as vibration report out lining the mitigation measures for the houses. The applicant is proposing a hold to be placed on the subject lands for the details to be dealt with at site plan stage.
Response: *A hold for site plan approval and subdivision agreement is proposed.*
- 3) CN Rail has raised concerns with the stormwater outlet of the subdivision through to Queen Street.
Response: *Staff has provided an update to CN in terms of the works that have been completed recently to improve the drainage and that the proposed development is part of an existing subdivision that already has secured the outlet. CN is no longer raising this as an issue.*
- 4) Additional information regarding any impact on the adjacent High / York Street Industrial area is needed to address the PPS 2024 policy requiring development to confirm no or minimum impact on employment areas within 300 metres of a development.
Response: *The applicant has provided additional information about the nature of the industrial uses will not be hindered by the establishment of these residential uses.*

All technical comments are detailed in Attachment 4 below.

CONSULTATION

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. The public meeting was held on November 6, 2024.

The comments were limited to those on Council and related to long dead-end private roads, variety of housing types, density does not provide outdoor amenity area, and the distribution of visitor parking spaces.

PLANNING CONSIDERATION:

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Planning Statement and the County of Middlesex Official Plan. The lands are designated

“Residential” under the Strathroy-Caradoc Official Plan. The subject lands are within the Open Space (OS) zone.

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

PLANNING ANALYSIS:

Planning staff have reviewed the applications and find that it is consistent with the Provincial Planning Statement 2024, conforms with the County of Middlesex Official Plan as well the Strathroy-Caradoc Official Plan. The following section will review the reasons for this opinion:

Comments on Consistency with the Provincial Planning Statement 2024

- The proposal is located within a designated growth area of a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The residential dwellings will be fully serviced and provide for the efficient use of existing infrastructure and public service facilities.
- The proposal has attributes of an infill development that has been within the settlement boundary for many years and is an appropriate location for development and is a good use of a former school site.

Given the above, it is staff’s opinion that the application is consistent with the Provincial Planning Statement.

Comments on the Conformity with the County of Middlesex Official Plan

- As noted above the property is within a designated growth area of a settlement area and will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- The development will be compact and will utilize lands within the settlement area in a manner that will increase the variety of housing types in this neighbourhood.
- The proposed multiple dwelling unit and townhouse buildings will be a built form that will be complementary with the surrounding dwellings and is situated so that it will transition and integrate well into the surround area.
- The proposal provides two access points the policy (section 2.4.2.2 I) requires two access points. The applicant’s designed is supportable by staff. These details will be secured during the site plan process.
- The proposal results in the orderly development of this underutilized property.

Given the above, it is staff’s opinion that the application conforms with the County Official Plan.

Comments on Conformity to the 2008 Strathroy-Caradoc Official Plan

- The proposal is located within a settlement area, within the Strathroy-Caradoc Official Plan.
- The proposal will be fully serviced as the subdivision is extended to this property and provides for the efficient use of infrastructure and public service facilities. Engineering consultants have

confirmed municipal service (water, sanitary and storm) capacity to engineering staff's satisfaction. It is noted that Stormwater will be directed to subdivision stormwater management facility which will be secured at site plan.

- As noted above, the development proposes a housing type that is in demand in Strathroy, as such the development will fill a need. It will also provide more units within the housing continuum.
- The proposed layout represents an efficient use of lands, further it represents intensification of development.
- The proposal is not "affordable" units however the units are not overly large dwellings making them more attainable and another part of housing continuum.
- The proposed development is comprised of standard and back to back townhouses and are subject to the medium density development policies. The development is located on Willis which a collector road which feeds to Carroll Street, a major arterial and in line with the policy requirements.
- Section 3.3.4.13 includes the subject lands as within a special policy area to develop a secondary plan to establish a framework or concept for subsequent planning approvals such as plans of subdivision, plans of condominium, road patterns and public land acquisitions. However, the development proposal is within an existing plan of subdivision. Given this is already within a plan of subdivision and a change in direction for the development of the property rather than a green field site with no prior approvals it is reasonable to consider this policy not applicable to this site/proposal.

