

COUNCIL REPORT

Meeting Date: April 19, 2021
Department: Building, Planning and Waste Management
Report No.: BBP-2021-23
Submitted by: Tim Williams, Senior Planner
Submitted by: Jennifer Huff, Director of Building & Planning
Approved by: Fred Tranquilli, Chief Administrative Officer / Clerk
SUBJECT: Applications for Draft Plan of Subdivision File No.: 39T-SC2001 & Zoning By-law Amendment File No.: 2-2020, Part of Lots 48, 56, 57 and 69 of Plan 34M-6, Mt. Brydges, Cirrus Developments Ltd. c/o James Banman

RECOMMENDATION: THAT: a resolution be passed in support of the attached draft plan of subdivision and related conditions; AND THAT: that the rezoning be approved and the necessary by-law with holding provisions be passed by Council.

SUMMARY HIGHLIGHTS

- The application proposes to develop a residential plan of subdivision in Mt. Brydges with twenty-eight (28) lots for single and semi-detached dwellings and one (1) multiple unit block with a single public road with connections to Queen Street and Glendon Drive.
- The application seeks to amend the zoning bylaw to include site-specific residential zones with provisions that recognize lot size and configurations indicated in the proposed application materials and an Open Space Zone for the stormwater management facilities and drain.
- An Open House was held on January 29, 2020. The statutory public meeting was held on July 6, 2020. Neighbouring residents attended both meetings and voiced concerns regarding the proposed subdivision and rezoning relating to the increased traffic, the new proposed intersection at Glendon Drive, the drainage on the property, the use of a second connection to Glendon Drive as well as the appropriateness of townhomes Mt. Brydges.
- Staff are satisfied that the concerns raised have now been adequately addressed.

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.

PURPOSE

The purpose of the subject report is to summarize the progress made to date on the Timberview Trail Subdivision and Zoning By-law amendment applications and to bring forward a recommendation to support the draft approval of the subdivision and approval of the rezoning. This approval will facilitate the development of a residential plan of subdivision containing 28 building lots for single and semi-detached dwelling units and 1 multiple unit block to contain townhouse units.

BACKGROUND:

The subject lands are approximately 4.18 ha (10.33 ac) in size and are located west of Queen Street and north of Glendon Drive. The proposal includes a public road that connects Queen Street to Glendon Drive within the Settlement Area of Mt. Brydges (see location map below).

The lands are currently vacant and contain part of the Lipsit Drain that travels from the north to east and traverses the northern portion of the site. Also through the site is the Clarke drain, which runs from Queen Street and connects to the Lipsit Drain, however, this is a buried drain so it is not visible from grade. The surrounding land uses include predominately residential uses along with the Caradoc Community Centre to the north on Lions Park Drive. From a servicing perspective, municipal water and sanitary services are available to the north of the property along Queen Street and are intended to be extended south to Glendon Drive as part of this development proposal. Queen Street is a local road under the jurisdiction of the Municipality of Strathroy-Caradoc while Glendon Drive (County Road 14) is under the jurisdiction of the County of Middlesex.

An application for draft Plan of Subdivision and Zoning By-law amendment applications were made on December 23, 2020 and deemed complete on January 14, 2020 and January 15, 2020 respectively.

In addition to the applications, the submission included the following support documents:

- Archaeological Assessment Stage 1-2, by Timmins Martelle Heritage Consultants Inc.
- Preliminary Servicing Report, by Dillon Consulting Ltd.
- Scoped Development Assessment Report, by Dillon Consulting Ltd.
- Planning Justification Report, by Dillon Consulting Ltd.
- Geotechnical Engineering Report, by Englobe Inc.
- Geotechnical Engineering Letter, by Englobe Inc. dated August 5, 2020
- Draft Plan of Subdivision, dated December 15, 2019, by Dillon Consulting
- Revised Draft Plan of Subdivision, dated February, 2021, by Dillon Consulting
- Stormwater Management Report with supporting plans, dated February 2021, by Dillon Consulting

The applicant held a public Open House on January 29, 2020 at the Mt. Brydges Library. Following this, the Statutory Public Meeting was held on July 6, 2020 with Strathroy-Caradoc Council (virtually). In response to comments received, the plan was adjusted to accommodate more area for the stormwater facility and combine the two SWM pond areas. The draft plan of subdivision changed as follows:

- Twenty-two (22) building lots has been reduced to twenty (20) for single-detached dwellings;
- Eight (8) building lots for a total of 16 semi-detached dwellings is unchanged;
- One (1) multiple unit block with the potential of 25 townhouse units is unchanged
- Five (5) blocks is reduced to Four (4) blocks for Open Space and Stormwater Management Facilities; and;
- One (1) Public Street “A” is unchanged.

As noted above, the development proposes a unique mix of units with 33% of the units being single detached and 66% of the units being semi-detached and townhouse dwellings.

In support of the draft plan of subdivision, a concurrent zone change application has been filed to rezone from ‘Future Development (FD) zone’ and ‘Future Development (FD-1) zone’ to site-specific ‘Medium Density Residential (R2-16) zone’ for the single detached and semi-detached lots and site-specific ‘Medium Density Residential (R2-17) zone’ for the townhouse block in order to facilitate the development. The applicant is proposing to develop the subject lands in a single phase. It is noted that the Multiple Unit block will require a future Part Lot Control application to separate the block into individual units.

