



COMMITTEE OF ADJUSTMENT Planning Staff Report

Meeting date: May 1, 2025
Department: Building, By-law & Planning
Report No.: BBP-2025-34
Submitted by: Alyssa Soldo, Planner
Reviewed by: Tim Williams, Manager of Planning
Erin Besch, Planner
Approved by: Jake DeRidder, Senior Development Coordinator
SUBJECT: Application for Consent (B4-2025) – 22706 & 22710 Adelaide Road
(County Road 81), Mount Brydges
Owners: Paul Milliken, Doug Milliken, and David Milliken

RECOMMENDATION: THAT: Application for Consent B4-2025 be approved with conditions.

PURPOSE:

The purpose of the consent application is to sever an existing semi-detached dwelling through the creation of a new residential lot.

BACKGROUND:

The subject property is located on the north side of Adelaide Road, lying between Wood's Edge Road and Falconbridge Drive, and is municipally known as 22706 & 22710 Adelaide Road, Mount Brydges (see Location Map).

The property is approximately 0.86 ha (2.12 ac) in area with approximately 37.18 metres (122 feet) of frontage along Adelaide Road. The property contains an existing semi-detached dwelling, barn, and detached garage, accessed via a driveway along Adelaide Road. Adelaide Road (County Road No. 81) is classified as an 'Arterial Road' under the jurisdiction of the County of Middlesex. Previously, the property contained a residential building that caught fire in 2020 and was demolished. Thereafter, the semi-detached dwellings were constructed on the property.

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In support of the application, the applicants have provided a severance sketch which depicts the lots to be severed and retained, as well as the location of the existing semi-detached dwelling.

The lot to be severed is approximately 414 m² (4,456.3 ft²) in size with approximately 10.746 m (35.2 ft) of frontage along Adelaide Road and contains one-half of the existing semi-detached dwelling.

The lot to be retained is approximately 2.01 acres (8,172.2 m²) in size with approximately 26.434 m (86.7 ft) of frontage along Adelaide Road and contains one-half of the existing semi-detached dwelling as well as existing accessory buildings on the property (a garage and a barn).

Surrounding land uses are predominately residential in nature. The lots to be severed and the lot to be retained are currently connected to one set of municipal services and have individual driveways along Adelaide Road for vehicular access.

This application was previously brought forward to Committee on October 7, 2021, and was conditionally approved. The timeline to complete conditions has lapsed, therefore this application is the exact same request which was originally provided to allow for two additional years to complete conditions.

POLICY AND REGULATION BACKGROUND:

The Provincial Planning 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 Planning 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 (Section 2.3.1.2):

- Efficiently use land and resources;
- Optimize existing and planned infrastructure and public service facilities;
- Support active transportation;
- Are transit-supportive, as appropriate; and
- Are freight-supportive.

Intensification and redevelopment is supported to achieve complete communities by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities (Section 2.3.1.3).

County of Middlesex Official Plan

The subject lands are located within the Mount Brydges 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 4.5.3 (Consent) establishes that applications for consent will be considered based on the underlying land use designation and associated consent policies, and further, when reviewing applications for consent, County Council, local Councils, and Committee of Adjustments will apply appropriate sets of policies. In accordance with Section 4.5.3.1, applications for consents for building purposes will not be permitted where:

- The land is located within a Natural Heritage Feature or Natural Hazard and a suitable building site cannot be found;
- The land is located within a floodplain and an appropriate building site cannot be provided or access to the building site is subject to flooding or erosion;
- The land is located on significant mineral aggregate or mineral deposits, as identified by the Province;
- Provincial transportation objectives, standards, and policies for safety and access cannot be maintained;
- Where entrances and building setbacks from County Roads cannot be maintained; or,
- Where the created or retained parcels cannot be provided with adequate servicing.

Strathroy-Caradoc Official Plan

The subject lands are within the designated 'Settlement Area' of Mount Brydges according to *Schedule A: Structure Plan*, as contained within the Strathroy-Caradoc Official Plan. Further, the property is designated 'Residential' with an overlay identifying that development is permitted only on the basis of full municipal services according to *Schedule F: Land Use & Transportation Plan*.

The 'Residential' designation is intended for continued and future residential purposes, as well as lands to accommodate future expansions (Section 4.3.1). Within the 'Residential' designation, the primary use of land shall be single unit detached dwellings, as well as other dwelling types such as accessory apartments, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses and low rise, and small-scale apartment buildings (Section 4.3.1.1).