As noted in the background, OPA 14 has been appealed to the Ontario Land Tribunal and while it was noted in the policy section of this report that it has no legal implications on this application, it is worth noting that the application would be in conformity with the new policies.

Given the above, it is staff's opinion that the application for Zoning By-law Amendment conforms to the Strathroy-Caradoc Official Plan.

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

The applicants are proposing the highest density residential zone category however there are still some deviations to the zoning development standards because the by-law did not contemplate this dwelling unit design (back to back townhouses). The following deviations to the development standard provisions are proposed and along with analysis.

- 1) Minimum Lot Area required 210 m² per unit whereas 117 to 137 m² per unit for conventional lots and 96 m² per unit for back-to-back units. Some of the units are back to back townhouses resulting in no backyards so this is an issue of missing amenity area for the units. There is also efficiency use of the lands which has reduced the area surrounding the dwellings. As discussed earlier how the applicant is proposing an area of common amenity that is well in excess of the zone requirements which makes up for any reduction in private amenity area.
- 2) Minimum Front Yard and Exterior Side yard of 4.5 m is required whereas 2.7 to 3 m is proposed. This is a reduction in the setback but this is only to a portion of the front wall of the

building and the driveways will have a depth of 6 m. This reduced setback will still allow the front yard to function and given the development is primarily on private road is reasonable to provide a different design of development.

- 3) Minimum Rear yard setback of 9m is required whereas the proposed includes 4.5m to 6 m for conventional units and 0 m for the back to back units. As with the lot areas it is reasonable to have smaller backyards when the majority of “outdoor” space is found in common amenity areas.
- 4) Maximum Lot Coverage permitted is 45% whereas the proposal is for a lot coverage of 51% to 62%. This goes together with the reduced setbacks as they leave less area surrounding the building. As part of intensification this issue can occur, and this is why site plan approval is so important to appropriate development of the lot.
- 5) Minimum Landscaped Open Space 30% is required whereas the back-to-back units will have 14%. This situation is the same as item four – lot coverage.
- 6) Attached garage width and setback maximum 40% width and 6 m setback whereas 43% width and 5.6 m setback is proposed. With a narrow lot, providing a viable garage is more difficult. The proposal is seeking to have a setback reduction that matches the minimum parking space length. Staff are cautious about this as it would mean a vehicle such as a pick-up truck can be longer than 5.6 m.

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. This would be offset by increased costs associated with maintaining any new assets assumed along Adelaide Road (i.e. sidewalks, lighting, sanitary service). Upon building permit issuance, Finance will help calculate the development charges, subject to any credits or exemptions, 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 all infrastructure found on municipal streets (in this case that would be the sidewalk), as new assets that will require a commitment for future maintenance. 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:* 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.
- 2) *Growth Management:* Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources.
- 3) *Destination Building:* Strathroy-Caradoc will provide distinct experiences that celebrate its past and future by prioritizing innovative new ideas that set the community apart.

SUMMARY AND NEXT STEPS

Based on the above analysis, staff are supportive of the proposed rezoning as it is considered to be consistent with the Provincial Planning Statement, in conformity with the County of Middlesex Official Plan, Strathroy Caradoc Official Plan and represents good planning.

A zoning by-law amendment has been prepared for Council's consideration.

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-2025-18 for ZBA 1-2024 be received for information and the application for Zoning By-law Amendment be deferred sine die.;
2. THAT: the subject report BBP-2025-18 for ZBA 1-2024 be received for information and the application for Zoning By-law Amendment be denied.; OR
3. THAT: the subject report BBP-2025-18 for ZBA 1-2024 be received for information.
AND THAT: Council to provide alternate direction.

