



Planning Department  
County of Middlesex  
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**Meeting Date: January 17, 2023**

## **PLANNING RECOMMENDATION REPORT**

**TO:** Chair and Members of Council  
Township of Lucan Biddulph

**FROM:** Dan FitzGerald MPI, MCIP RPP, Planner II

**RE: Applications for Zoning Bylaw Amendment (ZBA 12/2020) and  
Draft Plan of Subdivision 39T-LB2002 also known as Timber Ridge  
Subdivision; filed by Dillion Consulting on behalf of 2219260 ONTARIO INC  
(Owner)  
Part of Lot 27, Concession 5, and Part of Lot 28, Concession 5 in the Township  
of Lucan Biddulph**

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### **Purpose:**

The purpose of the subject subdivision and zoning by-law amendment applications is to facilitate the development of a phased residential plan of subdivision, with phase one (1) containing sixty one (61) lots for single-detached dwellings, one (1) block for multi-unit dwellings, and one block for a linear park, as well as a future phase two (2) including three (3) blocks for future single detached dwellings and two (2) blocks for linear parks, for a property located east side of Saintsbury Line, adjacent (east) to the Ridge Crossing Subdivision, in the Village of Lucan.

A location map is included as Attachment 1.

### **Proposed Plan of Subdivision:**

The applicant is proposing a plan of subdivision encompassing two (2) phases of development. The plan of subdivision would include the following:

- sixty one (61) lots for single detached dwellings ( lots 1 to 61);
- one (1) block for medium density development (Block 62);
- three (3) blocks for future single detached dwellings (Blocks 70, 71, 72);
- three (3) blocks for a proposed linear park (Blocks 73, 74 and 75);
- seven (7) blocks for 0.3 metre reserves (Blocks 63 – 69);
- future municipal road allowances; and
- three (3) blocks for road widening (Blocks 76 – 78)

A copy of the proposed draft plan of subdivision is included as attachment 2.

## **Proposed Zoning By-law Amendment:**

The Zoning By-law Amendment application submitted concurrently would change the zoning of the subject lands to facilitate the proposed Plan of Subdivision's consideration for residential development and parklands. The subject lands are currently zoned a Future Residential (FR) Zone as well as a 'site specific' Future Residential exception (FR-4) Zone of the Township of Lucan Biddulph Comprehensive Zoning By-law. The applicant's proposal would rezone a portion of the site in phase one of the subdivision to a site specific Residential First Density exception (R1-11-H) Holding Zone for the proposed single detached dwelling lots, which seeks reductions to the minimum lot size requirement and minimum frontage requirements. The applicant has also applied to rezone a portion of the lands to a site specific Residential Third Density Exception (R3-12-H) Holding Zone, which seeks to permit multi-unit dwelling developments primarily in the format of townhouses. The applicant is also seeking to rezone a portion of residential lands in phase two of the development to a site specific Residential First Density – Exception (R1-12-H) Holding Zone for the purpose of permitting options for single detached dwellings or semi-detached dwellings. The proposed zoning introduces site specific zoning standards related to the development of semi-detached dwellings, primarily reductions to lot area and frontage, an increase to maximum lot coverage, reductions to the minimum floor area, and permissions to build on a zero lot line between semi-detached units. In addition to the residential zoning, the applicant is proposing an Open Space (OS) Zone for the proposed linear park lands located along Saintsbury Line. The remaining balance of lands, which are located outside of the Urban Settlement Boundary, are proposed to be a site specific Agricultural – Exception (A1-14) Zone, to permit the reduction in parcel size based on the minimum requirements of the Zoning By-law.

## **Background:**

The subject property's as a whole are approximately 80.1 hectares (198.1 acres) in area and is located on the east side of Saintsbury Line, adjacent (east) to the Ridge Crossing Subdivision. Subject to this application, the proposed development would consist of lands with an approximate area of 15.68 hectares (37.8 acres) that are currently within the existing settlement boundary of Lucan. The remainder of lands (64.42 hectares) noted above are outside of the Settlement Area of Lucan and do not formulate a part of this application. The lands are surrounded with existing agricultural (vacant) lands to the north, south and east, and an existing residential subdivision and low density single family homes to the west.