POLICY AND REGULATION BACKGROUND

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement and the County of Middlesex Official Plan. As noted earlier, the Lipsit Drain runs through the site, because of this, the municipal drain and the area around the municipal drain are subject to Conservation Authority Regulations. A similar regulation area is not found around the Clarke drain, as it is a buried pipe and conveys external flows through the site, which is regulated under the Drainage Act and Zoning Bylaw. Locally, the lands are within the ‘Residential’ designation of the Strathroy-Caradoc Official Plan and ‘Future Development (FD) zone’ and ‘Future Development (FD-1) zone’ of the Strathroy-Caradoc Zoning By-law 43-08.

a) Provincial Policy Statement 2020 (PPS)

According to Section 3 of the Planning Act as amended, decisions made by planning authorities shall be consistent with the PPS. The lands are located within a designated growth area within a settlement area per the definitions of the PPS.

The PPS identifies settlement areas as the primary focus of growth on full-services and supports the development of lands for a full range of housing types and densities. The PPS states that new development taking place in designated growth areas should occur adjacent to the existing built up areas and shall have compact form, mix of land uses and densities that allow for the efficient use of land, infrastructure and public facilities.

Further, Policy 1.1.3.2 and 1.1.3.3 of the PPS encourages lands use patterns within settlement areas that are based on densities and a mix of land uses that:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities, which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency; and,
- d) prepare for the impacts of a changing climate.

Policy 1.4 and 1.5 of the PPS identifies a range of housing types and mix of housing options and densities required to meet projected requirements of current and future residents as well as promoting the creation of healthy, active communities by encouraging pedestrian connections.

Policy 1.6 of the PPS outlines the hierarchy for sanitary and water services with the preferred method of servicing being municipal services.

The PPS does not permit development and site alteration within or on lands adjacent to Fish Habitat or Species at Risk unless the ecological function of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Comments on Consistency with the Provincial Policy Statement 2020

- 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 subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- Sufficient existing sanitary capacity is available to service this development. As part of the development, services will be extended along Queen Street to the subject lands and this servicing extension has been included in the draft approval conditions.
- The subdivision proposal includes a combination of densities and housing types. The proposal comprises 33% single detached dwellings and 66% semi-detached dwellings and townhouses. The layout also provides for a range of lot sizes that vary in configuration with some lots backing on to the existing homes while others back on to the Lipsit Drain and parkland. The lot orientation/configuration and varying lot sizes are often associated with a range of lot and house price points. All of the above results in a range of housing options.
- With respect to the development and site alteration within or on lands adjacent to Fish Habitat or Species at Risk, the lands have been evaluated through the submission of a Development Assessment Report (DAR). The DAR confirmed that the development will have no negative impacts on the natural features or on their ecological functions of the adjacent lands provided the 'mitigation and opportunities for enhancement' recommendations in the DAR are implemented and followed. The recommendations have been incorporated in the recommended draft approval conditions attached below.

Given the above, it is staff's opinion that the applications are consistent with the Provincial Policy Statement.

b) County of Middlesex Official Plan

The lands are located within a Settlement Area identified on Schedule 'A' of the County of Middlesex Official Plan.

The County of Middlesex Official Plan includes housing policies (Section 2.3) which encourage a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. The intent of the growth management framework is to make efficient use of existing infrastructure and proceed with full municipal services.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS.

The subject property is designated Settlement Area by the County of Middlesex Official Plan. Section 3.2 of the Plan directs growth to settlement areas, and promotes a variety of housing types within Settlement Areas.

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.
- There will be adequate servicing once the services are brought to the site which is part of the recommended conditions of approval.
- The Development Assessment Review has been accepted as well as the recommendations therein. The conditions of draft plan of subdivision approval include conditions related to the mitigation measures proposed.

c) Strathroy-Caradoc Official Plan

The Strathroy-Caradoc Official Plan (SCOP) states that development within the 'Residential' designation shall be used for residential purposes including a range of housing types and densities from single unit dwellings to small-scale apartment buildings (Section 4.3.1.1). As per Section 4.3.1.4 of the Official Plan intensification development proposals including infilling in existing developed areas, is considered desirable to make more 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 terms of such elements as density, lot fabric, building design, dwelling types and parking. Appropriate services shall be capable of being provided.

The Strathroy-Caradoc Official Plan (SCOP) also addresses the matter of Natural Heritage, Significant Woodlands and Wetlands. Per the SCOP, development within or adjacent to a 'Significant Woodland' or 'Natural Heritage' features is not permitted unless an Environmental Impact Study / Development

Assessment Report has been completed which demonstrates no negative impact on the feature or its ecological function.