ATTACHMENTS:

Attachment No. 1 – Location Map

Attachment No. 2 – Site Plan Current and Site Plan at Public Meeting

Attachment No. 3 – Application Summary

Attachment No. 4 – Technical Comments

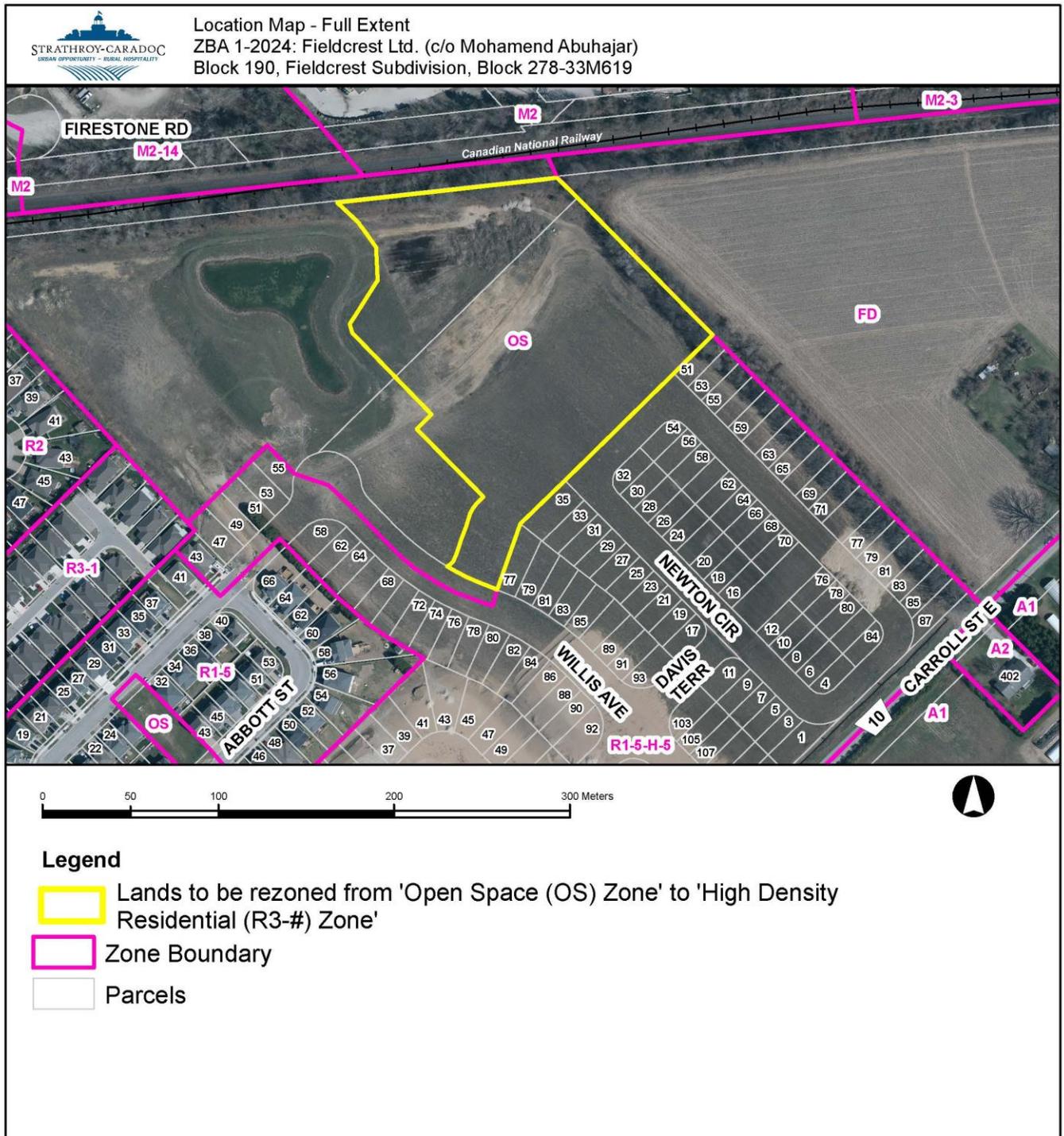
Attachment No. 5 – Public Consultation details

Attachment No. 6 – Planning Policy Background

Attachment No. 7 – Site Statistics & Planning Summary

Attachment No. 8 – Notice of Public Meeting

Attachment 1: Location Map



Attachment 2: Site Plan – Current Plan



ENCON
 1321 Industrial Road
 Toronto, ON M9W 4K7
 Tel: 914-897-2310 Fax: 914-897-3122
 Email: info@encon.ca Web: www.encon.ca

