



## Committee of Whole

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**Meeting Date:** May 24, 2022  
**Submitted by:** Durk Vanderwerff, Director of Planning  
**SUBJECT:** PROPOSED PLAN OF SUBDIVISION, MUNICIPALITY OF NORTH MIDDLESEX, FILE NO. 39T-NM-2101 AUSABLE BLUFFS; GILRAD DEVELOPMENTS

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### **BACKGROUND:**

The proposed Ausable Bluffs Plan of Subdivision would create 250 lots for single detached dwellings and two medium density blocks for approximately 75 townhouse units on a 22-hectare (55 acre) property in Ailsa Craig. The proposal would also include blocks for storm water management, parkland, future road connections, etc.

The subject lands are within the 'Residential' designation of the North Middlesex Official Plan and are currently in agricultural use. Surrounding land uses are primarily agricultural and residential including the Craigwiel Gardens long term care / independent seniors living facility to the north. The subject lands are located east of Queen Street (County Road 19) and south of William Street and would be developed on full municipal services. Access to the development from County Road 19 would be provided by the extension of existing or planned local roads.

The north portion of the subject lands contain an existing Plan of Subdivision (File 39T-90027) that was draft plan approved by the Ministry of Municipal Affairs in 1991 and subsequently delegated to the County as the Approval Authority. The Ausable Bluffs Plan of Subdivision is intended to replace the former plan while also encompassing additional lands to the south

This plan of subdivision was processed under the integrated planning model that has been developed between the County and the Municipality of North Middlesex. This included a combined circulation process and a common planning review and analysis. The municipal planning report, authored by Stephanie Poirier, as provided to North Middlesex Council, are attached.

This report is a short summary of the issues from the perspective of the County as the Approval Authority and recommends draft plan approval of this subdivision subject to conditions. A location map, a copy of the proposed draft plan and draft plan conditions, as well as the municipal planning report are appended to this report.

## **ANALYSIS:**

The submission was accepted as complete on May 26<sup>th</sup>, 2021, and the Municipality held a statutory public meeting on September 1<sup>st</sup>, 2021. North Middlesex Council supported the application on April 6<sup>th</sup>, 2022. During the local process public input included concerns related to land use compatibility between the proposed medium density block and Craigwiel Gardens, increased road traffic, and impact on environmental features.

An agency / ministry circulation was undertaken, and the comments received were either addressed (through additional engineering) or can appropriately be addressed as conditions of draft plan approval. The draft plan conditions include matters to satisfy the Ausable Bayfield Conservation Authority (storm water management), the Municipality (development agreement, stormwater management, servicing, etc.), and the County of Middlesex (intersection improvements).

The Provincial Policy Statement identifies the importance of focusing population growth and development to settlement areas both as a means of developing vital communities and to protect natural heritage and agricultural resources. This includes encouraging development to occur on full municipal services and encouraging the development of communities that are strong, sustainable, and resilient for people of all ages while making efficient use of land and infrastructure including accommodating a range and mix of residential types.

The County Official Plan directs growth and development to Settlement Areas and that development make use of existing and / or extended services in a logical and planned manner. The County Plan seeks protection for natural heritage features and agricultural land by directing development away from these areas. The Official Plan designates Ailsa Craig as an 'Urban Settlement Area' and encourages a range of housing types, densities, and options while placing the primary responsibility to develop implementing policy to local municipalities in local official plans.

The lands are located within the 'Residential' designation of the North Middlesex Official Plan. The Municipal Official Plan includes more detailed policy direction concerning the physical design of new development, that development occur on full municipal services in an appropriately staged manner, that development occur at appropriate densities and a greater mix of housing types be provided. The local planning report (attached) provides

a more detailed local planning analysis as well as outlines the documents and studies submitted in support of the proposal.

I have reviewed this material throughout the process and am satisfied that the proposed plan is consistent with the Provincial Policy Statement, conforms with the County's Official Plan, conforms with the Municipality's Official Plan, and represents sound land use planning. I am, therefore, recommending draft plan approval of the plan of subdivision subject to conditions.

As noted above, a portion of the subject lands contain an existing Plan of Subdivision (File 39T-90027) which was draft plan approved by the Ministry of Municipal Affairs in 1991 and subsequently delegated to the County as the Approval Authority. Development of that plan has not moved forward, and the plan no longer meets current development standards or practices. It is therefore considered timely and appropriate for the County to withdraw the previous Ministry approval in accordance with Section 51(44) of the Planning Act.

#### **FINANCIAL IMPLICATIONS:**

The budget expense related to the Provincially delegated Approval Authority responsibility for local official plans is offset, to an extent, through the collection of application fees. The approval of development and the accompanied community growth has indirect long-term financial implications.

#### **ALIGNMENT WITH STRATEGIC FOCUS:**

This report aligns with the following Strategic Focus, Goals, or Objectives:

<b>Strategic Focus</b>	<b>Goals</b>	<b>Objectives</b>
Strengthening Our Economy	Encourage a diverse and robust economic base throughout the county	Create an environment that enables the attraction and retention of businesses, talent, and investments Support the development and prosperity of downtown core areas in Middlesex County

#### **RECOMMENDATION:**

That the proposed Plan of Subdivision (File No. 39T-NM-2101) be granted draft plan approval subject to conditions and that a Notice of Decision be circulated as required by the Planning Act and that the Notice of Decision indicate that all written and oral submissions received on the application were considered; the effect of which helped to make an informed recommendation and decision; and

That the proposed Plan of Subdivision (File No. 39T-90027) draft plan approval be withdrawn and a Notice be circulated as required by the Planning Act.