Comments on Conformity to the Strathroy-Caradoc Official Plan

- The proposal is located within a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- With the extension of services along Queen Street as part of this development there will be sufficient sanitary and water capacity available to service this development.
- As noted above the draft plan of subdivision proposes a range of sizes and types of lots and units.
- The proposed layout represents an efficient use of residential lands consistent with existing residential developments in the area.
- The Servicing Report has described how stormwater management will be controlled in terms of both quantity and quality on-site and off-site. This plan has been reviewed by staff as well as the Municipality's consulting engineer and has received preliminary support.
- The recommended draft conditions include a requirement for the applicants to contribute a cash-in-lieu of parkland dedication at the direction of the Director of Community Services.
- With respect to the policies of the Official Plan relating to development in proximity to natural heritage features, the Conservation Authority has confirmed the application package and natural heritage matters have been addressed generally to their satisfaction, subject to a number of mitigation measures being implemented. The recommended conditions of draft plan approval will ensure that recommendations are implemented.

Given the above, it is staff's opinion that the applications conform to the Strathroy-Caradoc Official Plan.

d) Strathroy-Caradoc Zoning By-law

With respect to the Zoning By-law, the existing "Future Development (FD) Zone" permits; 'agricultural use', 'existing use' and 'forestry use' and site specific "Future Development (FD-1) Zone" permits only the legal uses that existed as of January 24, 2011. The applicant has submitted a zone change application rezone the property as follows:

- 1) To place the single and semi-detached dwelling lots into a site-specific "Medium Residential (R2-16) Zone" which includes lot development provisions that reflect the proposed lot configuration and required building envelopes. The "Medium Density Residential (R2) Zone" permits single detached dwellings, semi-detached dwellings and the townhouses.
- 2) To place the townhouse dwelling lots into a site-specific "Medium Residential (R2-17) Zone" which includes lot development provisions that reflect the proposed lot configuration and required building envelopes.
- 3) To place the lands to be used for a stormwater facility within the 'Open Space (OS) zone' which is a permitted use in the OS zone.
- 4) To place the lands in Blocks 31, 32, 33 and adjacent road right of way into 'Low Density Residential (R1) zone' to reflect the existing zoning of the adjacent properties.

CONSULTATION

At the time of writing the subject report, the following comments were received:

Public Comments

Open House

As noted earlier, the applicant hosted a Public Open House on January 29, 2020 at the Mt. Brydges Public Library. The notice was circulated to property owners within 120 m of the subject lands.

Concern: Residents were concerned with traffic from the proposed subdivision, noting concern with the existing traffic and speed conditions along Glendon Drive in the area. Further that a new public street connection onto Glendon Drive and additional residents in the area will result in increased traffic and safety concerns.

Response: Staff have consulted with the County Engineer on the condition of Glendon Drive and it was noted that increased traffic tends to bring speeds down. The speed limit signage leading into and out of Mt. Brydges has also been changed in 2019 to encourage speed reduction coming into town. The space provided for the intersection with Glendon is meeting both the Local and County requirements. The proposed road way has two access points so traffic from the property would be split reducing it further.

Concern: Residents raised concerns over the use of an open space block (Block 35) that connects from Glendon Drive to rear of Lot 23. There was concern that this will turn into a cut through or the future owner of Lot 23 could fence their lot and it would become a dead end.

Response: The recommended conditions of draft approval include a condition that requires the block to be transfer to one or the other adjacent property owner and that it be merged on title with the adjacent property.

Concern: The area has a history of drainage issues so comment was with the removal of the Clarke Drain would this result in future issues.

Response: It was confirmed that the Clarke Drain will be removed within the site and capped at the west property limit and the rear of Lot 23. External flows from Clarke Drain will be maintained and directed to the Lipsit Drain through the proposed new storm sewers within the subdivision.

Statutory Public Meeting and Submitted Correspondence

The Statutory Public Meeting Notice was circulated to property owners within 120 m of the subject lands. In response to the Notice, letters and emails from an adjacent neighbour have been received relating to the proposed subdivision (attached below) citing privacy concerns and impact on views as

well as traffic safety concerns exacerbating existing conditions. Given these are similar to the concerns raised during the public meeting the comments are responses are combined below.

Concern: The interface between the rear of the existing lots and the proposed lots. As well the loss of open views and privacy.

Response: It is acknowledged that the subject lands are open/undeveloped however; the lands have been designated and zoned for future development so there is an expectation that the lands would be developed in a manner that would make efficient use of the property. Efforts have been made to ensure that the proposed lots will back on to as many of the existing backyards to increase the compatibility of the proposed development. On the matter of privacy, fencing between the adjacent owner at 2585 Queen Street and the property has been addressed with an agreement between the two parties and fencing will be install outside of the future municipal right of way so that it will not be a future cost or liability for the Municipality.

Concern: Loss of wildlife on the property

Response: As noted in the above response the lands were identified for future development so the property is not expected in the planning documents to remain as it is today. The applicant has prepared a Development Assessment Review (DAR report) that examines the development and impacts on the significant woodlands, wetlands and other natural environment matters. The recommendations of the DAR report that include the requirement to prepare a 'wildlife impact mitigation plan and an environmental monitoring plan', have been accepted by St. Clair Region Conservation Authority and included as a condition of approval for the subdivision.

Concern: Mt. Brydges is losing its small town feel with the increase of residential without similar increases commercial development. Further, it could be described as a bedroom community and a pass through town rather than a destination.