Section 4.3.1.4 states that residential intensification, including infilling, is considered desirable to make efficient use of underutilized lands and infrastructure. Proposals shall be evaluated, and conditions imposed as necessary, to ensure that any proposed development is in keeping with the established residential character, constitutes an appropriate fit in the terms of density, lot fabric, building design, dwelling types, and parking, and further, where appropriate services can be provided.

Section 7.4.3.1 (Lot Creation) identifies that the creation of lots by consent shall be considered in accordance with the following:

- Lots shall be created by severance where the number of new lots does not exceed three;
- Whether the proposed use and severance is in conformity with the policies and land use designations of the County and Municipal Official Plans;
- Whether the requirements of the Planning Act are satisfied;
- The effect of any relevant matters of provincial interest as declared by the Planning Act;
- The input received from the County of Middlesex and other public bodies/agencies;
- Input received from neighbouring property owners and residents; and,
- Resolution of issues arising out of the above evaluation through conditions imposed to the granting of the severance, including entering into an agreement between the Municipality and landowner pursuant to the Planning Act.

It should be noted that the Strathroy-Caradoc Council adopted Amendment No. 14 to the Official Plan in 2022. 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 Planning Statement (PPS), and reflect changing community needs for the next 25-years. OPA 14 is currently under appeal and, while generally in line with the proposal, the updated policies are not determinative for this application.

Strathroy-Caradoc Zoning By-law

The property is currently zoned 'Medium Density Residential (R2) Zone' according to the Strathroy-Caradoc Zoning By-law.

The '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.

Section 4.6(3)(b) establishes a minimum floor area of 40 m² for dwellings other than a single detached dwelling.

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:

The County Engineer has advised the owner will be required to dedicate lands up to 18 m from the centerline of construction of County Road 81 (Adelaide Road) to the County of Middlesex across the

severed and retained parcels for the purposes of road widening if the right of way is not already to that width.

Enbridge Gas Inc., previously advised that there are service lines in the area which may or may not be affected by the proposed severance and provided next steps if relocation is required.

The Manager of Environmental Services has previously advised that each lot will require individual sanitary and water connections which are to be located wholly on the individual property.

The Director of Building & Planning has previously advised that the Strathroy-Caradoc Strategic Plan 2019-2029 includes, as a key strategy to address the Municipality's housing affordability challenge, the support for the provision of attainable housing options.

Middlesex County Emergency Services has noted the below:

1. That the retained lands retain the assigned 911 property addresses of 22710 and 22706 Adelaide Road and the property owner ensure the 911 property addresses are posted to municipal standards and that they are maintained, visible and unobstructed so they are easily identified by emergency responders when responding from either direction from the Adelaide Road road allowance.
2. That the severed lands have a proposed 911 property address that is sequential in existing 911 addressing for Adelaide Road and it be submitted to the Municipality of Strathroy-Caradoc in consultation with the County of Middlesex for approval. If approved the 911 property address is to be sent to the County of Middlesex Planning GIS Specialist to ensure it is added to the County mapping system to meet the NG911 requirements.
3. If/when there is a building permit issued for the severed lands the approved 911 property address is to be posted temporarily and permanently during all stages of construction to municipal standards so it is maintained, visible and unobstructed so it is easily identified by emergency responders when responding from either direction from the Adelaide Road road allowance.

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

ANALYSIS:

The application for consent proposes to sever one-half of an existing semi-detached dwelling to create a new residential lot within Mount Brydges. The property is within the designated settlement area of Mount Brydges and is designated for residential uses, which permits semi-detached dwellings and accessory uses thereto. As the existing semi-detached dwelling is a permitted use within a designated settlement and is connected to full municipal servicing, it is the opinion of staff that the consent application is consistent with the PPS policies respecting development within a settlement area, and further, conforms to the Middlesex County Official Plan and Strathroy-Caradoc Official Plan policies respecting development within the designated 'Settlement Area' and 'Residential' area of Mount Brydges.

The surrounding land uses are predominately residential in nature consisting of single detached dwellings on varying lot sizes. It is noted that no additional buildings/structures are proposed as part of the application. As the semi-detached dwelling is an existing building on the property, and the proposed lot will meet the zoning provisions for the 'R2' zone, it is the opinion of staff that the severance is appropriate and will not negatively impact the character of the area, in accordance with Section 4.14 of the Zoning By-law.

The property is zoned 'R2' which allows for semi-detached dwellings as a permitted use. The proposed lot to be severed contains one-half of a semi-detached dwelling, whereas the lot to be retained will contain one-half of a semi-detached dwelling as well as two accessory structures. Planning staff note that the zoning provisions of the 'R2' zone are met and that no rezoning of the lot to be severed or the lot to be retained will be required to facilitate the severance.

It is noted that a number of conditions of approval are being recommended by staff in order to satisfy the comments received on the consent application.