DRAFT PLAN OF VACANT LAND CONDOMINIUM

CARROLL STREET & QUEEN STREET
 MUNICIPAL DISTRICT OF BRAMPTON
 PROVINCE OF ONTARIO

INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

A) Revision
 B) As shown
 C) As shown (except as noted)
 D) As shown
 E) As shown
 F) As shown
 G) As shown

LAND USE SCHEDULE: ZONING: Z-100 (R) (C) (M) (H) (I) (O) (P) (Q) (R) (S) (T) (U) (V) (W) (X) (Y) (Z) (AA) (AB) (AC) (AD) (AE) (AF) (AG) (AH) (AI) (AJ) (AK) (AL) (AM) (AN) (AO) (AP) (AQ) (AR) (AS) (AT) (AU) (AV) (AW) (AX) (AY) (AZ) (BA) (BB) (BC) (BD) (BE) (BF) (BG) (BH) (BI) (BJ) (BK) (BL) (BM) (BN) (BO) (BP) (BQ) (BR) (BS) (BT) (BU) (BV) (BW) (BX) (BY) (BZ) (CA) (CB) (CC) (CD) (CE) (CF) (CG) (CH) (CI) (CJ) (CK) (CL) (CM) (CN) (CO) (CP) (CQ) (CR) (CS) (CT) (CU) (CV) (CW) (CX) (CY) (CZ) (DA) (DB) (DC) (DD) (DE) (DF) (DG) (DH) (DI) (DJ) (DK) (DL) (DM) (DN) (DO) (DP) (DQ) (DR) (DS) (DT) (DU) (DV) (DW) (DX) (DY) (DZ) (EA) (EB) (EC) (ED) (EE) (EF) (EG) (EH) (EI) (EJ) (EK) (EL) (EM) (EN) (EO) (EP) (EQ) (ER) (ES) (ET) (EU) (EV) (EW) (EX) (EY) (EZ) (FA) (FB) (FC) (FD) (FE) (FF) (FG) (FH) (FI) (FJ) (FK) (FL) (FM) (FN) (FO) (FP) (FQ) (FR) (FS) (FT) (FU) (FV) (FW) (FX) (FY) (FZ) (GA) (GB) (GC) (GD) (GE) (GF) (GG) (GH) (GI) (GJ) (GK) (GL) (GM) (GN) (GO) (GP) (GQ) (GR) (GS) (GT) (GU) (GV) (GW) (GX) (GY) (GZ) (HA) (HB) (HC) (HD) (HE) (HF) (HG) (HH) (HI) (HJ) (HK) (HL) (HM) (HN) (HO) (HP) (HQ) (HR) (HS) (HT) (HU) (HV) (HW) (HX) (HY) (HZ) (IA) (IB) (IC) (ID) (IE) (IF) (IG) (IH) (II) (IJ) (IK) (IL) (IM) (IN) (IO) (IP) (IQ) (IR) (IS) (IT) (IU) (IV) (IW) (IX) (IY) (IZ) (JA) (JB) (JC) (JD) (JE) (JF) (JG) (JH) (JI) (JJ) (JK) (JL) (JM) (JN) (JO) (JP) (JQ) (JR) (JS) (JT) (JU) (JV) (JW) (JX) (JY) (JZ) (KA) (KB) (KC) (KD) (KE) (KF) (KG) (KH) (KI) (KJ) (KK) (KL) (KM) (KN) (KO) (KP) (KQ) (KR) (KS) (KT) (KU) (KV) (KW) (KX) (KY) (KZ) (LA) (LB) (LC) (LD) (LE) (LF) (LG) (LH) (LI) (LJ) (LK) (LL) (LM) (