Response: While the existing predominate residential form in Mt. Brydges is single detached and semi-detached dwellings, it has been Council's direction and the direction of the Province to continue to look at diversifying the housing stock to allow for a variety housing types. Further, this direction also supports infill housing opportunities within existing settlement areas rather than exclusively relying on settlement boundary expansions. In addition, while commercial trends have changed over the years and continue to evolve, one of the fundamental requirements is to have a sizable population base to make a "bricks and mortar business" thrive. Proposals such as this application will increase the population helping to make commercial opportunities more viable.

Concern: Townhouses are not in the character of the Mt. Brydges area

Response: The Strathroy-Caradoc Strategic Plan and its Official Plan (as well as the Provincial Policy Statement) encourages and supports opportunities to diversify the local housing within

settlement areas. The proposed homes are “ground related” which would be in keeping with the character of the area.

Concern: The development's impact on the High Water Table in the area

Response: As part of the application materials, the applicant has supplied extensive documentation on how the drainage infrastructure will perform within the property and the surrounding area. The application was before Council for the statutory public meeting and since this point the engineering staff, municipality's engineering consultant and the applicant's engineering consultant have been working to refine the stormwater management facility. This has resulted in the reconfiguration of the stormwater management space into one large consolidated facility. This also reduced the number of lots by two since the public meeting. The engineering consultant has now provided their acceptance of the plan.

Department and Agency Comments:

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act.

Comments received from Engineering and Public Works staff indicated no concerns with the subdivision and rezoning applications, subject to the conditions of approval to address the detailed design of the necessary services.

Enbridge Gas Inc. and Bell Canada have both requested that as a condition of final approval that the owner/developer provide to them with the necessary easements and/or agreements required for the provision of services for the development, in a form satisfactory to them.

County Engineer advised that as conditions of draft approval the developer will be required to:

- a) construct left and right turn lanes at the access from Street A to Glendon Drive (County Road 14);
- b) provide grading plans to the satisfaction of the County Engineer prior to final approval for the road access to Glendon Drive to Street 'A'. This intersection must slope away from the edge of the road towards the subdivision. No storm water drainage from the subdivision will be permitted travel onto the County road; and
- c) any required right-of-way dedications must be conveyed at the time of final approval.

The St. Clair Region Conservation Authority advised that they are satisfied with the information provided in the Development Assessment Report. On February 14, 2020 SCRCA had provided comments on the application. They received several subsequent submissions and were able to confirm in February 2021 that their concerns had been addressed or would be addressed with the recommended conditions. They further advised that they had no comments on the Zoning By-law amendment.

The Manager of Building and Planning advised that the unique mix of dwelling types proposed as part of this application will help address the pressing need in Mt. Brydges for a more diversified housing

stock. Also that the conditions of draft plan approval appear to adequately address the required financial, legal, planning and engineering matters of interest to the Municipality.

SUMMARY

Based on the above analysis staff are supportive of the proposed subdivision and the rezoning as they are considered to be consistent with the Provincial Policy 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.