#### Attachments

Attachment 1 Location Map

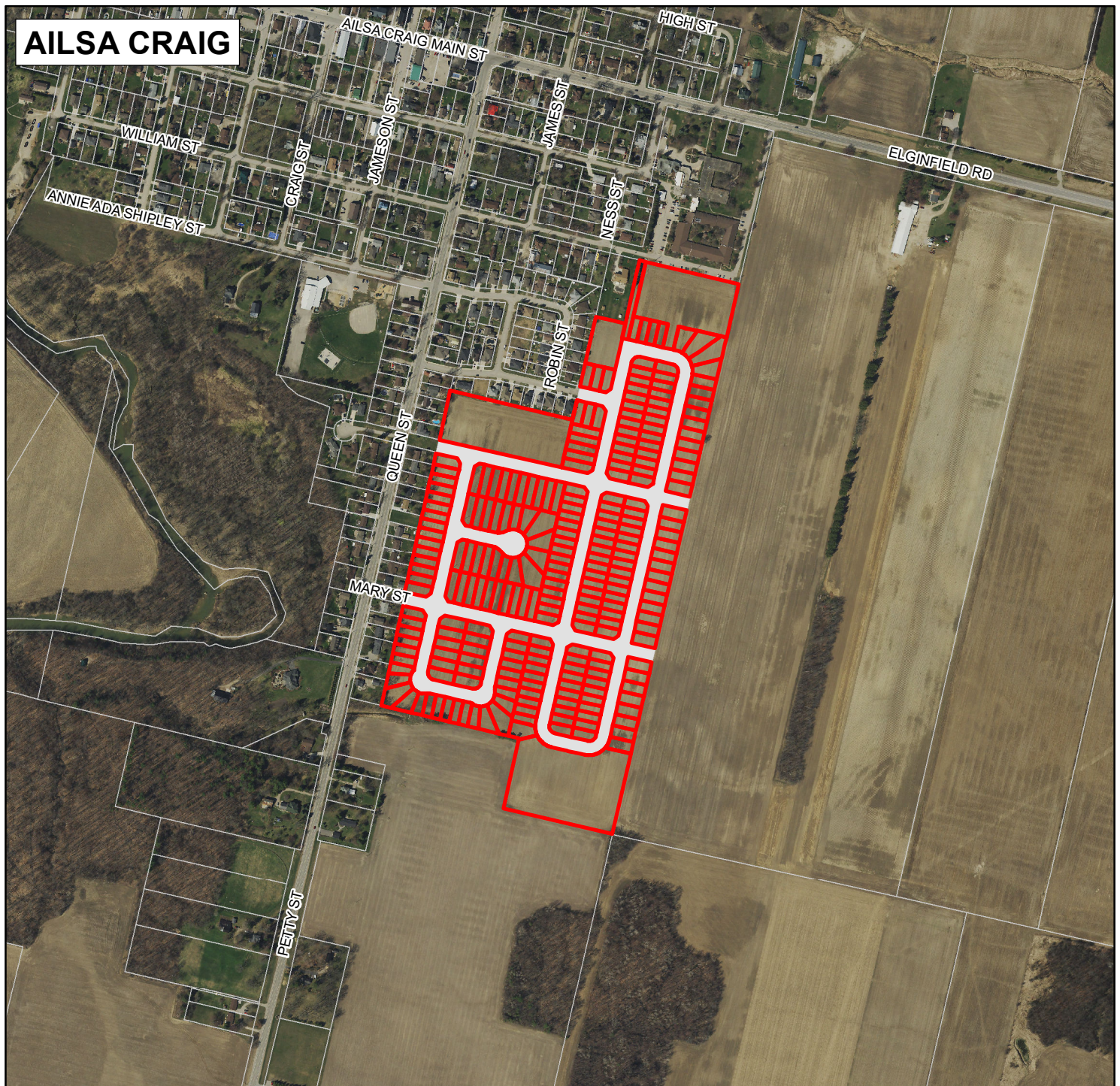
Attachment 2 Plan of Subdivision

Attachment 3 Preliminary Conditions

Attachment 4 Local Municipal Staff Report



# AILSA CRAIG



## LOCATION MAP


Description:  
PROPOSED PLAN OF SUBDIVISION  
GILRAD DEVELOPMENTS INC.  
MUNICIPALITY OF NORTH MIDDLESEX

File Number:  
39T-NM2101

Prepared by: Planning Department,  
The County of Middlesex, August 5, 2021



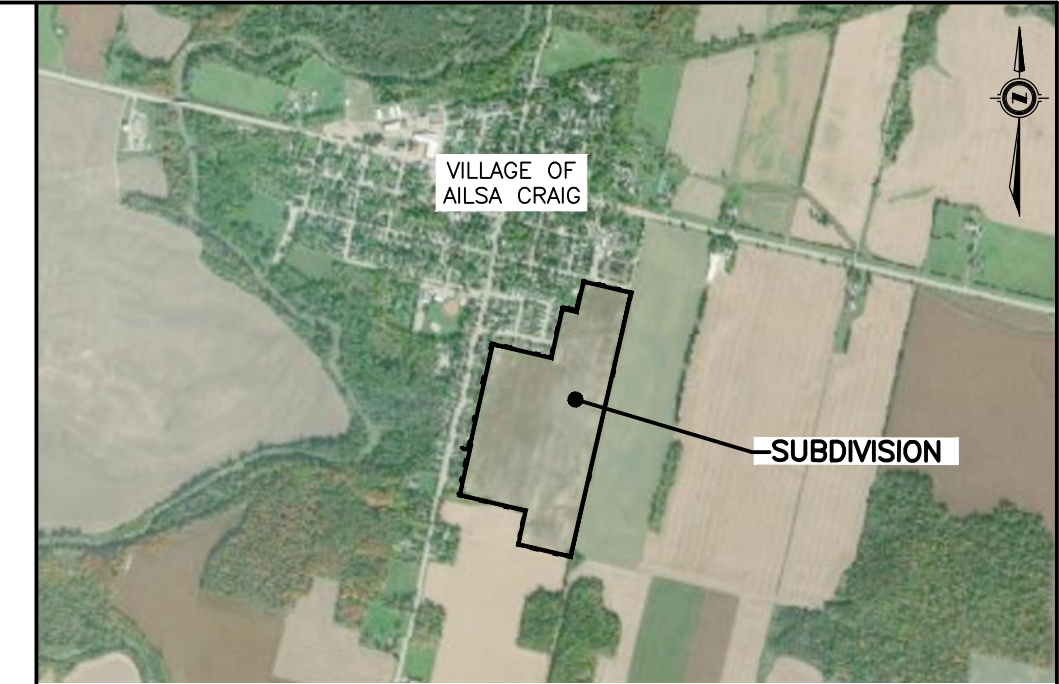
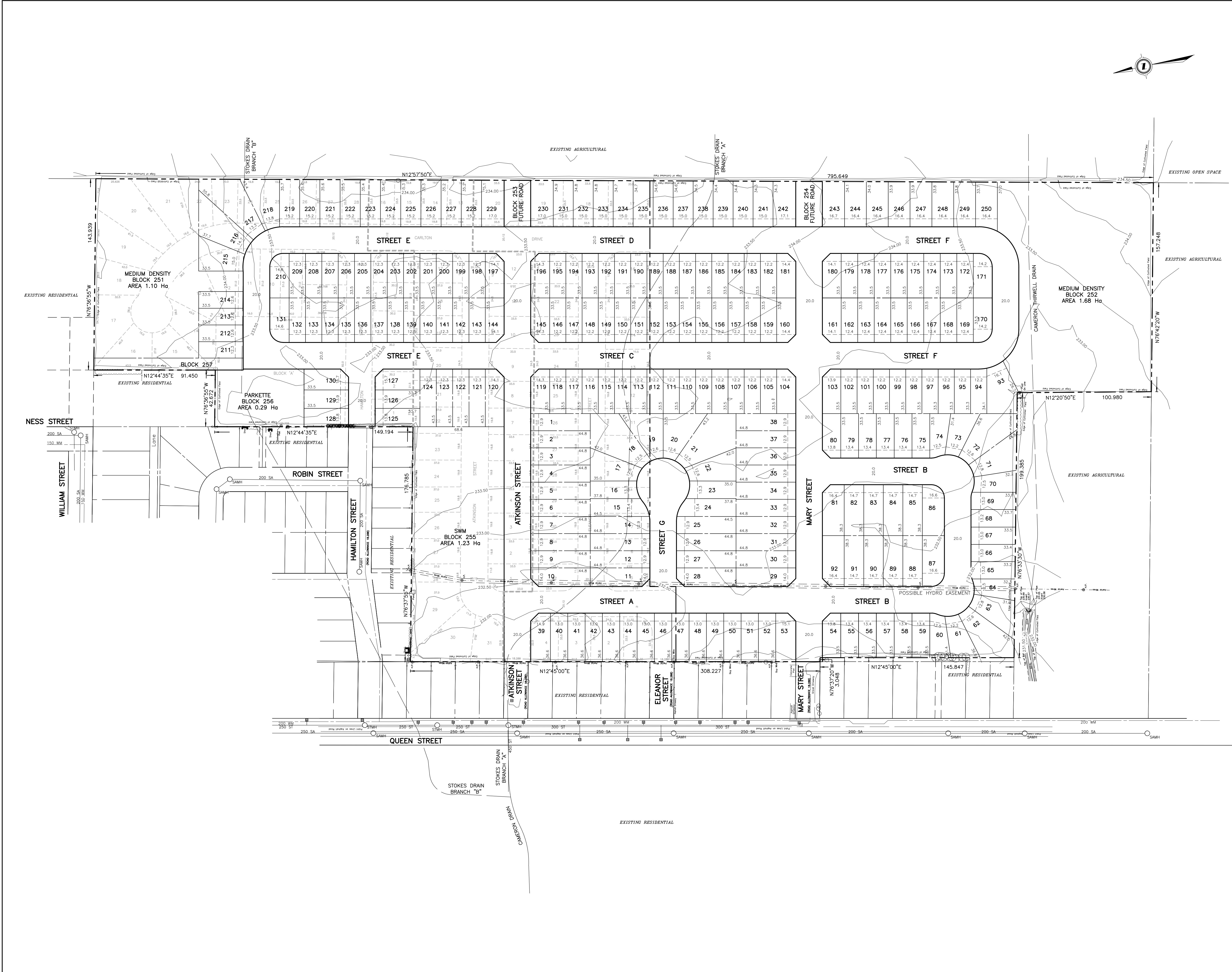
## LEGEND

 SUBJECT LANDS



1:8,000  
0 200 400  
Metres




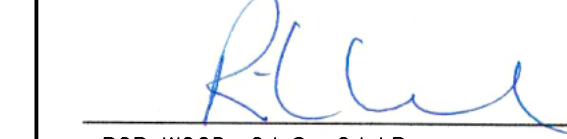


KEY PLAN  
SCALE - N.T.S.