LN) (LO) (LP) (LQ) (LR) (LS) (LT) (LU) (LV) (LW) (LX) (LY) (LZ) (MA) (MB) (MC) (MD) (ME) (MF) (MG) (MH) (MI) (MJ) (MK) (ML) (MM) (MN) (MO) (MP) (MQ) (MR) (MS) (MT) (MU) (MV) (MW) (MX) (MY) (MZ) (NA) (NB) (NC) (ND) (NE) (NF) (NG) (NH) (NI) (NJ) (NK) (NL) (NM) (NN) (NO) (NP) (NQ) (NR) (NS) (NT) (NU) (NV) (NW) (NX) (NY) (NZ) (OA) (OB) (OC) (OD) (OE) (OF) (OG) (OH) (OI) (OJ) (OK) (OL) (OM) (ON) (OO) (OP) (OQ) (OR) (OS) (OT) (OU) (OV) (OW) (OX) (OY) (OZ) (PA) (PB) (PC) (PD) (PE) (PF) (PG) (PH) (PI) (PJ) (PK) (PL) (PM) (PN) (PO) (PP) (PQ) (PR) (PS) (PT) (PU) (PV) (PW) (PX) (PY) (PZ) (QA) (QB) (QC) (QD) (QE) (QF) (QG) (QH) (QI) (QJ) (QK) (QL) (QM) (QN) (QO) (QP) (QQ) (QR) (QS) (QT) (QU) (QV) (QW) (QX) (QY) (QZ) (RA) (RB) (RC) (RD) (RE) (RF) (RG) (RH) (RI) (RJ) (RK) (RL) (RM) (RN) (RO) (RP) (RQ) (RR) (RS) (RT) (RU) (RV) (RW) (RX) (RY) (RZ) (SA) (SB) (SC) (SD) (SE) (SF) (SG) (SH) (SI) (SJ) (SK) (SL) (SM) (SN) (SO) (SP) (SQ) (SR) (SS) (ST) (SU) (SV) (SW) (SX) (SY) (SZ) (TA) (TB) (TC) (TD) (TE) (TF) (TG) (TH) (TI) (TJ) (TK) (TL) (TM) (TN) (TO) (TP) (TQ) (TR) (TS) (TT) (TU) (TV) (TW) (TX) (TY) (TZ) (UA) (UB) (UC) (UD) (UE) (UF) (UG) (UH) (UI) (UJ) (UK) (UL) (UM) (UN) (UO) (UP) (UQ) (UR) (US) (UT) (UU) (UV) (UW) (UX) (UY) (UZ) (VA) (VB) (VC) (VD) (VE) (VF) (VG) (VH) (VI) (VJ) (VK) (VL) (VM) (VN) (VO) (VP) (VQ) (VR) (VS) (VT) (VU) (VV) (VW) (VX) (VY) (VZ) (WA) (WB) (WC) (WD) (WE) (WF) (WG) (WH) (WI) (WJ) (WK) (WL) (WM) (WN) (WO) (WP) (WQ) (WR) (WS) (WT) (WU) (WV) (WW) (WX) (WY) (WZ) (XA) (XB) (XC) (XD) (XE) (XF) (XG) (XH) (XI) (XJ) (XK) (XL) (XM) (XN) (XO) (XP) (XQ) (XR) (XS) (XT) (XU) (XV) (XW) (XX) (XY) (XZ) (YA) (YB) (YC) (YD) (YE) (YF) (YG) (YH) (YI) (YJ) (YK) (YL) (YM) (YN) (YO) (YP) (YQ) (YR) (YS) (YT) (YU) (YV) (YW) (YX) (YY) (YZ) (ZA) (ZB) (ZC) (ZD) (ZE) (ZF) (ZG) (ZH) (ZI) (ZJ) (ZK) (ZL) (ZM) (ZN) (ZO) (ZP) (ZQ) (ZR) (ZS) (ZT) (ZU) (ZV) (ZW) (ZX) (ZY) (ZZ)