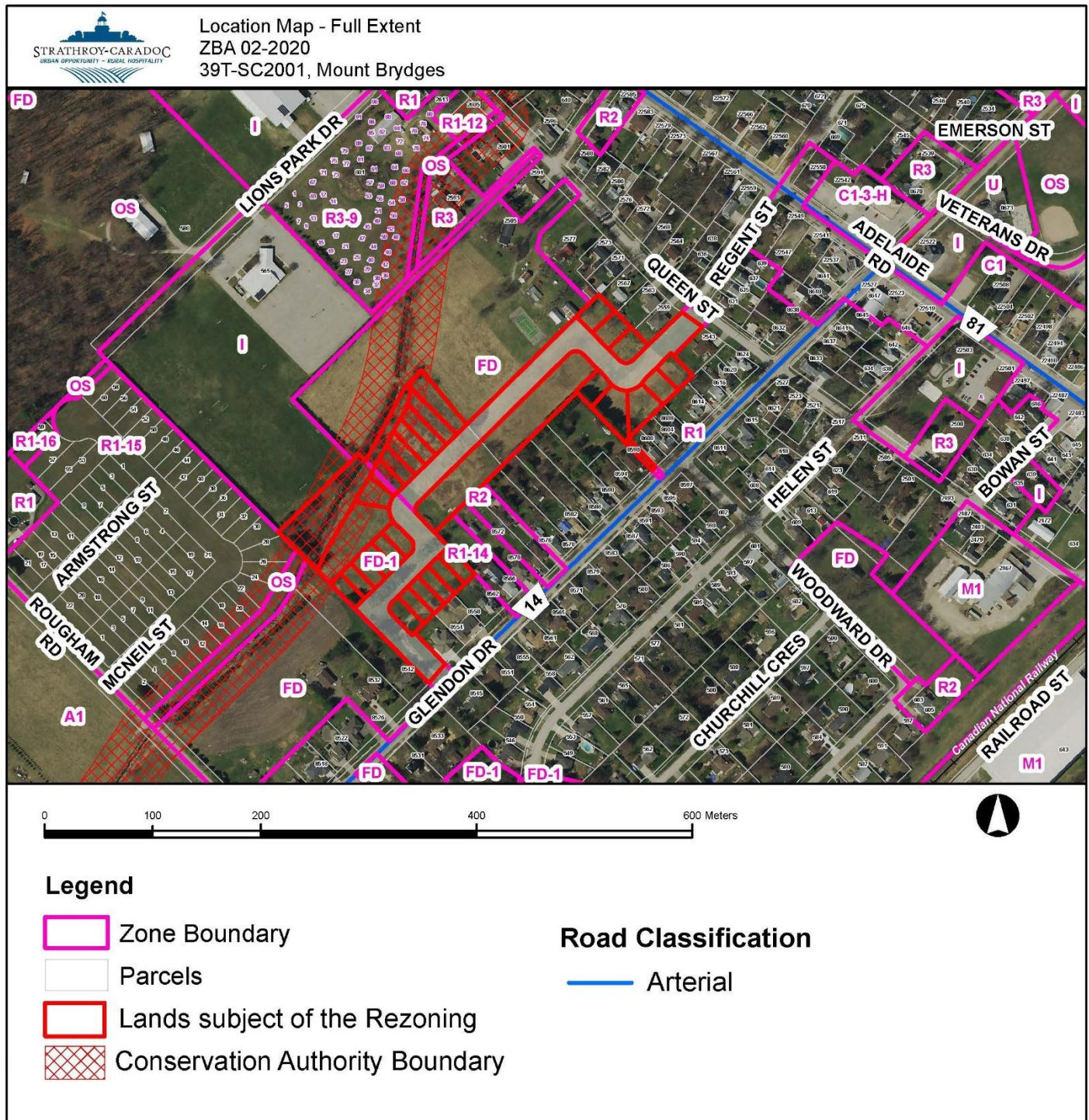
FINANCIAL IMPLICATIONS

None

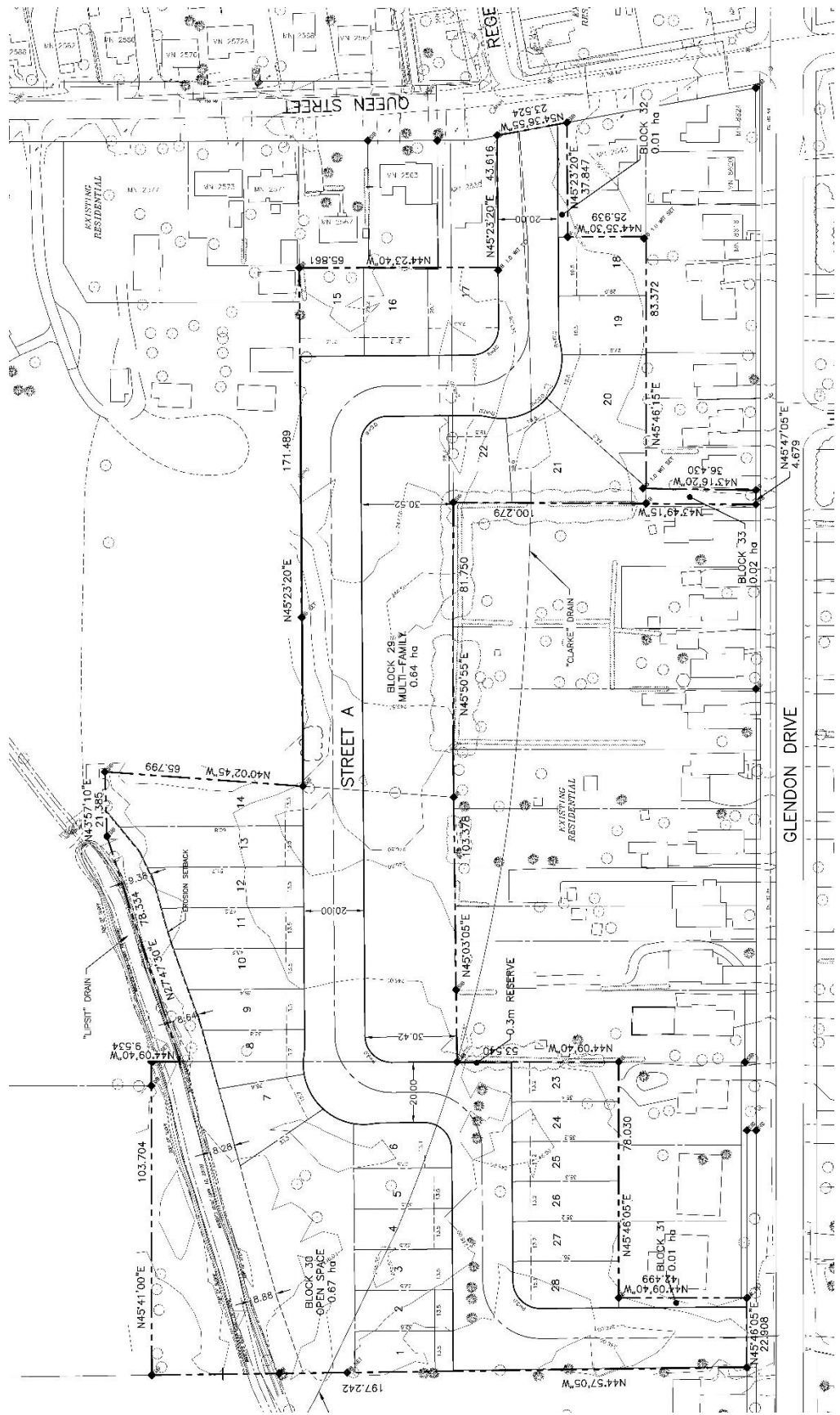
ATTACHMENTS

- Location Map
- Draft Plan of Subdivision dated February 2021
- Building Elevations (July 2020)
- Email from John McKinlay dated May 31, 2020
- Email from Joel DeBoer dated July 6, 2020
- Email from Joel DeBoer dated July 22, 2020
- Recommended Conditions of Draft Plan of Subdivision Approval

Location Map



Plan of Subdivision



Email from John McKinlay dated May 31, 2020

From: [Suzuki Rider](#)
To: [Tim Williams](#); franquilli@strathroy-caradoc.ca
Subject: File #39T-SC-2001&ZBA2-2020
Date: Sunday, May 31, 2020 8:49:25 AM

CAUTION: This email originated from outside of the Middlesex County email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Sir,

my name is John McKinlay of 2567 Queen St in Mount Brydges, I speak for myself and numerous other neighbours who are "vehemently" opposed to this housing project going in , in our neighbourhood.

When I first considered the purchase of this property, I was told that no housing projects were planned for the land behind my property and that is why I purchased it. I came here, specifically for the peace and quiet of this location.....and now you want to destroy my life and the area by putting in more roads and houses??!!! There is a 3-way stop just 30 yards away, and already, on a daily basis, people are failing to stop there. On countless occasions, I have nearly been run down while trying to cross the street by people who fail to obey the rules of the road. And now , You want to compound the problem by putting in another connecting road as well as all the additional cars from the new complex????? In the winter, Queen st is already a "race track" as people are in a mad rush to get to the community ice rink for hockey games. If You check with the police, there have been numerous complaints in regards to this!!

Myself, and other adjacent neighbours have used this vacant land for our own pleasure and recreation and now, You want to take it all away.??? That is not acceptable!!!!

There are many areas surrounding the edges of Mount Brydges that could be utilized .

Destroying this particular piece of land and our lifestyle here is NOT acceptable.

Again, I speak not only for myself but many other residents here. If You wish, I can provide a list of their names and addresses(im not comfortable asking for their phone number).

If You wish to speak to me further, I can be reached at ***-***-**** after 4:30pm Monday to Friday or anytime on weekends. Or You are free to "TEXT ONLY" at ***-***-****

John McKinlay

Email from Joel DeBoer dated July 6, 2020

From: [Joel](#)
To: [Tim Williams](#)
Cc: [Planning](#); Ftranquilli@strathroy-caradoc.ca
Subject: Subdivision -Queen street
Date: Monday, July 6, 2020 8:20:15 AM