DRAFT PLAN OF SUBDIVISION

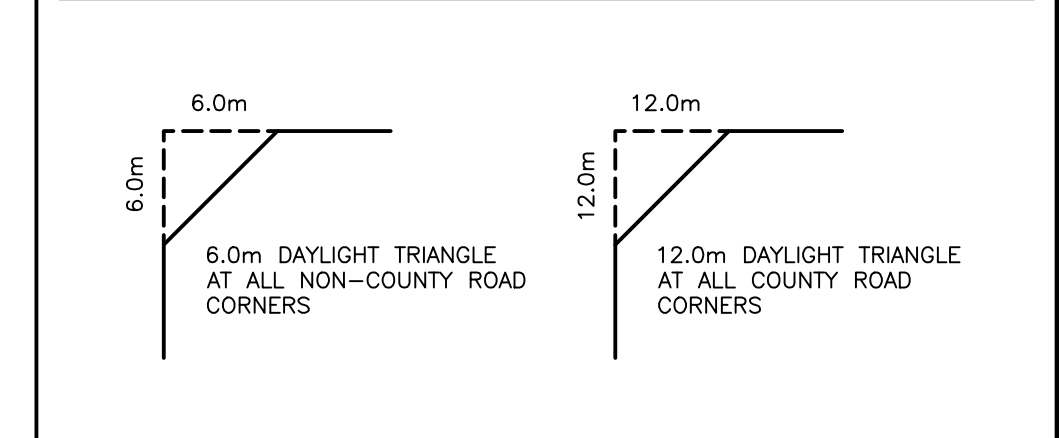
PART OF LOT 26  
CONCESSION 20  
(GEOGRAPHIC TOWNSHIP OF EAST WILLIAMS)  
FORMERLY THE VILLAGE OF AILSA CRAIG  
MUNICIPALITY OF NORTH MIDDLESEX  
COUNTY OF MIDDLESEX

OWNER'S CERTIFICATE:  
I HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION.  
 **APRIL 21/21** DATE  
MIKE RADCLIFFE  
PRESIDENT  
GILRAD DEVELOPMENTS INC.  
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE:  
I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.  
 **APRIL 28/2021** DATE  
ROB WOOD, O.L.S., O.L.P.  
ARCHIBALD, GRAY & MCKAY LTD  
ONTARIO LAND SURVEYOR

LAND USE SCHEDULE

LOTS 1 TO 250 - SINGLE DETACHED RESIDENTIAL	12.35 ha (30.52 acres) =56.0%
BLOCKS 251, 252 - MEDIUM DENSITY RESIDENTIAL	2.78 ha (6.87 acres) =12.6%
BLOCKS 253, 254 - FUTURE ROADS	0.14 ha (0.35 acres) = 0.6%
BLOCKS 255, 256 - SWM/PARK	1.52 ha (3.75 acres) = 6.9%
BLOCKS 257 - EASEMENT	0.10 ha (0.25 acres) = 0.5%
ROADS - HAMILTON STREET, ATKINSON STREET, MARY STREET, STREETS A, B, C, D, E	5.17 ha (12.77 acres) =23.4%
TOTAL AREA	22.06 ha (54.51 acres)




REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

(a) AS SHOWN ON PLAN	(g) AS SHOWN ON PLAN
(b) AS SHOWN ON PLAN	(h) MUNICIPAL WATER
(c) AS SHOWN ON KEY PLAN	(i) TOPSOIL, SILT, CLAY, SAND AND GRAVEL
(d) AS SHOWN ON PLAN	(j) AS SHOWN ON PLAN
(e) AS SHOWN ON PLAN	(k) MUNICIPAL SERVICES
(f) AS SHOWN ON PLAN	(l) AS SHOWN ON PLAN

AUSABLE BLUFFS

GILRAD DEVELOPMENTS INC.



No.	REVISION	DATE	BY

DRAWN	LS	CHECKED	JJ	DATE	2021-04-12
NOTE: DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048				PROJECT No.	20-3762

SCALE 1:1,250 METRES



**Applicant:** Gilrad Developments Inc.  
**File No.:** 39T-NM-2101  
**Municipality:** North Middlesex  
**Subject Lands:** Concession 20, Part Lot 26,  
Registered Plan 33R2055 Part 1

**Date of Decision:**  
**Date of Notice:**  
**Last Date of Appeal:**

The conditions and amendments to final plan of approval for registration of this Subdivision, file no. 39T-NM-2101, are as follows:

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**No. Conditions**

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1. That this approval applies to the draft plan of subdivision prepared by Dillon Consulting dated April 28<sup>th</sup> 2021 and showing:
  - a. Lots 1-250 for single detached dwellings
  - b. Blocks 251 & 252 for future medium density residential development
  - c. Blocks 253 & 254 for future road connections
  - d. Block 255 for stormwater management
  - e. Block 256 for a parkette
  - f. Block 257 for a pedestrian walkway
2. That the development of the draft plan of subdivision shall be undertaken in phases to the satisfaction of the Municipality.
3. That Plan of Subdivision file no.: 39T 90027 be withdrawn prior to final approval, to the satisfaction of the County of Middlesex.
4. No development of the Plan of Subdivision may begin until all external infrastructure and services required for the development of the Plan of Subdivision are in place; including municipal water supply, treatment and conveyance infrastructure and sewage treatment and waste water conveyance infrastructure. For the purpose of these conditions, services being "in place" means that the infrastructure exists and is operational to the satisfaction of the Municipality and that capacity in such infrastructure has been formally allocated and approved by the Municipality for use in connection with the development of the Plan of Subdivision; this undertaking shall be at the sole expense of the Owner. This may necessitate the entering into a front-end funding agreement to facilitate infrastructure needs.
5. That all streets shall be named and the lots addressed to the satisfaction of the Municipality and the County. This shall include permanent and temporary road name and municipal address signage during all stages of construction which shall be a requirement of the Subdivision Agreement.
6. That prior to final approval, the County is to be advised by the Municipality that appropriate zoning is in effect for the Plan of Subdivision.
7. That prior to final approval, the Owner shall provide to the County confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality or County that the lot areas, lot frontages and lot depths conform to the zoning by-law requirements of the Municipality of North Middlesex.
8. That the Owner and the Municipality enter into a subdivision agreement ("Subdivision Agreement") pursuant to Section 51 (26) of the Planning Act to be registered on title of the

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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.

9. That the Subdivision Agreement satisfies all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to; grading and drainage, planting of trees, landscaping, provision of community mailboxes, fencing, buffering, street lighting and other amenities, construction access, the provision and installation of full municipal water and sanitary services, the installation of underground electrical services, and other matters which may be required by the Municipality respecting the development of the Plan of Subdivision, including the payment of Municipal Development Charges, if any, in accordance with the Municipality's Development Charge By-Law.
10. If necessary, that the Owner shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes which is to include a requirement to notify all prospective lot purchasers of the mailboxes' location(s).
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. That the Subdivision Agreement shall ensure that the 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, if any, related to the development, pursuant to Section 59(4) of the Development Charges Act.
13. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority, at the expense of the Owner.
14. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required for the development of the Plan, which relocation shall be undertaken and provided at the expense of the Owner. This shall include, but not be limited to, the relocation of the existing overhead hydro line that crosses the property.
15. The Owner hereby agrees to promote the implementation of Storm Water Management (SWM) low impact Best Management Practices (BMP's) within this Plan of Subdivision, where possible, to the satisfaction of the Municipality. The acceptance of these measures by the Municipality will be subject to the presence of adequate geotechnical conditions within this Plan of Subdivision and the approval of the Municipality.
16. That prior to final approval, the developer shall submit a storm water management plan, a Sediment and Erosion Control Plan, a detailed water modeling report (including fire flow calculations), and Final Detailed Servicing and Grading Plans to the satisfaction of the Municipality, the County, and the Ausable Bayfield Conservation Authority for approval, and the subdivision agreement contain provisions implementing the plan.
17. That prior to final approval of each phase, a Homeowners' Information Package be completed



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to the satisfaction of the Municipality and the Ausable Bayfield Conservation Authority and be included as a schedule to the Subdivision Agreement between the Municipality and the Owner for each respective phase. The Homeowners' Information Package is to inform homeowners about the stormwater management practices that have been implemented in the subdivision.