NOTES:
 1. ALL LOT LINES ARE AS SHOWN WITH THE EXCEPTION OF UNIT 1, COMPASS THE COMMON ELEMENTS.
 2. OWNER'S CHIEF ARCHITECT HAS REVIEWED AND APPROVED THIS PLAN IN DRAFT FORM.

OWNER'S NAME HEREBY CONSENTS TO THE FILING OF THIS PLAN IN DRAFT FORM.

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 APPROVED BY: _____
 DATE: _____

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 DATE: _____

PROJECT NO.: FC-18-01
 DRAWING NO.: A01
 SHEET NO.: 01

PHASE 7

DATE: _____
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 APPROVED: _____
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 DATE: _____

PROJECT NO.: FC-18-01
 DRAWING NO.: A01
 SHEET NO.: 01

Attachment 3: Application Summary

In addition to the application forms, the submission included the following support documents:

- Site Plan, prepared by Incon. dated on July 17, 2024;
- Planning Justification Report, dated December 2023 and revised July, 2024 by MHBC Planning Limited;
- Stormwater Management Report dated August 6, 2021 revised June 13, 2024, by LDS Consultants Inc.; and
- Watermain Distribution Report dated June 18, 2024, by MTE Consultants Inc.

Zoning By-law amendment application was received on February, 2024, deemed incomplete on March 20, 2024. The revised submission included the watermain distribution and additional site plan details as such the application was deemed complete on October 10, 2024.

On December 11, 2024, a revised submission was filed that included:

- Planning Justification Letter, dated December 11, 2024; and
- Site Plan dated October 21, 2024.

Attachment 4: Technical Comments

County Safety and Standards Officer advised on several conditions of approval relating to street naming, addressing and communications that will be required for the draft plan of subdivision. *This can be addressed at site plan approval.*

Canada Post advised that they are looking for community mailboxes to be provided to their standard during the site plan process. *This can be addressed at site plan approval.*

Director of Community Services advised that the parkland reconfiguration is better than the previous parkland configuration, in light of this no comments on the rezoning.

Engineering and Public Works advised that:

- A sanitary servicing report will need to be provided and reviewed by the municipality as part of the zoning by-law amendment.
- The water distribution report and SWM report are for the subdivision and not specifically for subject property. Although the reports do speak to the block, it may be easier to have a servicing brief prepared for only the block. For example, there's no servicing concept plans provided for the block. *The supplied information that has been submitted to date is sufficient for engineering to be satisfied with the proposal from a high level.*
- The stormwater pond will be reviewed and approved as part of the subdivision approval, not the block.
- The internal road by units 188 and 97 is quite long and may be a concern for emergency services however these details can be worked out at the site plan stage.

- Visitor parking isn't spread out or centralized, details can be worked out during the site plan stage. *The parking continues to be in centralized as such the site plan process will need to look and amendments to this configuration.*
- Addition detailed servicing design will be required at site plan and condominium approval if the rezoning is successful.

Planning staff advised that the applicant is requesting a reduction in the front and rear yard setbacks leaves very little outside space for the future residents and this is reason for the proposed minimum 15% minimum landscape open space for some of the units where 30% is the minimum in the zoning bylaw. *The proposed development is proposing over 53m² common amenity space where 20 m² is required in the zoning by-law.*

The proposal has a density of 44.3 units per ha including the open spaces include the CN barrier so net of the berm would be considered high density and careful consideration of the site plan details (landscaping, parking configuration, turning circles, fire hydrants, etc) will be important to the success of this development. The proposal has elements of an infill development, which requires increased sensitivity to the future adjacent residential dwellings. The current proposal includes a number of features that will need to be refined during the site plan process such as landscape buffers, length of private roads that are dead end streets and alike. *The site plan process will continue to be an important part of making this a successful development.*

The new PPS 2024 requires evaluation of the any development 300 m from an employment area. On the north side of the CN Rail line is the High/ York industrial area. The proposed site is between 90m to 300 m away from the closest industrial building. *The applicant has provided commentary that the development will not infringe on the surround industrial on the impacts of this development on the adjacent industrial operations and staff feel that this is satisfactory.*

CN Railway has advised it is noted that the subject site is adjacent to CN's Main Line. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's objective regarding developments in proximity to railway operations is to mitigate railway-oriented impacts such as noise, vibration, and safety hazards, to ensure that the quality of life of the future development's residents and users is not negatively affected. CN, in collaboration with Railway Association of Canada and the Federation of Canadian Municipalities, developed the Guidelines for New Development in Proximity to Railway Operations in order to promote proper planning around railway operations. The Guidelines can be found at <https://www.proximityissues.ca>.

CN requests for the implementation of the following criteria as conditions of application approval:

- Safety setback of principal buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.5 meters above grade at the property line, with side slopes not steeper than 2.5 to 1.

- The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.
- A minimum 30 metres setback is required for vehicular property access points from at-grade railway crossings.
- The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, CN may consider other measures recommended by an approved Noise Consultant.
- Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 meters of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

This can be addressed at site plan approval.

