

## **COMMITTEE OF ADJUSTMENT**

### **Planning Staff Report**

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**Meeting date:** July 3, 2025  
**Department:** Building, By-law & Planning  
**Report No.:** BBP-2025-62  
**Submitted by:** Alyssa Soldo, Planner  
**Reviewed by:** Tim Williams, Manager of Planning  
**Approved by:** Jake DeRidder, Manager of Growth and Development  
**SUBJECT:** **Application for Consent (B10-2025) 106 Front Street West, Strathroy**  
**Owner: 1001172316 ONTARIO INC**

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**RECOMMENDATION: THAT: Application for Consent B10-2025 be approved with conditions.**

#### **PURPOSE:**

The purpose of the consent application is to seek permission to sever one lot from an existing residential parcel. The severance will facilitate the proposal to construct a two-storey multi-unit (6) residential building on the severed parcel. The application proposes to sever a lot with an area of 670.3 m<sup>2</sup> (7,215.4 ft<sup>2</sup>) and a lot frontage of 11 m (36 ft) along Front Street West and a frontage of 3 m (9.8 ft) along Calendar Lane.

#### **BACKGROUND:**

The subject property is a through lot, located south of Front Street West, west of Thomas Street in Strathroy (see Location Map). The lands are approximately 1,083.7 m<sup>2</sup> (11,664.8 ft<sup>2</sup>) in size, with approximately 22.55 m (74 ft) of frontage along Front Street West and 22.8 m (74.8 ft) of frontage along Calendar Lane.

The lands to be retained are approximately 413.3 m<sup>2</sup> (4,449.2 ft<sup>2</sup>) in size, with 11.55 m (37.9 ft) of frontage along Front Street West and 3 m (9.8 ft) of frontage along Calendar Lane, containing an existing single detached dwelling on full municipal services and an accessory shed.

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**Application for Consent (B10-2025) 106 Front Street West, Strathroy**  
**Owner: 1001172316 ONTARIO INC**

The applicant is proposing to sever a new residential lot that is approximately 670.3 m<sup>2</sup> (7,215.4 ft<sup>2</sup>) in size, with 11 m (36 ft) of frontage along Front Street West and 19.748 m (64.8 ft) of frontage along Calendar Lane.

In support of the application, the applicant has provided a plan of survey, which depicts the lots to be severed and retained. The plan of survey identifies that the existing dwelling on the retained lot would maintain the required setbacks to the proposed lot line. The existing dwelling is approximately 117.8 m<sup>2</sup> (1,268 ft<sup>2</sup>) in size and the shed is approximately 13.6 m<sup>2</sup> (146 ft<sup>2</sup>), for a total lot coverage of 31.8%, which is under the 40% maximum permitted in the Zoning By-law. The retained lot is proposed to be rezoned to the 'Medium Density Residential (R2) Zone' and will require a site-specific zoning by-law amendment to recognize the reduced lot frontage and reduced parking spaces.

The applicant has also provided a conceptual site plan which shows the buildable area of the new lot. The proposed two-storey six-unit building is approximately 192.4 m<sup>2</sup> (2,071 ft<sup>2</sup>) in size, for a total lot coverage of 28.7% which is under the 40% maximum permitted in the Zoning By-law. The severed lot is proposed to be rezoned to the 'Medium Density Residential (R2) Zone' and will require a site-specific zoning by-law amendment to recognize the reduced lot frontage, reduced minimum lot area, reduced parking spaces, and the encroachment of bay windows and stairs into the interior side yards.

Front Street West is classified as a 'primary collector road' and Calendar Lane is classified as a 'local road' under the jurisdiction of the Municipality of Strathroy-Caradoc. Surrounding land uses are a mix of low and medium density residential.

## **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).

Settlement areas shall be the focus of growth and development (Section 2.3.1.1).