18. The development of this plan of subdivision requires that certain studies, financial contributions, and improvements related to the Stokes Drain and Cameron Thirwell Drain be undertaken, including:
  - i. The Owner shall pay a contribution of, as a special benefit under section 24 of the Drainage Act R.S.O. 1990, "Assessment for Special Benefit" to be included in the updated Stokes Drain and Cameron Thirwell Drain in report, as prepared by the Municipality's drainage engineer, to "up-size" downstream stormwater conveyance route(s) for the benefit of this development.
  - ii. Any additional stormwater flows shall be maintained at the rate of 226 l/sec under 2-year post development storm events and 551 l/sec under 100-year events, all to the satisfaction of the Municipality's Drainage Superintendent.
  - iii. The Owner's Consulting Engineer, upon 100% of full subdivision "build-out," perform all engineering activities to re-asses the Stokes Drain and Cameron Thirwell Drain under Section 76 of the Drainage Act, R.S.O. 1990 "Varying Original Assessments for Maintenance" to the satisfaction of the Municipality's Drainage Superintendent and at no cost to the Municipality.
  - iv. The Owner shall upon the recommendation of the Municipality's Drainage Superintendent, via review of the Stokes Drain and Cameron Thirwell Drain Section 76 updated report, that if improvements are required as per section 78 of the Drainage Act, R.S.O. 1990 "Improving Upon Examination and Report of Engineer" the Owner shall undertake such works to the satisfaction of the Municipality's Drainage Superintendent at no cost to the Municipality. Cost incurred by said improvements to the Stokes Drain and Cameron Thirwell Drain shall be wholly contained to the developer/Owner of this Plan of Subdivision.
19. Prior to final approval, the Owner shall have its professional engineer submit a landscaping plan for the stormwater management facility to be constructed within Block 255, at no cost and to the satisfaction of the Municipality.
20. That prior to final approval, the Municipality shall advise the County of Middlesex that the Subdivision Agreement between the Municipality and the Owner provides for the following:
  - a. municipal assumption and ownership of any facilities required for the detention and enhancement of storm water quality, and for the purpose of ensuring perpetual maintenance and operation; and
  - b. the inclusion of any environmental protection measures recommended in the final storm water management plan required by condition number 16 that are not capable of being addressed under the Ontario Water Resources Act.

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21. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality 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 and Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report has been entered into the Ontario Public Register of Archaeological Reports.
22. That prior to final approval, the Owner shall submit for review and approval of the Municipality a detailed geotechnical investigation of the site prepared by a qualified geotechnical engineer for the entire subject land prior to the initiation of any site grading or servicing; including a hydrogeological opinion, report on the stability of the soil, and its ability to sustain superimposed loads resulting from building and filling operations, which if determined warranted by the Municipality, shall provide a full hydrogeological investigation at the Owner's expense; and agree in the subdivision agreement to remove any matter, which is determined during soil investigations as being hazardous.
23. That prior to final approval, the owner submit a noise study identifying and mitigating any effect from road noise on the proposed development to the satisfaction of the Municipality.
24. That the developer construct all rights-of-way and all infrastructure to municipal standards and to the satisfaction of the Municipality including the construction of Hamilton Street, Atkinson Street, and Mary Street from County Road 19 (Queen Street) to the development.
25. That any dead ends or open sides of road allowances created by this draft plan shall be terminated in 0.3 m reserves to be conveyed to and held in trust by the Municipality.
26. The owner shall undertake an engineering and sight distance analysis for the intersections of Atkinson Street / Queen Street (County Road 19) and Mary Street / Queen Street (County Road 19), Annie Ada Shipley/Queen Street (County Road 19) and undertake any improvements, including turning lanes and integration with cycling lanes, to the satisfaction of the County of Middlesex and Municipality, with all design and construction will be the responsibility of the Developer.
27. That the road allowances included in the draft plan shall be shown and dedicated as public highways.
28. That the Subdivision Agreement for each phase include a landscaping plan that illustrates how municipal right-of-ways are to be landscaped and that this be to the satisfaction of the Municipality.
29. The subdivision agreement shall include a provision that states all construction traffic access shall be solely contained to an entrance from Queen Street (County Road 19).
30. That the Owner dedicate to the Municipality blocks 253 & 254 for future road connections, and block 257 for a pedestrian walkway, to the satisfaction of the Municipality.
31. The Owner shall provide engineering design and a road plan profile to the Municipality for the future development of Blocks 253 & 254; this plan shall be at no cost and to the satisfaction of

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the Municipality.

32. That the Owner convey up to 5% of the land included in this plan to the Municipality for park purposes, including but not limited to Block 256. Alternatively, the Municipality may require cash-in-lieu of all or a portion of the conveyance, to the satisfaction of the Municipality.
33. That the Subdivision Agreement shall include a provision that requires a clause be included in all agreements of purchase and sale or lease of Lots and part of Blocks notifying future owners / lessors that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property and shall require the purchaser or lessor, as a condition of any aforementioned agreement of purchase and sale or lease, to acknowledge and accept that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property.
34. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 through 33 have been satisfied.
35. That prior to final approval, the County is to be advised in writing by the Ausable Bayfield Conservation Authority how conditions 16 and 17 have been satisfied.
36. That prior to final approval, the County is to be advised in writing by the County engineer how condition 26 has been satisfied.

#### **NOTES TO DRAFT APPROVAL**

1. It is the applicant's responsibility to fulfil the conditions of the draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the approval authority.
2. We suggest you make yourself aware of the following subsections of the Land Titles Act:
  - a) Subsection 144(1) requires all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
  - b) Subsection 144(2) allows certain exceptions.
3. When the Zoning By-law required in condition 6 is being prepared, reference to this subdivision application T-file number should be included in the explanatory note.
4. Clearance is required from the following agencies:
  - Municipality of North Middlesex
  - Ausable Bayfield Conservation Authority
  - County of Middlesex Engineer
5. 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



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Section 52 and Section 53 of the Ontario Water Resources Act.

6. The Ministry of Environment and Climate Change must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
7. All measurements in subdivision final plans must be presented in metric units.
8. 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 \_\_\_\_\_, 201\_\_.*

\_\_\_\_\_  
*Director of Planning"*

9. 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.
10. 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.

# EVALUATION REPORT

PLANNING DEPARTMENT

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To: Mayor and Members of the Council,  
Municipality of North Middlesex

From: Stephanie Poirier, Planner, County of Middlesex

Date: April 6<sup>th</sup>, 2022

**Re: Application for Plan of Subdivision 39T-NM-2101  
Application for Zoning By-law Amendment ZBA16-2021  
Concession 20, Part Lot 26, Registered Plan 33R2055 Part 1  
(Geographic Township of East Williams)**

**Owner:** Gilrad Developments Inc. c/o Mike Radcliffe

**Agent:** Dillon Consulting Limited c/o Melanie Muir

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## **Purpose:**

The purpose of this report is to provide Council with a recommendation on an Application for a Plan of Subdivision and a Zoning By-law Amendment Application for the subject lands legally described as Concession 20, Part Lot 26, Registered Plan 33R2055 Part 1, in Ailsa Craig.

The purpose and effect of the draft Plan of Subdivision (File No.: 39T-NM-2101) is to create 250 lots for single detached dwellings, two medium density blocks for future development purposes, two blocks for future road connections, one block for a parkette, one block for stormwater management, one block for a pedestrian walkway, and five new public roads. Access is proposed from the extension of Hamilton Street, Atkinson Street, and Mary Street.

The purpose of the Zoning By-law Amendment (File No.: Z16-2021) is to change the zoning of the following lots/blocks as shown on the draft plan:

- Lots 1-250 from the 'Future Development Zone' to the 'Residential Density One Exception Holding (R1-19(H)) Zone' in order to facilitate 250 single detached dwellings with a minimum lot area of 400 m<sup>2</sup>, a minimum lot frontage of 12 m, a maximum lot coverage of 55%; and a maximum gross floor area as a % of lot area of 50%. Removal of the Holding Provision would be contingent on the completion of a subdivision agreement.
- Block 251 & 252 from the 'Future Development Zone' to the 'Residential Density Two Exception Holding (R2-2(H)) Zone' in order to facilitate 2 medium density blocks for future development of townhomes with a minimum lot area of 180 m<sup>2</sup>, an interior side yard setback of 1.2 m, and a maximum lot coverage of 55%. Removal of Holding Provision would be contingent on the completion of a subdivision agreement and site plan control agreement.

- Block 256 from the 'Future Development Zone' to the 'Parks and Recreation (PR) Zone' in order to facilitate a parkette

The draft plan of subdivision has been attached for reference.

