

COMMITTEE OF ADJUSTMENT

Planning Staff Report

Meeting date: May 1, 2025
Department: Building, By-law & Planning
Report No.: BBP-2025-33
Submitted by: Alyssa Soldo, Planner
Reviewed by: Erin Besch, Planner
Approved by: Jake DeRidder, Senior Development Coordinator
SUBJECT: **Application for Consent (B3-2025) 56 Canaan Street, Strathroy**
Owner: Prowler Holdings Inc.

RECOMMENDATION: THAT: Application for Consent B3-2025 be approved with conditions.

PURPOSE:

The purpose of this application is to convey a portion of the subject lands (56 Canaan Street) for the purposes of merging it with the adjacent lands, being 70 Canaan Street, through a consent for lot addition. The effect of the application would be to accommodate a building addition on 70 Cannan Street which has been built over the property line.

BACKGROUND:

The subject lands are located on the south side of Canaan Street, east of Caradoc Street South (County Road 81), in Strathroy. The entirety of the property is regulated by the St. Clair Region Conservation Authority.

The subject lands as a whole are approximately 14,308.79 m² (3.54 ac) in size with 10 m (32.8 ft) of frontage along Canaan Street, and contain warehouses, self-storage buildings, and a stone storage barn. The lands are connected to both municipal water and sanitary services.

The proposed lands to be conveyed are approximately 238 m² (2,562 ft²) in size, that is approximately 4.56 metres wide and 52 metres deep and currently contain a portion of the building expansion from the structure located at 70 Canaan Street.

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The lands proposed to be retained, being 56 Canaan Street, would be approximately 14,070 m² (3.47 ac) in size, with 10 m (32.8 ft) of frontage along Canaan Street.

The adjacent lands, being 70 Canaan Street, are approximately 4,937 m² (1.22 ac) in size with 110 m (328 ft) of frontage along Canaan Street. The lands contain an industrial warehouse with a building addition for office space. With the addition of the conveyed lands, 70 Canaan Street would be approximately 5,175 m² (1.28 ac) in size, with 110 m (328 ft) of frontage.

The applicant has advised the purpose of the lot addition is to properly accommodate the building addition on 70 Canaan Street, which has already been built over the property line and without a building permit. The lot addition will ensure that the building is fully located within its own property boundaries and meets zoning setbacks.

Canaan Street is classified as a 'local road', under the jurisdiction of the Municipality of Strathroy-Caradoc.

Surrounding land uses include commercial to the west, the CN railway directly to the south, industrial to the north, and residential uses to the north and east.

POLICY AND REGULATION BACKGROUND:

The subject lands are located within the 'Settlement Area' designation on Schedule 'A' of the County Official Plan, the 'Industrial' designation of the Strathroy-Caradoc Official Plan and within the site-specific 'Light Industrial (M1-3) Zone' of the Zoning By-law.

2024 Provincial Planning Statement (PPS)

The Provincial Planning Statement 2024 defines legal or technical reasons as "*means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.*"

Middlesex County Official Plan

Section 2.3.8 of the County Official Plan states that urban areas and community areas shall be the focus for future growth including residential, commercial and industrial development.

Strathroy-Caradoc Official Plan

The primary use of lands designated 'Industrial' are for industrial uses including manufacturing, assembling and processing of goods or materials, repairing and recycling, warehousing and distribution of goods, truck terminals and building/construction contractors (Section 3.3.3.1).

Section 7.4.3.3 of the Municipal Official Plan states that "The granting of a severance for purposes of adjusting or correcting lot boundaries or to convey a relatively modest amount of land to an abutting lot shall be permitted provided:

- a) The conveyance does not lead to the creation of an undersized, irregularly shaped lot(s) unsuited to the purpose for which it is being used or proposed to be used, or contrary to the provisions of the Zoning By-law unless the By-law is otherwise amended or a variance granted;

- b) The lands being conveyed are registered in the same name and title as the lands to which they are being added;
- c) It is stipulated in the granting of the severance that any subsequent conveyance or transaction shall require a future severance.”