The PPS encourages land use patterns with settlement areas that are based on densities and a mix of land uses that (Section 2.3.1.2 & 2.3.1.3):

- Efficiently use land and resources;
- Optimize existing and planned infrastructure and public service facilities;
- Support the general intensification and redevelopment to support the achievement of complete communities; and
- Provides for a range and mix of housing options.

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas (Section 3.6.2).

### 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 of the County Official Plan 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.

Section 4.5.3.3 states that first consideration for the division of land in Settlement Areas shall be given to development by Plan of Subdivision. When the scale of development does not require a Plan of Subdivision a consent to sever will be considered provided:

- a) the application represents infilling in a built-up area and the proposed lots are compatible with the lot area, frontage and density pattern of the surrounding area; and
- b) the application represents orderly and efficient use of land, and its approval would not hinder future development of the retained land.

Consents shall conform to the intent of the County Plan and the land use designations and zoning provisions of the local municipality and in accordance with the Planning Act.

### Strathroy-Caradoc Official Plan

The subject lands are within the designated 'Settlement Area' of Strathroy according to *Schedule A: Structure Plan*, as contained within the Strathroy-Caradoc Official Plan. Further, the property is designated 'Residential' according to *Schedule B: Land Use & Transportation Plan*.

The 'Residential' designation is intended for continued and future residential purposes, as well as lands to accommodate future expansions (Section 3.3.4). Lands designated 'Residential' shall be predominantly 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).

Section 3.3.4.7 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 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. While the proposal is generally consistent with the policies in OPA 14, the document is currently under appeal and is therefore not determinative for this application.

#### 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, Type 1 Group Homes and home occupations. The zone requires a minimum lot area of 460 m<sup>2</sup> and a minimum lot frontage of 15 m for lots on full municipal services. Additional requirements include a 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%.

The property is proposed to be rezoned to the 'Medium Density Residential (R2) Zone'.

The 'R2' zone permits linked dwellings, multi-unit dwellings (maximum 6 units), semi-detached dwellings, single detached dwellings, townhouse dwellings (maximum 6 units), and Type 1 Group Homes (in a single detached dwelling only).

For a single detached dwelling, the zone requires a minimum lot area of 350 m<sup>2</sup> and a minimum lot frontage of 12 m. Additional requirements include a 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 multi-unit development, the zone requires a minimum lot area of 130 m<sup>2</sup> per unit and a minimum lot frontage of 20m. Additional requirements include a minimum front yard depth of 5 m, minimum side yard width of 2 m, minimum rear yard depth of 8 m, maximum lot coverage of 40%, and minimum landscaped open space area of 30%.

The special provisions in the 'R2' zone include parking and outdoor common amenity area requirements:

#### Parking (Section 6.4.1)

- a) All parking spaces shall be located in a private garage, or in a driveway, or in an interior side or rear yard.
- b) No parking, with the exception of parking in a driveway, shall be permitted within the front or exterior yard on a lot.
- c) Parking shall not exceed 20% of lot coverage.
- d) Parking shall be set back a minimum of 2 m from an exterior lot line.

Outdoor Common Amenity Area (Section 6.4.2): Every lot containing more than 4 dwelling units shall have an outdoor common amenity area. The minimum size of the common area shall be 20 m<sup>2</sup> per dwelling unit and have unobstructed access from the dwelling.

Section 4.14 of the Zoning By-law identifies provisions for residential infill lots:

1. Established building line
  - a. The established building line shall be the required minimum setback, and the required front yard depth shall be adjusted accordingly.
  - b. The maximum setback shall be no more than 1 m greater than the established building line.
2. Established building height & massing
  - a. The maximum height of the proposed dwelling shall be no more than 2 m greater than the average height of the existing adjacent dwellings.
  - b. The side exterior walls of the proposed dwelling shall extend no further than 1 m past side wall of adjacent dwelling facing the subject lot.