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Hi Tim,

My name is Joel Deboer, I'm a resident at 2573 Queen Street Mount brydges Ontario. I am writing you to opposethe application for subdivision and rezoning for Dillon consulting for subjects lands at Queen Street and Glendon drive Mount brydges.

I am totally opposed the subdivision for many reasons and I've had many sleepless nights thinking about the potential of this subdivision going through. I personally bought a home in Mount Brydges in 2016, but I have resided here for many years previously to that. The pound has always having an appeal due to its size, and relaxed pace of life. Since I bought my home in 2016 I've seen two subdivisions be started and partially completed adding numerous residence to this town. There has been a noticeable difference in the amount of traffic that you encounter on all roads, including my road Queen Street as it is one way for people to access the community centre, the baseball fields, the soccer the Lions park trails, and the arena. Queen Street has become an extremely busy Street, and the last thing we need is to add any more houses / residents. I now have three young kids and have to worry about them simply biking along the sidewalk due to all the traffic. Just last night , whole In a bike ride with my family, it took us over 10 minutes to cross Highway 81 at Queen Street, not 10 cars, 10 minutes!! I am really hoping Council will think of all the current residents many of them long time residents and how this will affect their everyday lives and vote against the subdivision. Development on the outskirts of town, although still not my preference makes more sense then adding infill housing where there have been many longtime residents who are acustom the current level of traffic and current spaces. We don't want this.

I also have concerns about the current water table potentially rising due to the addition of the subdivision in the area. is a very high water table and I do not want to have any basement flooding problems. Have reports been done on this?

Another concern is the wildlofe that resides in the space currently, has anyone contacted the ministry of natural resources regarding all the wildlife that lives back in the space? My kids have named three Gophers Huey, Dewey, and Louie, and are wondering where they are going to live once the new subdivision would come in? There's also lots of birds and bunnies that they love to see.

One of the reasons I bought my place was because there was no development planned in the area and I was told these were private lands that would not be developed. I don't feel these lands should be designated future development due to the location.

Please make sure this gets passed along to the proper individuals and let it be known that me and various other neighbours are strongly against this.