- The storm water management facility must be designed to control storm water runoff to pre-development conditions including the duration and volume of the flow and accordingly have no impacts on CN right of way, including ditches, culverts and tracks. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from CNR and be substantiated by a drainage report to the satisfaction of the Railway. *Additional information was supplied and CN staff agreed that this has been addressed.*
- The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and noise/vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN. *This can be addressed at site plan approval.*

- The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement. *This can be addressed at site plan approval.*
- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN. *This can be addressed at site plan approval.*

CN anticipates the opportunity to review a detailed site plan, a Noise and Vibration study and a storm water management report taking into consideration FCM/RAC development guidelines.

In order to ensure the safety of railway operations, CN's operations and infrastructure are not to be impaired or affected by any construction works or any other works. Additionally, any work performed on CN's property must be arranged through a work permit.

Further to this after reviewing the Stormwater Management Report, CN has determined that the surface waters should not be directed along CN right of way because these ditches are not well maintained (see images below). Since they are not well maintained, they will not perform adequately for their purpose and the post and pre flows could increase within CN right of way. The water surface should be redirected towards the storm sewers in the streets to not adversely affect CN right of way and its operations.

Attachment No. 5 – Public Consultation details

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 10, 2024.

Attachment No. 6 – Planning Policy Background

POLICY AND REGULATION BACKGROUND

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Planning Statement and the County of Middlesex Official Plan. The lands are designated “Residential” under the Strathroy-Caradoc Official Plan and within the ‘Open Space (OS) Zone’ pursuant to the Strathroy-Caradoc Zoning By-law.

Planning Act

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 Planning Statement (2024)

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

Section 2.2.1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents.

Section 2.3.1.1 indicates that Settlement areas should be the focus of growth and development. Within settlement area, growth should be focused is.

Section 2.3.1.2 outlines the need for settlement areas should be based on densities and a mix of land uses which efficiently use land and resources as well as optimize existing and planned *infrastructure* and *public service facilities*;

Section 2.9.1 municipalities should plan to reduce greenhouse gas emissions.

Section 3.1.1 Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Further that they are financially viable over their life cycle, leverage the capacity of development proponents, and are available to meet current and projected needs.

Section 3.6.1 Planning for sewage and water services shall accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services.

Middlesex County Official Plan (2023 Update)

The subject lands are designated ‘Settlement Areas (Urban and Community)’ according to *Schedule A: Land Use*, 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 2.3.7 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 2.4.5 states that the County shall encourage development on municipal water and sanitary systems.

Section 3.2.2 directs that settlement areas shall development 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 'Residential' according to *Schedule A: Structure Plan* and *Schedule F: Land Use & Transportation Plan*, respectively. The Strathroy Caradoc Official Plan has also been updated through OPA 14 and received approval from County in December of 2023. It has been appealed by one party and as such is *not* in full force and effect. The purpose of Official Plan Amendment 14 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 Planning 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 2.4.1 encourages the provision of a wide variety of housing types with greater densities within the settlement area. The residential intensification and redevelopment is 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 2.4.6 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 does not require the compatibility of the development, be only complementary with the neighbouring development.

Section 3.2 outlines the goal of maintaining adequate supply of housing, more specifically dwelling types, tenure and affordability. 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.

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 Medium density development (e.g. walk-up apartments and townhouses) shall be encouraged on lands that have access onto an arterial or collector road. Development on local streets shall be permitted within close proximity to intersections with arterial or collector roads and providing vehicular conflicts are minimized. The height, density, arrangement and design of buildings and structures shall complement and not adversely impact neighbouring lower density residential development. OPA 14 modifies this section to relate the development to density rather than number of storeys and adds adequate parking, recreational facilities, active transportation, visual interest, and safety.

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

With respect to the Zoning By-law Amendment, the applicant has submitted a zone change application to rezone the property to be within the Strathroy-Caradoc zoning by-law and within a site specific ‘High Density Residential (R3-25-H-1-1H-5) Zone’

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 H-1 holding provision ensures the orderly development of the lands, the “H-1” symbol shall not be removed until a noise report is filed with the municipality and a site plan agreement for the subject lands has been entered into with and to the satisfaction of the Municipality addressing the issues identified under Section 41 of the Planning Act which includes the noise and vibration mitigation measures.