Section 4.23(20f) of the Zoning By-law requires a minimum of 1.5 spaces per dwelling unit for a multi-unit.

Section 4.23(20j) of the Zoning By-law requires a minimum of three parking spaces for single detached dwellings.

#### **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 Manager of Growth and Development noted that parking spaces 7 and 8 are to be accessed from the internal driveway and not Calendar Lane. The site will also be required to go through our site alteration process.

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

#### **ANALYSIS:**

It is the opinion of staff that the consent proposal represents desirable intensification in keeping with surrounding land uses and the policies of the PPS and the Middlesex County and Strathroy-Caradoc Official Plan.

Consent applications are considered based on the existing context of land and zoning. In this case, the retained parcel is of sufficient size for the existing use in an 'R2' Zone and is connected to municipal services. While the frontage requirement is not met, this would be addressed through a subsequent zoning by-law amendment application, and it is noted that the retained parcel provides 11.55 m of frontage along Front Street West and 3 m along Calendar Lane.

The severed parcel is of sufficient lot size for 5.2 multi-units based on the 'R2' Zone, therefore while 6 units are being proposed, staff are of the opinion that it can still be considered appropriate due to the stacking of these units in a two-storey building and being able to maintain lot coverage requirements. While the frontage requirement is not met, this again would be addressed through a subsequent zoning by-law amendment application, and it is noted that the severed parcel provides 11 m of frontage along Front Street West and 19.748 m along Calendar Lane. The proposed infill development would maximize the utilization of this property and the minor deviations from the Zoning By-law can be addressed through further planning applications. Therefore, staff are of the opinion that the severed lot is generally capable of accommodating a medium density residential use as proposed.

The new residential building lot will require individual connection to the municipal water system and sanitary system to the satisfaction of the Municipality and as such is included in the recommended conditions.