CONCLUSION:

Based on the above analysis, it is recommended that the applications 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 Planning Statement, conforms to the Official Plans of both the Municipality of Strathroy-Caradoc and the County of Middlesex, and represents sound land use planning.

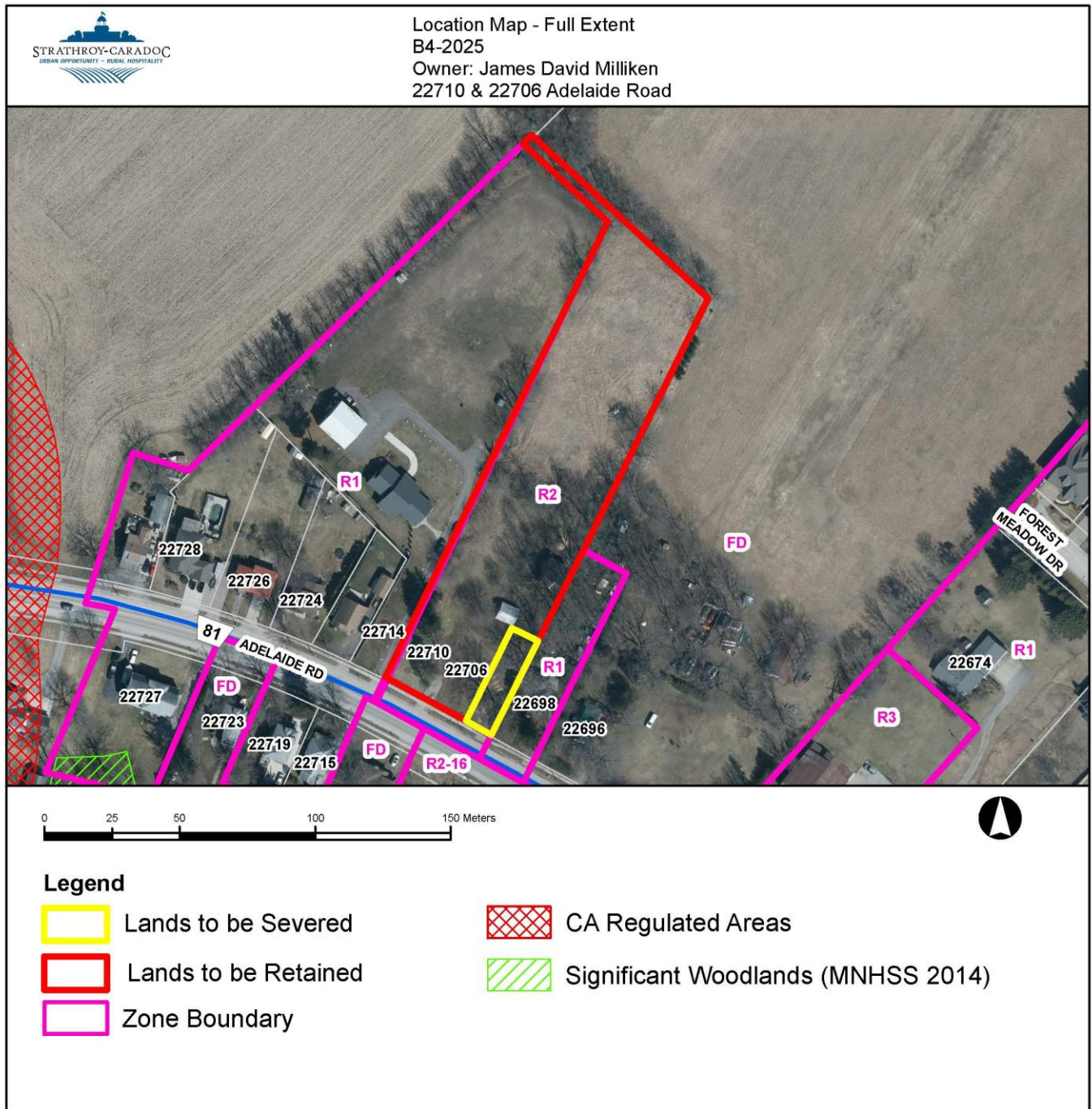
ATTACHMENTS

Location Map

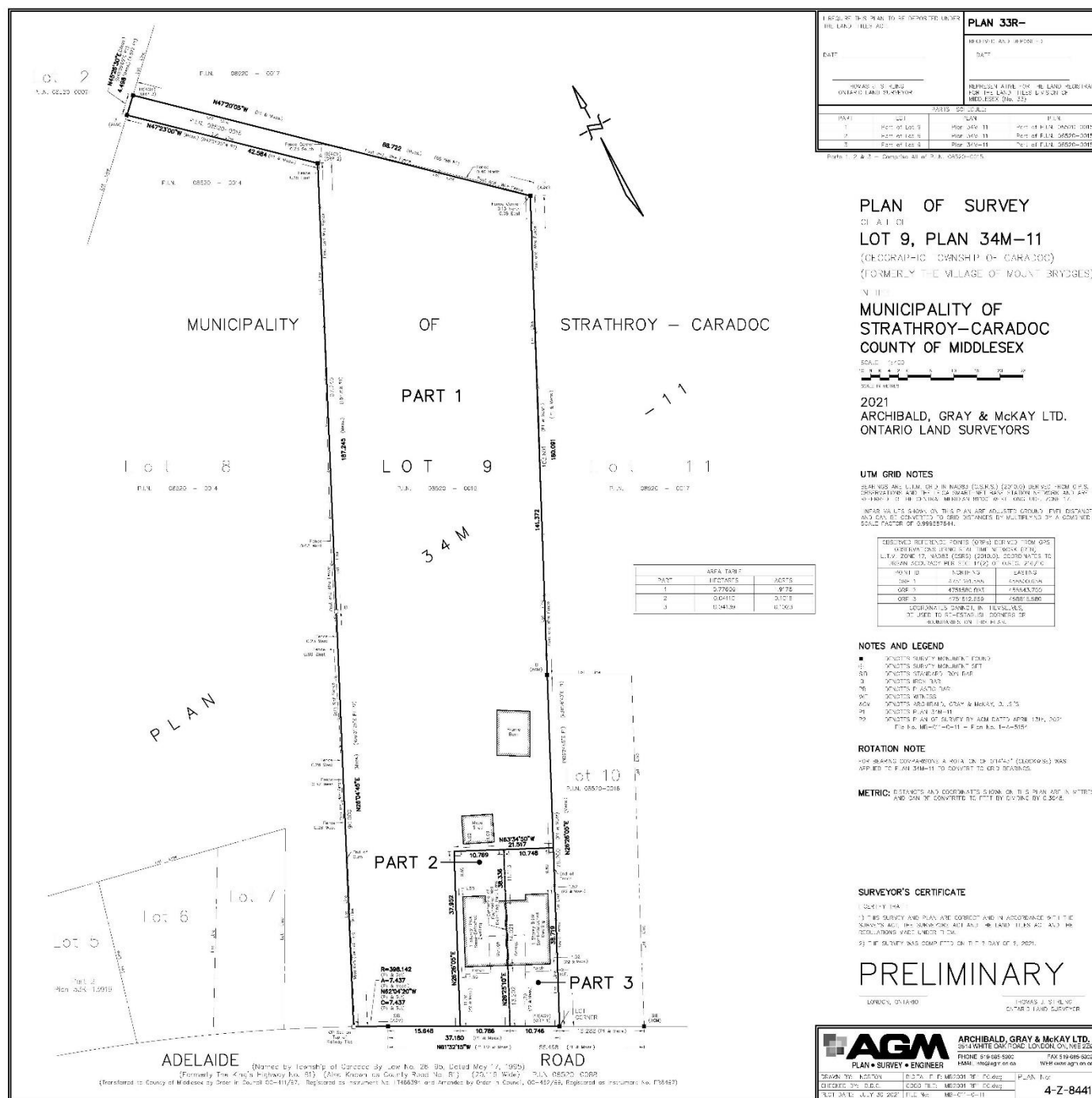
Severance Sketch

Conditions of Approval

Location Map



Severance Sketch



Conditions of Approval (B4-2025)

Approval of the subject application is conditional upon the following:

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 land dedication to the County of Middlesex for the purposes of road widening to a distance of 18.0 m from the centerline of construction of County Road 81 (Adelaide Road) is required if the right of way is not already to that width.
4. That a municipal 9-1-1 address be assigned to the 'lands to be severed', to the satisfaction of the Municipality and the County of Middlesex.
5. That the location of the utility services (gas, hydro, telephone) be confirmed for the 'lands to be retained' and 'lands to be conveyed', to the satisfaction of the municipality. If the services run through another lot, they will have to be relocated at the cost of the owner and then reconnected, to the satisfaction of the municipality.
6. That a draft reference plan, showing the 'severed lands' be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B11-2021 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
7. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
8. That the 'retained lands' and 'severed lands' be individually connected to the municipal water supply and municipal sewer facilities with all costs, including the sanitary PDC's to the lot line, being \$12,400.00 + HST and administration fees as well as applicable fees and charges to connect both sanitary and water to the dwellings, borne by the applicant.
9. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
10. 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.