The lands are legally described as Part of Lot 27, Concession 5, and Part of Lot 28, Concession 5 and are municipally known as 34122 Saintsbury Line and 34190 Saintsbury Line. The lands are designated Settlement Area (Urban and Community) in the Middlesex County Official Plan, Residential in the Township of Lucan Biddulph Official Plan and zoned Future Residential (FR) Zone and a 'site specific' Future Residential exception (FR-4) Zone in the Township of Lucan Biddulph Comprehensive Zoning By-law.

As noted, this application came before Council previously with a recommendation for draft plan approval. However based on comments received at the meeting, the applicant has

subsequently revised the draft plan before Council for consideration. The applicant is requesting draft plan approval based on a phased plan of subdivision. The first phase includes sixty one lots for single detached dwellings, one block which is conceptually designed for 54 single storey townhouse dwellings, and a block for a park along Saintsbury Line (County Road 47). The second phase includes 3 blocks conceptually designed for single detached dwellings or semi-detached dwellings, and two blocks facing Saintsbury Line (County Road 47), which are conceptually designed to accommodate a linear park. The proposal also includes the extension of Gilmour Drive across Saintsbury Line, four (4) new road allowances, two (2) blocks for future road extension considerations, six (6) blocks to restrict access to road allowances, and two (2) blocks for road widening. The applicant's Planning Justification Report is included as attachment 3.

The applicant's servicing strategy has not changed as previously presented. Storm water for phase one would be directed south to the regional storm water pond, located on Municipal lands as part of a regional storm water management strategy. The applicant previously received approval in theory from Council. However they will be required to secure an easement through the abutting land owner for access. Phase two development would be considered as part of a future application on the lands. Sanitary for the development is proposed to be connected to Kent Ave, across Saintsbury Line. Water is proposed to connect to an existing water service on Saintsbury Line.

### **Policy and Regulation:**

The Middlesex County Official Plan identifies Lucan as a settlement area and defers to the municipal official plan to delineate the boundaries of the settlement area. The lands are within the Settlement Area of Lucan and are designated as 'Residential' within the Township of Lucan Biddulph's Official Plan.

Further, as previously noted, the portion of lands to the north is currently zoned Future Residential (FR) Zone; whereas the portion of lands to the south are zoned a 'site specific' Future Residential exception (FR-4) Zone in the Township of Lucan Biddulph's Comprehensive Zoning By-law.

As such, the policies and provisions below are applicable to the lands.

### **Provincial Policy Statement 2020 (PPS)**

Generally, the PPS promotes healthy, liveable and safe communities by supporting efficient land use patterns that facilitate economic growth, create liveable communities, and protect the environment and public health and safety. 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 the following:

Section 1.1.1, which speaks to establishing and promoting healthy, liveable and safe communities. The following sub policies have been determine to be applicable:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) 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;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

Section 1.1.3.1 speaks to Settlement Areas being the focus of growth and development, and their vitality and regeneration shall be promoted.

The following policies have been deemed applicable to the proposed development from section 1.1.3.2, which states that 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;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;

Section 1.1.3.3 of the PPS states, Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.4 states appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

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

Section 1.4 of the PPS speaks to 'Housing'. More specifically, section 1.4.1 states '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 ...'

Section 1.5 of the PPS speaking to healthy, active communities being promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

Section 1.6 of the PPS speaks to servicing. The PPS has a hierarchy for services, where municipal services are the preferred form of servicing.

Section 1.6.6.1a) states 'Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services'.

### **Comments on Consistency with the Provincial Policy Statement 2020**

- The proposal is located within a designated growth area within a settlement boundary, on lands that are identified for residential development within the Township of Lucan Biddulph's Official Plan.

- The residential subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- The subdivision proposal includes a combination of densities and housing types. Based on the conceptual density of the block and lot layouts, the proposal would include a mix of unit types, including single detached dwellings, townhouses, and semi-detached dwellings. Based on the mixed densities, a range of housing options is available to satisfy local needs.
- The location of the development in close proximity to community amenities including pathways, trails, and a new soccer complex. The development also includes the development of a multi-use trail to provide safe universal access while promoting healthy and active communities.

Given the above, I am of the opinion that the applications are consistent with the Provincial Policy Statement 2020.

#### County of Middlesex Official Plan

The principal policies of the County of Middlesex's Official Plan that are applicable to the proposed development include the following:

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.

Section 2.3.7 of the County of Middlesex Official Plan speaks to housing policies, and 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.'