I feel due to covid and the older population, not a lot of people are going to get on the zoom

call,I have not talked to one person in this town , let alone street that wants new development. a lot of my friends that live in various parts of town do not want this development either, I hope Council understands.

Thanks

File #

39t - SC - 2001 and ZBA2 - 2020

Email from Joel DeBoer dated July 22, 2020

From: [Joel](#)
To: [Tim Williams](#)
Subject: Re: Subdivision -Queen street
Date: Wednesday, July 22, 2020 8:30:17 AM
Attachments: [image001.jpg](#)

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Hi Tim,

I ideally want single family homes, not town homes as previously mentioned.

Town homes I do like are the 1 story ones in Komokaa by the little Beaver. I did not like the rendering presented.

Thanks

Draft Conditions

Applicant:	Queen Street and Glendon Drive – Timberview
File No.:	39T-SC2001
Municipality:	Strathroy-Caradoc
Subject Lands:	Part Lots 48, 56, 57 and 69 Registrar's Compiled Plan 34M-6

The following conditions of draft plan approval are recommend to County of Middlesex by Strathroy-Caradoc:

No.	Conditions
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1. That this approval shall apply to the draft plan of subdivision, prepared by Dillon Consulting, boundary certified by MTE Ontario Land Surveyors Ltd. dated February 2021, which shows:
 - 20 single detached residential building lots (Lots 1-14 and 23-28 inclusive);
 - 8 semi-detached residential building lots (2 units each) (Lots 15-22 inclusive);
 - One (1) Block – Multiple Unit Residential Block (Block 29);
 - 0.3 m street reserve along Street 'A' between Lot 14 and 15, between Lot 1 and Glendon Drive and between Lot 23 and Block 29;
 - One (1) new street, Street 'A';
 - Three (3) Blocks – Open Space (Blocks 31 – 33); and
 - One (1) block for Open Space (Stormwater Facilities) (Block 30).
2. That the road allowances included in this draft plan shall be shown and dedicated to the Municipality as public highways.
3. That the streets shall be named and lots shall be addressed to the satisfaction of the Municipality in consultation with the County of Middlesex Emergency Services.
4. That the Owner provide a cash-in-lieu of parkland dedication to the Municipality pursuant to Section 51.1 of the Planning Act, equal to 5% of the value of the subject land to the satisfaction of the Municipality.
5. That the Owner convey Block 30 to the Municipality for stormwater management purposes.
6. That the Subdivision Agreement between the Owner and Municipality shall include a provision that the Owner convey, upon registration of the plan, Blocks 31 and 32 to either the Municipality for road allowance or the adjacent owner and that the Blocks be transferred to the adjacent owners and be merged in the exact same name and title.
7. That the Subdivision Agreement between the Owner and Municipality shall include a provision that the Owner convey, upon registration of the plan, Block 33 to one of the adjacent owners

along Glendon Drive and that the Block be transferred to the adjacent owner and be merged in the exact same name and title.

8. That prior to final approval, the Owner shall provide to the Municipality confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality that the lot areas and lot frontages conform to the Zoning By-law requirements of the Municipality of Strathroy Caradoc.
9. That prior to final approval, the Approval Authority is to be advised by the Municipality that appropriate zoning is in effect for this proposed subdivision.
10. That any dead ends or open sides of road allowances created by this draft plan shall be terminated in 0.3 metre reserves to be conveyed to and held in trust by the Municipality.
11. The Owner shall enter into an agreement with the appropriate service providers for the installation of underground communication / telecommunication utility services for these lands to enable, at a minimum, the effective delivery of the broadband internet services and communication / telecommunication services for 911 Emergency Services.
12. The Owner enter into an agreement with Canada Post Corporation for the installation of community mailboxes.
13. That prior to final approval, arrangements be made to the satisfaction of the Municipality for the relocation of any utilities that may be required because of the development of the subject lands and that such relocation be undertaken at the expense of the Owner.
14. That the Owner enter into a Subdivision Agreement with the Municipality pursuant to Section 51 (26) of the Planning Act to be registered on title of the lands to, which it applies prior to the plan of subdivision being registered. Further that the Subdivision Agreement shall include provisions that it will also be registered against the lands to which it applies once the plan of subdivision has been registered.
15. That the Subdivision Agreement between the Owner and the Municipality shall satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including the provision of new roads and upgrades to existing roads, pedestrian sidewalks and walkways, grading and drainage, planting of trees, landscaping, fencing, buffering, street lighting and other amenities, the provision and installation of full municipal water and sanitary services, the installation of underground utilities, and other matters of the Municipality respecting the development of these lands including the payment of development charges in accordance with the Municipality's Development Charges By-laws or a cost share agreement as deemed appropriate by the Municipality. The Subdivision Agreement shall also provide for the Municipality to assume ownership and operation of these systems where appropriate.