In addition to the applications and the proposed draft plan, the submission included the following supporting documents:

- Planning Justification Report, Dillon Consulting, April 2021, revised July 27<sup>th</sup> 2021
- Functional Servicing Report, Dillon Consulting, April 2021
- Archeological Study, Timmins Martelle Heritage Consultants Inc., January 2021
- Preliminary Stormwater Management Report, Dillon Consulting, April 2021
- Traffic Impact Brief, Dillon Consulting, January 2021
- Geotechnical Report, EXP Services Inc., March 2021
- Concept Plan, Dillon Consulting, April 2021
- Survey, Archibald, Gray, & McKay Ltd. (AGM), February 2021

### **Background:**

The subject lands are located east of Queen Street, south of William Street in Ailsa Craig. The lands are approximately 22.06 ha (54.5 ac) in size are currently vacant of any buildings and structures. Municipal services are available, subject to engineering and design.

The north portion of the subject lands contain an existing Plan of Subdivision file no.: 39T 90027, which was draft plan approved by the Ministry of Municipal Affairs on May 3<sup>rd</sup> 1991. The 1991 plan has not moved forward with development and no longer meets current development standards or practices. Plan of Subdivision 39T NM 2101 has been submitted as a new proposed plan that encompasses the former draft plan and additional lands to the south and is intended to replace the former draft plan approved plan.

The subject lands are designated Residential within the North Middlesex Official Plan and contain a Mineral and Aggregate Resources overlay as per Schedule C of the North Middlesex Official Plan. The subject lands are zoned Future Development (FD) Zone within the North Middlesex Zoning By-law.

### **Policy and Regulation Background:**

#### The Provincial Policy Statement (2020)

According to Section 3 of the Planning Act, as amended, decisions made by planning authorities "shall be consistent with" the PPS. The principal policies of the PPS that are applicable to the proposed development include:

Section 1.1.1 of the PPS speaks to 'Healthy Livable and safe communities' and how they can be sustained. Section 1.1.1b) states that 'accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs'.

1.1.3.1 Settlement Areas shall be the focus of growth and development.



1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- 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.

Section 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:

- a) that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
- b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitable zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.

Section 1.6 of the PPS speaks to servicing, where municipal services are the preferred form of servicing. More specifically, section 1.6.6.1a) states 'Planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

- a) municipal sewage services and municipal water services

Section 1.6.6.7 of the PPS speaks to stormwater management and that planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increase in contaminant loads;

- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) migrate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and previous surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

#### County of Middlesex Official Plan

Section 2.3.2 speaks to the growth management hierarchy and consists of the following types of settlement areas: urban areas, community areas, and hamlets in agricultural areas. It is the goal of this plan that future development within settlement areas proceed on the basis of full municipal services.

The County of Middlesex Official Plan speaks to housing types in section 2.3.7. This section states that 'it is the policy of the County to 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 County of Middlesex Official Plan speaks to settlement areas in section 2.3.8. This section states 'urban areas and community areas shall be the focus for future growth including residential, commercial and industrial development'. The growth is anticipated to be serviced by municipal services, unless full services are not available.

2.3.8.1 Urban Areas either provide or demonstrate a strong potential to provide full municipal services. Urban Areas have the highest concentration and intensity of land uses in the County. Urban Areas are the focus for future growth and are expected to accommodate a significant portion of the projected growth over the planning period. New development, other than infilling, shall be fully serviced by municipal or communal water and sewage disposal systems.

2.4.5 The County of Middlesex does not fund or maintain sanitary sewer or water systems in the County. The County does however, promote efficient and environmentally responsible development which is supportable on the basis of appropriate types and levels of water supply and sewage disposal. The County encourages new development to proceed on the basis of full municipal services.

3.2.2 New development in Settlement Areas is encouraged to proceed by Plan of Subdivision.

4.5.1 County Council shall approve only those plans of subdivision or condominium which comply with the provisions of this Plan and the applicable local official plan. Under conditions of approval attached to plans of subdivision or condominium pursuant to the Planning Act:

- a) County Council shall require that the applicant(s) enter into appropriate agreements with the County or local municipality which may be registered against the title of the subject lands and which shall include such matters as services, financial requirements, County road facilities, dedication of land for public uses,

- exclusive of parks and other requirements to implement the provisions of this Plan;  
and
- b) the Council of the local municipality may require that the applicant(s) enter into appropriate agreements which shall be registered against the title of the subject lands, and may include such matters as, but not limited to, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and other requirements to implement the provision of this Plan and the local official plan.

#### North Middlesex Official Plan

##### 4.2 Community Design Policies

The following policies relate to the physical design of communities, and new applications for new development, including plans of subdivision, infill development proposals, and site plans within the Municipality.

- a) Through implementation of this Plan, the Municipality will seek to maintain and improve the physical design characteristics of the Settlement Areas in the context of new and existing development and stress a general high quality of settlement design throughout the Municipality.
- b) Through the review of development applications, including plans of subdivision, site plans and other development approvals, the Municipality will:
  - i. Ensure that new development is designed in keeping with the traditional character of the Settlement Areas, in a manner that both preserves the traditional image of the Settlement Areas and enhances the sense of place within the Municipality while maintaining the community image of existing settlement areas;
  - ii. Promote efficient and cost-effective development patterns that minimize land consumption, optimize energy efficiency, and are pedestrian oriented;
  - iii. Promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, parks;
  - iv. Encourage tree retention wherever possible and appropriate;
  - v. Strongly encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure; and
  - vi. Request that proponents submit design guidelines with development applications, establishing how the policies of this Section have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, garage placement, and architectural treatment.
- c) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffer planting shall be provided between any uses where land use conflicts might be expected, and such buffer planting may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening.
- d) Designs that establish reverse lotting on Municipality roads, or require features such as noise attenuation or privacy fencing, are discouraged. Wherever possible, new residences will be oriented toward streets or parks. Access to County roads will be limited and require the approval of the County of Middlesex.



- e) This Plan encourages compatibly scaled and designed infill developments within the Central Areas of Ailsa Craig and Parkhill, which enhance the traditional character and economic viability of such centres.
- f) A high quality of architecture and site design for institutional uses such as schools, churches and libraries is encouraged.
- g) Streetscaping that reflects the intended character of settlement areas is encouraged. In particular, traditional streetscaping in the Central Areas of Ailsa Craig and Parkhill will be encouraged.
- h) A high quality of park and open space design is strongly encouraged. The lands for parkland dedication will be carefully selected to facilitate their use as a central focal point to new or existing neighbourhoods. Where possible, uses should front onto parks.

#### 5.1.2 Urban Settlement Areas

The following policies apply to Urban Settlement Areas:

- a) All new proposed development shall be fully serviced by municipal water and municipal sewage disposal systems.
- b) Urban Settlement Areas shall have the highest concentration and intensity of land uses within the Municipality.
- c) Urban Settlement Areas shall be the focus of future growth by accommodating a significant portion of the planned growth and development over the horizon of this Plan.
- f) Where vacant land exists between the existing urban areas and the Urban Settlement Area boundary, development will proceed in a staged and sequential manner. The pattern of roads and orientation of future development shall be in keeping with the existing urban pattern. Access to County roads shall be subject to approval by the County of Middlesex.

#### 5.2.1 Residential Land Use Designation Permitted Uses

The following policies relate to the uses permitted on lands designated Residential Area Land Use Designation on Schedule "A".

- a) The predominant use of land in the Residential Area Land Use Designation shall be a variety of dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding two-and-a-half (2.5) storeys in height and two (2) dwelling units per property.
- b) While not the predominant use, medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings not exceeding four (4) storeys in height.

#### 5.2.2 Residential Density & Locational Requirements

The appropriate residential density shall be based on the availability of services, compatibility with surrounding uses and locational factors. The following policies relate to residential density requirements.

- a) The maximum density within a low density residential area or the low density residential portion of a development shall not exceed 25 dwelling units per gross hectare.

- b) The maximum density within medium density residential development shall not exceed 40 dwelling units per gross hectare.
- c) New medium density residential development shall be subject to site plan control, in accordance with Section 9.6.6 of this Plan.
- d) New medium density residential developments and other uses that are similar in terms of profile, shall meet the following criteria:
  - i. The density, height and character of the development shall have regard to adjacent uses;
  - ii. The height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer;
  - iii. Subject to approval by the County of Middlesex, the development will be encouraged to have direct access to a County arterial or collector road, where possible and appropriate;
  - iv. The water mains and sanitary sewers shall be capable of accommodating the development, or the proponent has committed to extend services at no expense to the Municipality;
  - v. The development is adequately serviced by parks and school facilities;
  - vi. In developments incorporating walk-up apartments, block townhouse dwellings and medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required to service the development;
  - vii. The development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized; and
  - viii. Except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services shall be prepared by the proponent and approved by the Municipality, and in the case of lands adjacent to a County Road, the County of Middlesex shall also approve the road network report.