The ‘R3’ zone is intended for lands within Strathroy 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 following chart identifies the zoning provision applicable to the R3 zone as well as the zoning statistics for the proposal. Bold numbers below indicate provisions that do not meet the zoning standards.

Provision	High Density Residential (R3) Zone (Townhouses)	Proposed
Lot Frontage (min)	6 m per unit	6.7 m (interior units)

		6.8 m (exterior units)
Lot Area (min)	210 m² per unit (24,780 m²) (61 uph)	137 m² (Conventional Units) 117 m² (Units 6 to 17) 97 m² (Back-to-Back Units)
Front Yard Depth (min)	4.5 m	3.0 m from a Public Road (Newton Circle) 3.0 m from a Private Road (all other Units) 4.5 m from a Private Road (Units 1-4, and 21-81)
Centre Line of Road Setback (min)	38m	N/A
Side Yard Width (min)	2 m 0 m (Common Wall)	2.3 m Unit 111 others 3 m 0 m (Common Wall)
Rear Yard Depth (min)	9 m	6.0 m (Conventional Units, 1 to 5, 21-32 and 75 -81) 4.5 m (Units 6 to 20, 82 -120) 0 m (Back to Back Units)
Lot Coverage (max)	45%	44% (Conventional Units 1-5, 21-32, 75-81)) 51% (Units 6 to 20 82-120) 62% (Back to Back Units)
Landscaped Open Space (min)	30%	40% (Conventional Units 1-5, 21-32, 75-81) 30% (Conventional Units 11-20) 34% (Conventional Units 6-10, 82-120) 14% (Back to Back Units)
Outdoor Common Amenity Area (min)	20 m ² per unit (2,360 m ²)	54m ² per unit (6,368.2 m ²)
Attached Garage • Maximum Width • Front/Exterior Side Yard Lot Setback • Rear/Interior Side Lot Yard Setback	40% 6 m 1.2 m	43.3% 5.6 m from private road (Units 6 to 10 and 82-120) 7.0 m from private road (Units 1-5) 7.1 m from private road (all other units) N/A (common wall)
Parking Coverage (max)	25%	16% (Conventional Units 1-10, 21-32,75-81) 19% (Conventional Units 11-20, 82-120) 23% (Back-to-Back Units) 4% (Comment Element)
Parking	1.5 parking spaces per unit –tenant = 177 0.15 parking spaces per unit- visitor = 18	240 spaces (Resident) 18 spaces (Visitor)
Parking aisle width	7.3m	6.7m

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



NOTICE OF APPLICATION AND PUBLIC MEETING

APPLICATION FOR ZONING BY-LAW AMENDMENT

APPLICATION NO.: ZBA1-2024

APPLICANT/AGENT: Fieldcrest Ltd. (c/o Mohamend Abuhajar)

SUBJECT LANDS

Block 190, Fieldcrest Subdivision, Block 278-33M619

Purpose and Effect

An application Zoning Amendment has been submitted by the owner of the property. The lands are approximately 3.09 ha (7.6 ac) in size and are designated 'Residential' in the Official Plan. The application proposes to rezone of the property Open Space to permit additional residential dwellings. The proposal includes the conversion of the former school site as well as part of SWM/Park block to townhouse development (see attached). The proposal includes 118 dwelling units and repositioning the parkland to adjacent to Willis Avenue. The proposal would be developed as a condominium. The rezoning application proposes to re-zone the land from 'Open Space (OS) zone' to site specific 'High Density Residential (R3-#) zone'.

PUBLIC MEETING

Date: November 4, 2024

Time: 6:00 pm

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

How to Participate in the Public Meeting:

- 1) Submit written comments to the Clerk at 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 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. 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 / 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.

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



NOTICE OF APPLICATION AND PUBLIC MEETING

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 (reference to council and name of municipality, or name of planning board or approval authority, as the case may be) 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 (name of municipality or planning board) before the by-law 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 (name of municipality or planning board) before the by-law 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) 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: October 10th, 2024