16. That the Subdivision Agreement between the Owner and Municipality shall ensure that persons who first purchase the subdivided land after the final approval of the plan of subdivision are informed, at the time the land is transferred, of all the development charges related to the development, pursuant to Section 59(4) of the Development Charges Act.
17. That easements as may be required for access, utility, servicing, or drainage purposes shall be granted to the appropriate agency.
18. That prior to final approval, the owner shall submit for the review and approval of the Municipality, County Engineer and the St. Clair Region Conservation Authority, a final geotechnical report, stormwater management plan and sediment and erosion control plan incorporating necessary measures to control quantity and enhance the quality of stormwater discharges and to control erosion and sedimentation during and after construction. The approved sediment and erosion control measures shall be in place prior to any work being undertaken on the subject lands. The geotechnical report shall confirm that the final grading design will ensure that the underside of house footing foundations and the lowest floor level will be a minimum of 100 mm above the highest water table surface for two full spring seasons of data results.
19. That any environmental protection measures recommended in the stormwater management plan required by Condition 18 above, that are not capable of being addressed under the Ontario Water Resources Act, be implemented through the Subdivision Agreement.
20. That prior to final approval, the owner shall enter into a servicing agreement with the Municipality, which requires the extension of municipal services along Queen Street to Glendon Drive with associated connections to existing residential properties.
21. That prior to final approval, the Owner shall demonstrate to the satisfaction of the St. Clair Region Conservation Authority that the servicing infrastructure is not located closer to the watercourse/Lipsit Drain than the erosion setback limit.
22. That prior to final approval, the owner shall submit for the review and approval of the St. Clair Region Conservation Authority, a wildlife impact mitigation plan and an environmental monitoring plan, which implements the recommendations included in the Scoped Development Assessment Review, dated December 2019.
23. That prior to final approval, the Owner shall provide for the installation of a board fence having a height of 1.8 metres along Street A between Lot 14 and Lot 15 at the property boundary and constructed on the properties municipally known as 2577 and 2585 Queen Street to the satisfaction of the Municipality.
24. That prior to final approval, the Owner shall provide for the provision of signage that prohibits construction traffic from travelling on Queen Street north of the limits of the subject lands, to the satisfaction of the Municipality.

25. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality and the County indicating that there are no concerns for impacts to archaeological sites on the subject lands. This is to be accompanied by a Ministry of Tourism, Culture & Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report(s) have been entered into the Ontario Public Register of Archaeological Reports.
26. That prior to final approval, the Owner enter into an agreement with the County of Middlesex to make improvements to Glendon Drive (County Road #14) including the construction of left and right turning lanes. All costs associated with the design and construction of the required improvements will be borne by the Owner.
27. That prior to final approval, the County of Middlesex is to be advised in writing by the Municipality of Strathroy-Caradoc how conditions 1 to 20 and 22 to 25 have been satisfied.
28. That prior to final approval, the County of Middlesex is to be advised in writing by the St. Clair Region Conservation Authority how conditions 18, 21 and 22 have been satisfied.
29. That prior to final approval, the County of Middlesex is to be advised in writing by the County of Middlesex Engineer how condition 18 and 26 has been satisfied.

NOTES TO DRAFT APPROVAL

1. Draft approval for this plan of subdivision is for a period of three years from the date of decision. Any request made by the Owners to the Approval Authority to extend the lapsing date must be made 60 days prior to the lapsing date and include a written confirmation from the municipality endorsing the extension.
2. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the approval authority, quoting the file number.
3. It is suggested that the applicant be aware of:
 - a) subsection 144 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
 - b) subsection 144 (2) - allows certain exceptions.
4. Inauguration, or extension of a piped water supply, a communal sewage system or a storm water management system, is subject to the approval of the Ministry of Environment under Section 52 and Section 53 of the Ontario Water Resources Act.
5. The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.

6. It is the applicant's responsibility to obtain the necessary permits from the St. Clair Region Conservation Authority (SCRCA) in accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act.
7. A copy of the subdivision agreement must be provided to the County of Middlesex (Department of Planning) prior to final plan approval.
8. If the agency's condition concerns a condition in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan.
9. Clearance is required from the following agencies:
- Municipality of Strathroy Caradoc
52 Frank Street,
Strathroy, ON N7G 2R4
- St. Clair Region Conservation Authority
205 Mill Pond Crescent,
Strathroy, ON N7G 3P9
- County of Middlesex Engineer
399 Ridout Street North,
London, ON N6A 2P1
10. All measurements in subdivision final plans must be presented in metric units.
11. The final plan must be submitted digitally in AutoCAD (DWG) and ***Portable Document Format (PDF) with the appropriate citation from the Planning Act used. The AutoCAD (DWG) file must be consistent with the following standards:***
- Georeferenced to the NAD83 UTM Zone 17N coordinate system.
 - All classes of features must be separated into different layers.
 - Each layer should be given a descriptive name so that the class of feature it contains is recognizable.
12. The final plan approved by the County of Middlesex must include the following paragraph on all copies (3 Mylars and 4 paper) for signature purposes:
"Approval Authority Certificate
This Final Plan of Subdivision is approved by the County of Middlesex under Section 51(58) of the Planning Act, R.S.O. 1990, on this ____ day of _____, 20

Director of Planning"
13. The final plan approved by the County of Middlesex must be registered within 30 days or the County may withdraw its approval under Subsection 51(59) of the Planning Act.