#### 5.2.4 Residential Area Policies

The following policies shall apply to lands designation Residential Area:

- a) Plans of subdivision shall be the preferred method of residential lot creation.
- b) Uses within the Residential Area Land Use Designation shall be required to develop on the basis of full municipal services, including but not necessarily limited to, municipal sewer, water and stormwater services.

#### 5.2.5 General Housing Policies

It is the policy of the Municipality that:

- a) Intensification and redevelopment within the Settlement Areas will be encouraged to provide a greater mix and balance of residential housing types. In its consideration of such opportunities, the Municipality will be guided by municipal service, environmental, and transportation issues. Neighbourhood compatibility will also be considered relative to the physical characteristics and site design of intensification proposals. This will include such matters as building height and massing, lot coverage and parking. The County and the Municipality will require

that 15 percent of all development occur by way of intensification and redevelopment.

#### 9.6.5 Subdivision Control

The following policies shall apply to plans of subdivision:

- a) The provisions of the Planning Act relating to subdivision control, including subdivision agreements, shall be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
- b) Prior to approval of an application for plan of subdivision approval, the Municipality will confirm the availability of adequate servicing infrastructure and allocation in accordance with Section 8.3, waste collection and disposal services, and roads.
- c) Applications for plan of subdivision approval shall be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision approval to be premature.
- d) The review of plans of subdivision will be based in part on the consideration of the general community design policies included in Section 4.2 of this Plan.
- e) All lots within a plan of subdivision shall have frontage on a public road maintained on a year round basis, and constructed to an acceptable Municipal standard.
- f) Natural heritage features and areas shall be protected and preserved in the design of any plan of subdivision.
- g) Plans of subdivision shall be appropriately phased to ensure orderly and staged development.
- h) All plans of subdivision shall be subject to a subdivision agreement between the Municipality and the development proponent.
- i) Parkland dedication shall be provided pursuant to Section 9.10 of this Plan. Land to be dedicated for park purposes must be acceptable to the Municipality. Under no circumstances shall the Municipality be obligated to accept parkland being offered in a proposed plan of subdivision.
- j) The Municipality will consult with the County, Conservation Authority and relevant Provincial ministries in considering an application for approval of a plan of subdivision.

#### North Middlesex Zoning By-law

The 'Residential Density One (R1) Zone' permits single detached dwellings, semi-detached dwellings, and duplex dwellings. Minimum standards for a single detached dwelling includes a lot area of 460 m<sup>2</sup> and a lot frontage of 15 m.

The 'Residential Density Two (R2) Zone' permits townhouse dwellings, triplex dwellings, and double duplex dwellings. Minimum standards for townhouse dwellings include a lot area of 300 m<sup>2</sup> per unit, and a lot frontage of 6 m per unit.

The 'Parks and Recreation (PR) Zone' permits parks or parkettes, and does not have minimum lot area or frontage requirements.

**Public Consultation:**  
Public Open House

Dillion Consulting Inc. held a public open house via zoom on July 27<sup>th</sup> 2021. Approximately five members of the public attended the meeting. Questions and concerns raised included but not limited to, construction and phasing of the development, what types of dwellings are to be expected (single storey vs multi-storey), and the ownership of the units (rental vs freehold).

Statutory Public Meeting

Notice of the public meeting was circulated to residents living within 120 m of the subject application, as well as agencies, on August 10<sup>th</sup>, 2021 in accordance with the requirements of the Planning Act. The statutory public meeting was held on September 1<sup>st</sup>, 2021. There were no members of the public in attendance of the public meeting, however four written submissions were received as part of the circulation process.

The comments received expressed general concern with regards to land use compatibility between the proposed medium density block and Craigwiel Gardens, increased traffic, and impact on environmental features.

A summary of the principal concerns that can be addressed through the plan of subdivision process, as well as staff commentary, can be found below.

Summary of Public Concerns:

Land Use Compatibility

Concerns were raised in regards to the placement of townhome dwellings abutting the senior living establishment (Craigwiel Gardens).

Response: Staff are of the opinion that the proposed medium density block is compatible with surrounding uses, including Craigwiel Gardens, as the uses are both residential in nature. Staff have recommended as part of the rezoning application that minimum landscaping requirements be established along all lot lines abutting the 'Residential Density One (R1)' and 'Residential Care Facilities (RS)' Zones in order to minimize visual impacts.

Increased Traffic

Concerns were raised in regards to the increased amount of traffic on Queen Street (County Road 19) as a result of the development.

Response: A Traffic Impact Brief has been submitted as part of the submission materials for the Plan of Subdivision Application, and has been attached for reference. The brief provides estimated traffic counts as a result of the development, and does not anticipate the need for any major road improvements. Additionally, the recommended draft plan conditions include the need for road intersection engineering and analysis.

### Impact on Environmental Features

A concern was received in regards to impacts the development may have on a water course located on an abutting property.

Response: The recommended draft plan conditions includes the requirement for a stormwater management plan, as well as a sediment and erosion plan, to be reviewed in consultation with Ausable Bayfield Conservation Authority.

### Agency Comments to Date

The following written comments from agencies has been received to date and the recommended draft plan conditions include wording to satisfy these comments.

#### a) Hydro One (September 2021)

Hydro One indicated no comments or concerns with the proposed subdivision and rezoning at this time.

#### b) Bell Canada (September 2021)

"The following paragraphs are to be included as a condition of approval:

"The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost."

The Owner is advised to contact Bell Canada at [planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca) during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development."

#### c) Enbridge Gas (September 2021)

"It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

#### d) County Emergency Services (September 2021)

1. That the proposed street names be submitted to the County Emergency Services Dept. for approval to ensure the street names are not duplicated in any other County Municipalities including the Municipality of North Middlesex.



2. That Mary Street when constructed the developer install/post both Mary St and Queen St signs at the intersection.
3. That Eleanor St have a street intersection sign installed/posted with Queen St posted as well. This will conform to the County mapping system as I believe Eleanor St is not presently physically posted.
4. That proposed street "B" be eliminated and that proposed street "A" be continued in its place.
5. That proposed street "C" and "D" be eliminated and that proposed street "E" or "F" be continued in their place.
6. That proposed street "E" and "F" remain in place. Further discussion explaining this reasoning is possible if needed.
7. That the approved street names be erected at all intersections to Municipal standards when the appropriate infrastructure (roads, curb etc) but before building construction is started is in place so emergency responders can better identify the street location.
8. That all proposed municipal 911 street addressing be submitted for approval to the County Emergency Services Dept.
9. That all proposed municipal 911 street addressing for both of the medium density blocks (251 Street E, 252 Street F) be given individual unit numbers with a single Municipal 911 street address for this draft subdivision development and be submitted for approval to the County Emergency Services Dept.
10. When the development is at a point when building permits are being issued the municipal address should be posted on a sign (and not just the building permit posted) in/on the exterior of the building lot so it is visible from the curb of the road allowance until it can be affixed to the building in a permanent fashion for emergency responders to find the said address they are responding to.
11. That fire hydrant locations be approved to standard and that the Municipal Fire Chief is copied for input and approval.
12. That fire hydrants located within both of the medium density blocks (251/252) are colour coded and maintained to NFPA Standard 291 after they have been flow tested.
13. That the appropriate infrastructure be in place for connecting to 911 call agency prior to occupancy of any structure.
14. If there is access to block 256 (Parkland) that it be given a municipal 911 address that corresponds to street "E" municipal addressing and be posted at the entrance to the block/parkland.
15. If there is access to block 255 SWM that it be given a municipal 911 address that corresponds to Atkinson Street municipal addressing and be posted at the entrance to the block/SWM."

e) North Middlesex Chief Building Official (September 2021)

"No comments at this time."

f) County of Middlesex Engineer (September 2021)

"Turning lanes may be required to be painted, and integration of the intersections with the cycling lanes will need to be further examined."