Strathroy-Caradoc Zoning By-Law

The 'Light Industrial (M1-3) Zone' of the Strathroy-Caradoc Zoning By-law requires a minimum lot area of 2,500 m², minimum frontage of 15 m, minimum front yard depth of 6 m, minimum side yard width of 3 m, minimum rear yard depth of 7.5 m, minimum lot depth of 40 m, maximum lot coverage of 50%, and minimum landscaped open space of 10%. The site-specific zoning permits an additional use to the general 'M1' zoning, being a crematorium.

CONSULTATION:

Notices have been circulated to agencies and the public in accordance with the requirements of the *Planning Act*. At the time this report was completed, the following comments were received:

St. Clair Region Conservation Authority: The subject properties are regulated by the Conservation Authority under Ontario Regulation 41/24. As no new lots will be created and the severed portion will be merged as a lot addition to 70 Canaan Street, SCRCA has no comments regarding the consent application. Any future development and/or site alteration on the subject properties will require written permission from the Conservation Authority under Ontario Regulation 41/24.

The Senior Development Coordinator noted that a condition be added stating that the owner shall dedicate lands to the Municipality along the entire frontage of Canaan Street to the satisfaction of the Municipality.

At the time of preparing this report, no concerns or comments have been received from the public.

ANALYSIS:

It appears that the reconfiguration of the lot boundary between 56 and 70 Canaan Street is minor in nature, does not further create an irregular shaped lot, and will resolve the current zoning deficiencies on 70 Canaan Street property concerning the building addition which crosses property lines. The lot addition will ensure that the entirety of the building is located within one property and meets the side yard setback requirement of 3 metres. No further deficiencies are created through this process as both lots will continue to meet minimum lot area and coverage requirements.

A number of conditions of approval are being recommended by staff in order to complete the consent for lot addition.

CONCLUSION:

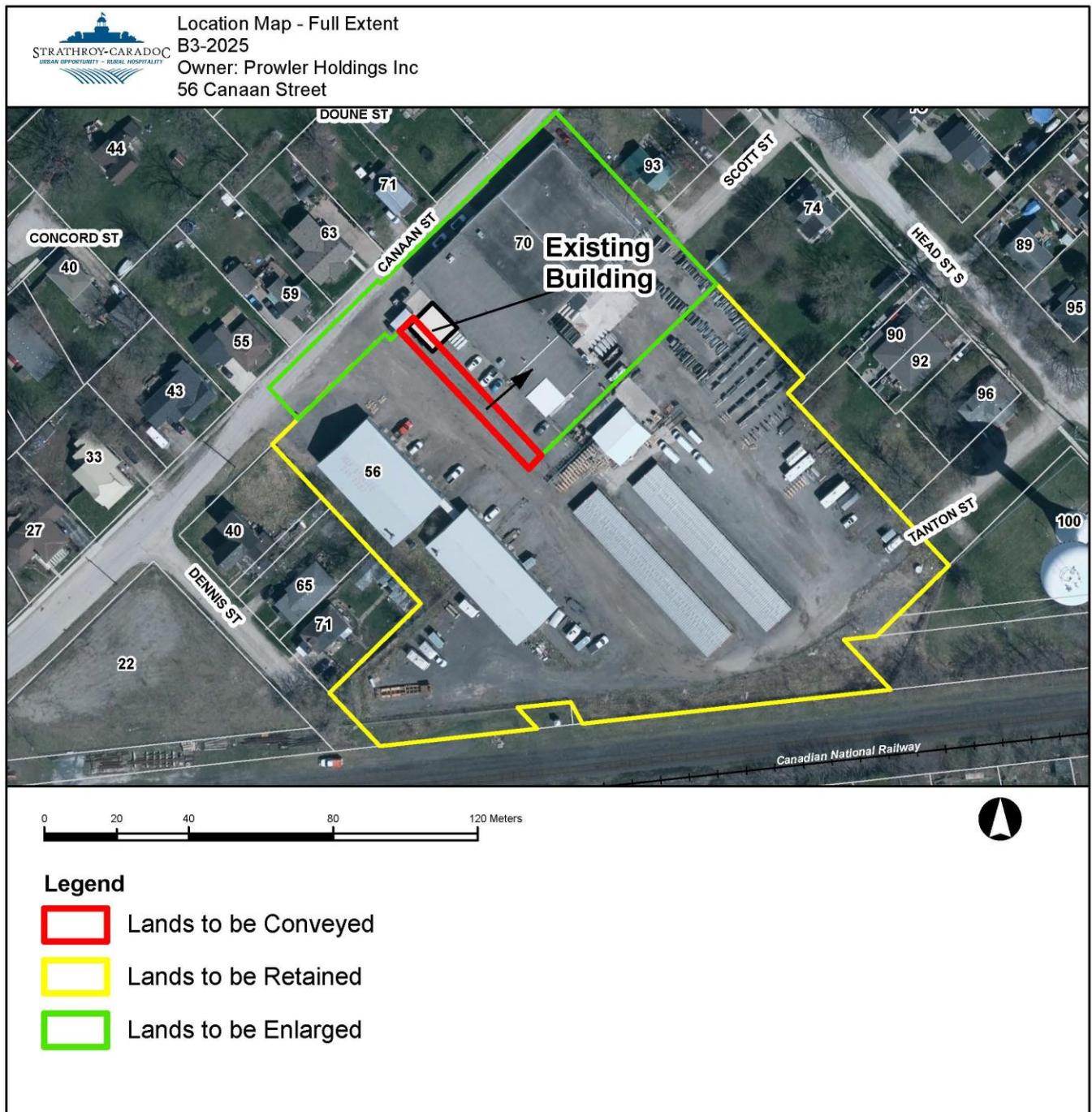
Based on the above analysis, it is recommended that the application for consent under Section 53 of the *Planning Act* be **approved** subject to conditions as the application satisfies the requirements of the *Planning Act*, is consistent with the Provincial Policy Statement, conforms to the Official Plans of both the Municipality of Strathroy-Caradoc and the County of Middlesex, and represents sound land use planning.