#### **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 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**

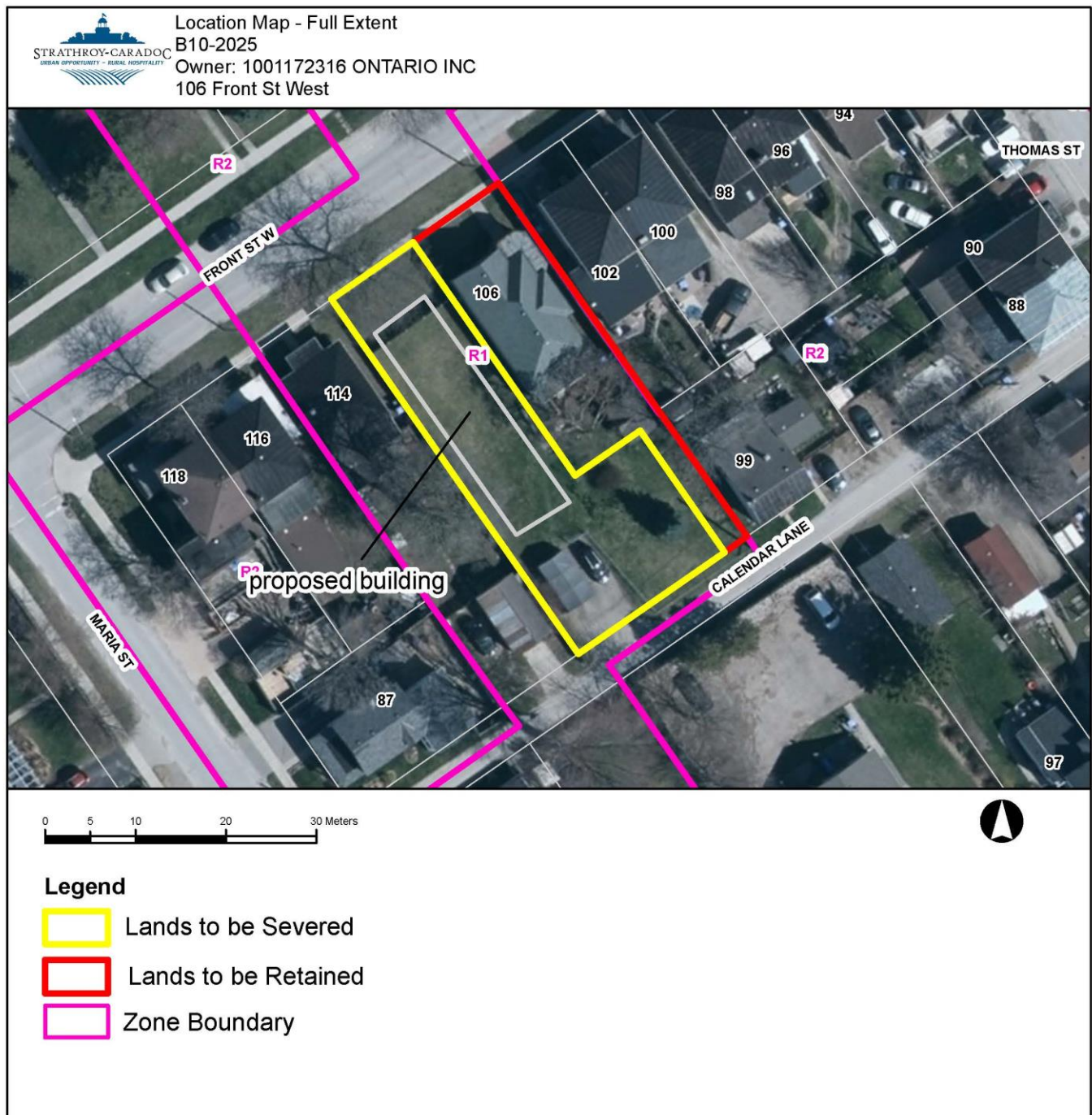
Location Map

Site Plan

Rendering

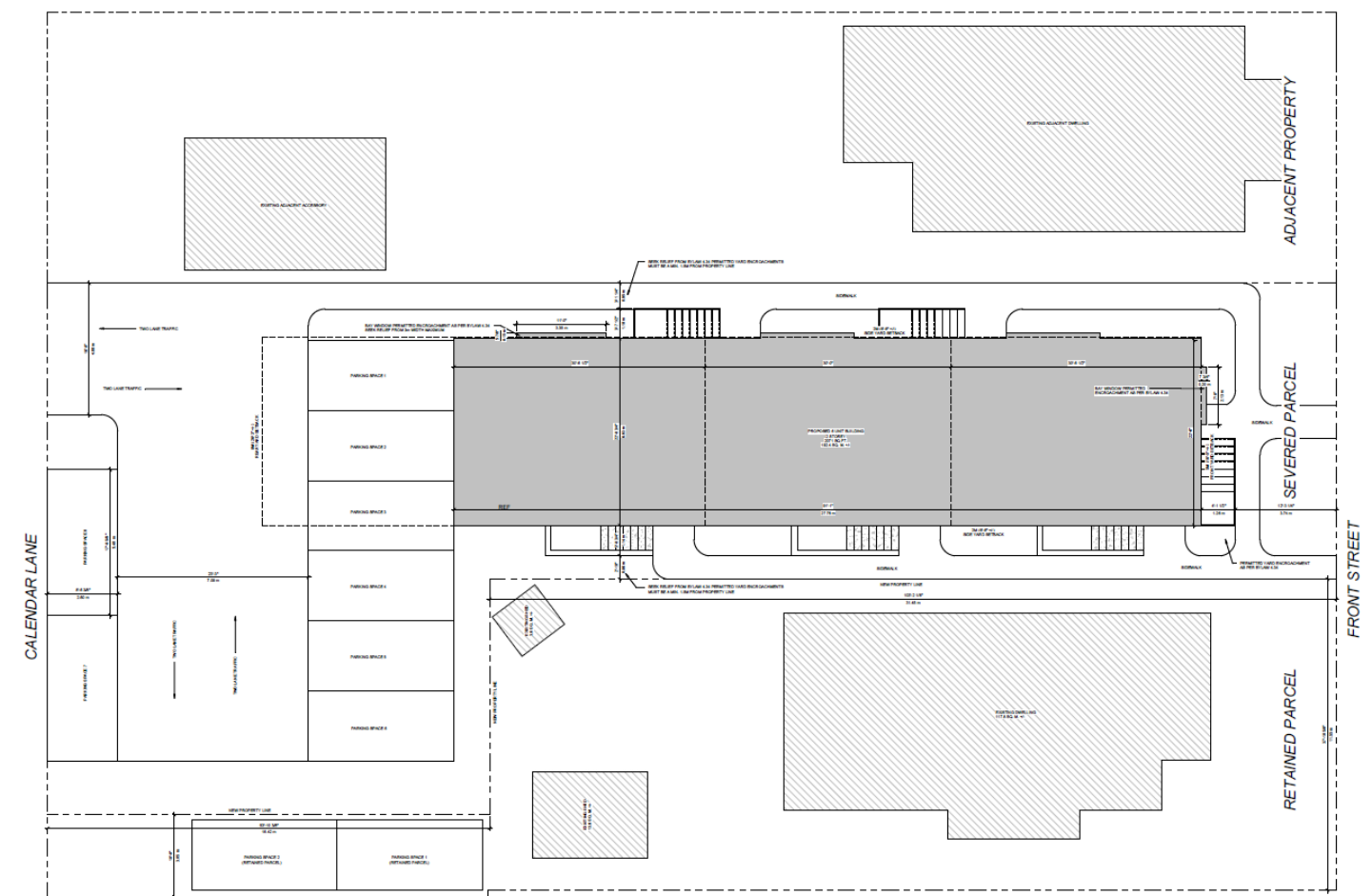
Conditions of Approval

## Location Map





Site Plan



Rendering



## Conditions of Approval (B10-2025)

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 is paid to the Municipality.
2. That any outstanding property taxes be paid in full.
3. That the applicant provide \$1,000 cash-in-lieu of parkland dedication to the Municipality.
4. That the properties be assigned appropriate Municipal 9-1-1 Addresses, to the satisfaction of the Municipality in consultation with the County of Middlesex.
5. That a draft reference plan, showing the severed and retained lands be prepared by an Ontario Land Surveyor for the purposes of facilitating the transaction of Consent B10-2025 and that this plan be approved by the Municipality prior to being deposited with the Land Registry Office.
6. That one copy of the reference plan be submitted to the satisfaction of the Municipality.
7. That the location of the utility services (gas, hydro, telephone) be confirmed for the 'lands to be retained' and 'lands to be severed', to the satisfaction of the Municipality. If the services run through the new lot boundary, they will have to be relocated at the cost of the owner and then reconnected, to the satisfaction of the Municipality.
8. That the 'severed lands' be individually connected to the municipal water supply with all costs, including applicable fees and charges, borne by the applicant. The service is to be wholly contained on the severed lands.
9. That the 'severed lands' be individually connected to the municipal sewer facilities with all costs, including applicable fees and charges, borne by the applicant. The service is to be wholly contained on the severed lands.
10. That the 'retained lands' be individually connected to the municipal water supply with all costs, including applicable fees and charges, borne by the applicant. The service is to be wholly contained on the retained lands.
11. That the 'retained lands' be individually connected to the municipal sewer facilities with all costs, including applicable fees and charges, borne by the applicant. The service is to be wholly contained on the retained lands.
12. That the applicant's solicitor submits an Acknowledgement and Direction duly signed by the applicant.
13. That the applicant's solicitor submits 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.

14. That the 'retained lands' and 'severed lands' be appropriately rezoned.