It is noted that no changes to the proposed draft plan occurred as a result of the public consultation process. Dillon Consulting did however, provide a response letter to comments received, found attached. Generally, the concerns raised by the public can be

addressed through the planning process, and the comments received from the agencies can be addressed within the draft plan conditions and ultimately within the subdivision agreement.

g) Thames Valley District School Board (2022)

"No concerns at this time."

**Analysis:**

The Provincial Policy Statement (PPS), County of Middlesex Official Plan, and North Middlesex Official Plan all encourage development within the settlement area boundaries on full municipal services. The subject lands are located within the settlement area of Ailsa Craig and will be fully serviced with municipal infrastructure. The lands are designated as 'Residential' within the North Middlesex Official Plan, zoned 'Future Development (FD)' within the North Middlesex Zoning By-law, and are generally intended for residential development. Staff are of the opinion that the development is proposed to be located adjacent to the existing built-up area, has a compact form, mix of uses and densities that allow for the efficient use of land.

Section 4.2 of the North Middlesex Official Plan speaks to community design policies, and provides criteria to consider for plan of subdivision. Staff are of the opinion that the proposed development will maintain the character of Ailsa Craig, being predominantly single detached dwellings, as well as provide medium density forms of housing adding to the diversity of housing options. The proposed development is designed in a manner that is considered to be an efficient use of the land, and provides connectivity to the existing abutting residential neighbourhood. The proposed development contains a parkette and pedestrian walkway for public recreation, and staff recommend that minimum landscaping requirements be established through the rezoning application for the medium density blocks to provide a visual transition between the different forms of residential density, and Craigview Gardens.

The policy documents encourage municipalities to have a variety of housing types in order to accommodate housing needs of current and future residents. Staff are of the opinion that the proposal both maintains the existing character of the settlement area of Ailsa Craig, while also providing a limited range of housing options being single detached and multi-family.

Staff have reviewed the residential density and locational requirement of the North Middlesex Official Plan and are of the opinion that the proposal maintains the maximum density requirement for low density of 25 dwelling units per gross ha (250 units on 12.35 ha=20.24 units per ha), as well as the medium density requirements of 40 dwelling units per gross ha (Block 252-51 units on 1.68 ha= 30 units per ha and Block 251-27 units on 1.10 ha= 24.5 units per ha). Further evaluation of the medium density blocks in regards to height and character will be completed as part of a subsequent planning act application, however, staff have recommended that the density requirements as well as buffering be recognized in the site specific zoning to ensure Official Plan conformity.

The rezoning application proposes a site specific 'R1 Zone' for the 250 single detached dwellings with a minimum lot area of 400 m<sup>2</sup>, whereas the minimum is 460 m<sup>2</sup>, a minimum lot frontage of 12 m, whereas the minimum is 15 m, a maximum lot coverage of 55%; whereas the maximum is 40% and a maximum gross floor area as a % of lot area of 50%, whereas the maximum is 45%. Staff are of the opinion that the requested site specific provisions will result in some lots that are narrower in appearance and contain less landscaped open space in comparison to existing lots in Ailsa Craig however, maintain an appropriate level of density, and contribute to a diverse housing stock as per the Official Plan direction. As part of the rezoning, staff recommend that a maximum driveway width of 6m be required, in order to ensure adequate room for on street parking between neighbouring driveways given the reduced lot frontages for some of the proposed lots. Through review of the concept plan provided as well as the submitted planning justification report, staff are satisfied that all other requirements of the 'R1 Zone' are capable of being met. Staff are therefore satisfied that the proposed 'Residential Density One Exception ((H)R1-19) Zone' is considered to be appropriate for the proposed development of single detached dwellings.

The proposed rezoning application also seeks to rezone Blocks 251 & 252 to a site specific 'R2 Zone' for townhouse dwellings with a minimum lot area of 180 m<sup>2</sup>, whereas the minimum required is 300 m<sup>2</sup>, a minimum interior side yard setback of 1.2 m, whereas 1.5 m is required, and a maximum lot coverage for all buildings of 55%, whereas a maximum of 40% is required. As part of the rezoning application staff recommend that a minimum landscaping requirement of a strip of land not less than 1.8 m wide consisting of a continuous, unpierced hedgerow of evergreens and shrubs, not less than 1.2 m high at the time of planting be required along all lot lines abutting the 'Residential Density One (R1) Zone' and the 'Residential Care Facilities (RS) Zone', in order to maintain conformity with the buffering requirements for medium density development within the North Middlesex Official Plan. Additionally, staff recommend that a maximum of 40 units per ha be implemented through the site specific zoning, to ensure conformity with the North Middlesex Official Plan density requirements. Staff have reviewed the concept plan provided for the medium density blocks, and are satisfied that the requested site specific zoning will result in appropriate residential dwelling lots. It is noted however, that revisions to the concept plan can be anticipated through subsequent planning act applications. Further examination for policy conformity will occur at the time.

Staff are of the opinion that the proposed 'PR Zone' for the establishment of a parkette is considered to be appropriate, and will result in a recreational space to serve the new and existing community of Ailsa Craig. Any future proposed buildings or structures will be evaluated against zoning criteria at the time of building permits, if applicable.

As part of the rezoning application, staff recommend that a Holding Provision (H) apply to the lands as a whole, which requires the completion of a subdivision/development agreement prior to the removal of the (H), in order to ensure proper and orderly development.

Based on the above analysis, staff are in a position to recommend support for the proposed draft plan and rezoning applications as the proposal is considered to be

consistent with the Provincial Policy Statement, and in conformity with the County of Middlesex and North Middlesex Official Plans and Zoning By-law.

**Recommendation:**

**THAT** Plan of Subdivision Application 39T-NM-2101 and draft plan conditions be **ENDORSED** and forwarded to the County of Middlesex for consideration and approval;

**AND THAT** Zoning By-law Amendment Application ZBA 16-2021 be **GRANTED**.

**Applicant:** Gilrad Developments Inc.  
**File No.:** 39T-NM-2101  
**Municipality:** North Middlesex  
**Subject Lands:** Concession 20, Part Lot 26,  
Registered Plan 33R2055 Part 1

**Date of Decision:**  
**Date of Notice:**  
**Last Date of Appeal:**

The conditions and amendments to final plan of approval for registration of this Subdivision, file no. 39T-NM-2101, are as follows:

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## **No. Conditions**

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1. That this approval applies to the draft plan of subdivision prepared by Dillon Consulting dated April 28<sup>th</sup> 2021 and showing:
  - a. Lots 1-250 for single detached dwellings
  - b. Blocks 251 & 252 for future medium density residential development
  - c. Blocks 253 & 254 for future road connections
  - d. Block 255 for stormwater management
  - e. Block 256 for a parkette
  - f. Block 257 for a pedestrian walkway
2. That the development of the draft plan of subdivision shall be undertaken in phases to the satisfaction of the Municipality.
3. That Plan of Subdivision file no.: 39T 90027 be withdrawn prior to final approval, to the satisfaction of the County of Middlesex.
4. No development of the Plan of Subdivision may begin until all external infrastructure and services required for the development of the Plan of Subdivision are in place; including municipal water supply, treatment and conveyance infrastructure and sewage treatment and waste water conveyance infrastructure. For the purpose of these conditions, services being "in place" means that the infrastructure exists and is operational to the satisfaction of the Municipality and that capacity in such infrastructure has been formally allocated and approved by the Municipality for use in connection with the development of the Plan of Subdivision; this undertaking shall be at the sole expense of the Owner. This may necessitate the entering into a front-end funding agreement to facilitate infrastructure needs.
5. That all streets shall be named and the lots addressed to the satisfaction of the Municipality and the County. This shall include permanent and temporary road name and municipal address signage during all stages of construction which shall be a requirement of the Subdivision Agreement.
6. That prior to final approval, the County is to be advised by the Municipality that appropriate zoning is in effect for the Plan of Subdivision.
7. That prior to final approval, the Owner shall provide to the County confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality or County that the lot areas, lot frontages and lot depths conform to the zoning by-law requirements of the Municipality of North Middlesex.
8. That the Owner and the Municipality enter into a subdivision agreement ("Subdivision Agreement") pursuant to Section 51 (26) of the Planning Act to be registered on title of the



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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.