ATTACHMENTS

Location Map

Conditions of Approval

Location Map



Conditions of Approval (B3-2025)

1. That the Certificate of Consent under Section 53(42) of the Planning Act shall be given within two years of the date of the notice of the decision and the consent certificate fee be paid to the Municipality.
2. That any outstanding property taxes be paid in full.
3. That a draft reference plan be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B3-2025 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
4. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
5. That the Owner shall dedicate lands to the Municipality along the entire frontage of Canaan Street to the satisfaction of the Municipality.
6. That a building permit is obtained to legally recognize the building addition on 70 Canaan Street.
7. That the conveyed lands be merged in the same name and title as the adjacent lot, known municipally as 70 Canaan Street, to the satisfaction of the Municipality; that subsection 50(3) or (5) of the Planning Act apply to any subsequent conveyances involving the enlarged parcel, and that any mortgages that may be required take into the account the parcel as enlarged.
8. That the location of the municipal water service be confirmed for the 'lands to be retained', to the satisfaction of the Municipality. If the service crosses the adjusted lot boundary, it is to be relocated to be wholly contained on the 'lands to be retained' at the cost of the owner and then reconnected, to the satisfaction of the Municipality.
9. That the location of the municipal sanitary service be confirmed for the 'lands to be retained', to the satisfaction of the Municipality. If the service crosses the adjusted lot boundary, it is to be relocated to be wholly contained on the 'lands to be retained' at the cost of the owner and then reconnected, to the satisfaction of the Municipality.
10. That the location of the utility services (gas, hydro, telephone) be confirmed for the 'lands to be retained', to the satisfaction of the Municipality. If any of the services cross the adjusted lot boundary, they are to be relocated at the cost of the owner and then reconnected, to the satisfaction of the Municipality.
11. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
12. That the applicant's solicitor submit an undertaking in a form satisfactory to the Secretary-Treasurer to register an electronic transfer of title consistent with the Acknowledgement and Direction and the decision of the Committee of Adjustment.