9. That the Subdivision Agreement satisfies all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to; grading and drainage, planting of trees, landscaping, provision of community mailboxes, fencing, buffering, street lighting and other amenities, construction access, the provision and installation of full municipal water and sanitary services, the installation of underground electrical services, and other matters which may be required by the Municipality respecting the development of the Plan of Subdivision, including the payment of Municipal Development Charges, if any, in accordance with the Municipality's Development Charge By-Law.
10. If necessary, that the Owner shall enter into an agreement with Canada Post Corporation for the installation of community mailboxes which is to include a requirement to notify all prospective lot purchasers of the mailboxes' location(s).
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. That the Subdivision Agreement shall ensure that the 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, if any, related to the development, pursuant to Section 59(4) of the Development Charges Act.
13. That such easements as may be required for utility, servicing, or drainage purposes shall be granted to the appropriate authority, at the expense of the Owner.
14. That prior to final approval, arrangements shall be made to the satisfaction of the Municipality for the relocation of any utilities required for the development of the Plan, which relocation shall be undertaken and provided at the expense of the Owner. This shall include, but not be limited to, the relocation of the existing overhead hydro line that crosses the property.
15. The Owner hereby agrees to promote the implementation of StormWater Management (SWM) soft measure Best Management Practices (BMP's) within this Plan of Subdivision, where possible, to the satisfaction of the Municipality. The acceptance of these measures by the Municipality will be subject to the presence of adequate geotechnical conditions within this Plan of Subdivision and the approval of the Municipality.
16. That prior to final approval, the developer shall submit a storm water management plan, a Sediment and Erosion Control Plan, a detailed water modeling report (including fire flow calculations), and Final Detailed Servicing and Grading Plans to the satisfaction of the Municipality, the County, and the Ausable Bayfield Conservation Authority for approval, and the subdivision agreement contain provisions implementing the plan.
17. That prior to final approval of each phase, a Homeowners' Information Package be completed

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to the satisfaction of the Municipality and the Ausable Bayfield Conservation Authority and be included as a schedule to the Subdivision Agreement between the Municipality and the Owner for each respective phase. The Homeowners' Information Package is to inform homeowners about the stormwater management practices that have been implemented in the subdivision.

18. The development of this plan of subdivision requires that certain studies, financial contributions, and improvements related to the Stokes Drain and Cameron Thirwell Drain be undertaken, including:
  - i. The Owner shall pay a contribution of, as a special benefit under section 24 of the Drainage Act R.S.O. 1990, "Assessment for Special Benefit" to be included in the updated Stokes Drain and Cameron Thirwell Drain in report, as prepared by the Municipality's drainage engineer, to "up-size" downstream stormwater conveyance route(s) for the benefit of this development.
  - ii. Any additional stormwater flows shall be maintained at the rate of 226 l/sec under 2-year post development storm events and 551 l/sec under 100-year events, all to the satisfaction of the Municipality's Drainage Superintendent.
  - iii. The Owner's Consulting Engineer, upon 100% of full subdivision "build-out," perform all engineering activities to re-asses the Stokes Drain and Cameron Thirwell Drain under Section 76 of the Drainage Act, R.S.O. 1990 "Varying Original Assessments for Maintenance" to the satisfaction of the Municipality's Drainage Superintendent and at no cost to the Municipality.
  - iv. The Owner shall upon the recommendation of the Municipality's Drainage Superintendent, via review of the Stokes Drain and Cameron Thirwell Drain Section 76 updated report, that if improvements are required as per section 78 of the Drainage Act, R.S.O. 1990 "Improving Upon Examination and Report of Engineer" the Owner shall undertake such works to the satisfaction of the Municipality's Drainage Superintendent at no cost to the Municipality. Cost incurred by said improvements to the Stokes Drain and Cameron Thirwell Drain shall be wholly contained to the developer/Owner of this Plan of Subdivision.
19. Prior to final approval, the Owner shall have its professional engineer submit a landscaping plan for the stormwater management facility to be constructed within Block 255, at no cost and to the satisfaction of the Municipality.
20. That prior to final approval, the Municipality shall advise the County of Middlesex that the Subdivision Agreement between the Municipality and the Owner provides for the following:
  - a. municipal assumption and ownership of any facilities required for the detention and enhancement of storm water quality, and for the purpose of ensuring perpetual maintenance and operation; and
  - b. the inclusion of any environmental protection measures recommended in the final storm water management plan required by condition number 16 that are not capable of being addressed under the Ontario Water Resources Act.

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21. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality 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 and Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report has been entered into the Ontario Public Register of Archaeological Reports.
  22. That prior to final approval, the Owner shall submit for review and approval of the Municipality a detailed geotechnical investigation of the site prepared by a qualified geotechnical engineer for the entire subject land prior to the initiation of any site grading or servicing; including a hydrogeological opinion, report on the stability of the soil, and its ability to sustain superimposed loads resulting from building and filling operations, which if determined warranted by the Municipality, shall provide a full hydrogeological investigation at the Owner's expense; and agree in the subdivision agreement to remove any matter, which is determined during soil investigations as being hazardous.
  23. That prior to final approval, the owner submit a noise study identifying and mitigating any effect from road noise on the proposed development to the satisfaction of the municipality of North Middlesex.
  24. That the developer construct all rights-of-way and all infrastructure to municipal standards and to the satisfaction of the Municipality including the construction of Hamilton Street, Atkinson Street, and Mary Street from County Road 19 (Queen Street) to the development.
  25. That any dead ends or open sides of road allowances created by this draft plan shall be terminated in 0.3 m reserves to be conveyed to and held in trust by the Municipality.
  26. The owner shall undertake an engineering and sight distance analysis for the intersections of Atkinson Street / Queen Street (County Road 19) and Mary Street/ Queen Street (County Road 19), Annie Ada Shipley/Queen Street (County Road 19) and undertake any improvements, including turning lanes and integration with cycling lanes, to the satisfaction of the County of Middlesex and Municipality, with all design and construction will be the responsibility of the Developer.
  27. That the road allowances included in the draft plan shall be shown and dedicated as public highways.
  28. That the Subdivision Agreement for each phase include a landscaping plan that illustrates how municipal right-of-ways are to be landscaped and that this be to the satisfaction of the Municipality.
  29. The subdivision agreement shall include a provision that states all construction traffic access shall be solely contained to an entrance from Queen Street (County Road 19).
  30. That the Owner dedicate to the Municipality blocks 253 & 254 for future road connections, and block 257 for a pedestrian walkway, to the satisfaction of the Municipality.
  31. The Owner shall provide engineering design and a road plan profile to the Municipality for the

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future development of Blocks 253 & 254; this plan shall be at no cost and to the satisfaction of the Municipality.

32. That the Owner convey up to 5% of the land included in this plan to the Municipality for park purposes, including but not limited to Block 256. Alternatively, the Municipality may require cash-in-lieu of all or a portion of the conveyance, to the satisfaction of the Municipality.
33. That the Subdivision Agreement shall include a provision that requires a clause be included in all agreements of purchase and sale or lease of Lots and part of Blocks notifying future owners / lessors that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property and shall require the purchaser or lessor, as a condition of any aforementioned agreement of purchase and sale or lease, to acknowledge and accept that normal farm practices, as outlined in the Farming and Food Production Protection Act, 1998, as amended or replaced, are engaged in and occur in the area of the property.
34. That prior to final approval, the County is to be advised in writing by the Municipality how conditions 1 through 33 have been satisfied.
35. That prior to final approval, the County is to be advised in writing by the Ausable Bayfield Conservation Authority how conditions 16 and 17 have been satisfied.
36. That prior to final approval, the County is to be advised in writing by the County engineer how condition 26 has been satisfied.

#### **NOTES TO DRAFT APPROVAL**

1. It is the applicant's responsibility to fulfil the conditions of the draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the approval authority.
2. We suggest you make yourself aware of the following subsections of the Land Titles Act:
  - a) Subsection 144(1) requires all new plans be registered in a Land Titles system if the land is situated in a land titles division; and
  - b) Subsection 144(2) allows certain exceptions.
3. When the Zoning By-law required in condition 6 is being prepared, reference to this subdivision application T-file number should be included in the explanatory note.
4. Clearance is required from the following agencies:
  - Municipality of North Middlesex
  - Ausable Bayfield Conservation Authority
  - County of Middlesex Engineer
5. Inauguration, or extension of a piped water supply, a communal sewage system or a storm

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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.

6. The Ministry of Environment and Climate Change must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision.
7. All measurements in subdivision final plans must be presented in metric units.
8. 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 \_\_\_\_\_, 201\_\_.*

\_\_\_\_\_  
*Director of Planning"*

9. 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.
10. 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.