Section 2.3.8 of the County Official plan notes that urban areas shall be the focus for future residential growth on full services where warranted. Policies under this section further clarify that urban areas are the focus of growth and are expected to accommodate a significant portion of the projected growth. Also they state that new development shall be fully serviced by municipal or communal water and sewage disposal systems.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS. Specifically, the County encourages new development to proceed on the basis of full municipal services.

The County Official Plan provides a regional policy framework within which development proposals are to be evaluated. Section 3.2.1 of the County Official Plan dictates that growth

within Middlesex is generally to be directed to the County's Settlement Areas in order to protect Agricultural Areas, protect natural heritage and promote efficient use of water and sewage services. It is noted that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County's member municipalities.

### **Comments on Consistency with the County of Middlesex Official Plan**

- The property is within a designated growth area of a settlement area, and will be fully serviced. It also 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.
- As identified in the Official Plan, the proposal supports and directs growth to the settlement area while providing a variety of housing types and options for future generations.

### **Township of Lucan Biddulph Official Plan**

The principal policies contained in the Township of Lucan Biddulph's Official Plan that are applicable to the proposed development include:

The subject property is designated 'Residential' in the Township Official Plan. Section 2.1.1 of the township Official Plan provides the following related goals and objectives for development in the Village of Lucan:

- a) 'To encourage and direct the majority of population growth and residential development in the Municipality to the Village of Lucan'
- b) 'To ensure development and redevelopment in the Village is adequately serviced and that the necessary infrastructure is in place to accommodate such activity.'
- e) 'To maintain the essential quality of privacy, quiet enjoyment, public health and safety, and land use compatibility in residential areas'

Section 2.1.5 of the Township Official Plan provides guidance for areas to accommodate future residential development. It states undeveloped lands designated for residential purposes within existing developed areas shall be the focus of growth where opportunities exist for redevelopment and infilling.

Section 2.1.5.1 of the Township Official Plan notes areas designated 'Residential' shall primarily be singled unit detached dwellings. However other forms of development are also permitted including, but not limited to, low-rise and small-scale apartment buildings.

Section 2.1.5.2 of the Township Official Plan states that the 'scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the Village. At the same time, it is recognized that multiple forms of residential development will provide the potential for more affordable housing as well as housing more able to meet the increasingly diverse needs and preferences of the community. To ensure compatibility with existing development, the density and height of new residential development will be limited.'

Section 2.1.5.3 of the Township Official Plan provides the following direction for evaluating plans of subdivision:

- a) the proposed development shall be a natural and logical extension of the developed area;
- b) unique or rare site features shall be preserved and enhanced;
- c) a variety of housing types and forms shall be encouraged;
- d) stormwater management shall be required to minimize the potential for adverse affects on the receiving watercourse and shall be sensitively integrated with the proposed development;
- e) municipal services shall be available;
- f) amenities for future residents (e.g. sidewalks, lighting) shall be provided and be well designed;
- g) the impact of the Buffer Area as shown on Schedule "A"; and,
- h) the requirements of Section 8.3.

Section 2.1.5.5 of the Township Official Plan notes that medium density residential development in the form of apartments will be encouraged to locate where direct or proximate access to arterial or collector roads is available; where they are close to commercial areas, schools, and parks; and where municipal services are available or capable of being made available. The policy further clarifies that intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbourhood is expected. Appropriate buffering and setbacks shall be provided and standards for density, height, parking and landscaped open space shall be addressed in the Zoning By-law. The policy also notes that site plan control shall apply.



Section 2.1.5.6 of the Township Official Plan states Development proposals for large undeveloped parcels will be required to incorporate a range of housing types and densities, as permitted by this Plan, unless it is capable of being demonstrated that market, servicing, site conditions and neighbouring land use dictate otherwise.

Section 2.1.5.7 of the Township Official Plan encourages housing forms and densities designed to be affordable to moderate and lower income households. It is the intent to meet a 20 percent target annually for housing affordability for new and infill development.

Section 8.3 of the Township Official Plan indicates that the approval of plans of subdivision shall be subject to the following criteria:

- a) The applicable land use designation and policies of the Township Official Plan and County of Middlesex Official Plan;
- b) The requirements of the Planning Act;
- c) The entering into of a subdivision agreement with the Municipality; and,
- d) The posting of sufficient financial security to ensure the protection of the Municipality.

Section 8.10 of the Township Official Plan provides guidance and clarify around the site plan control process. Site plan shall address such requirements as the proposed use, the location of the buildings and structures, proposed ingress and egress, parking area, landscaping, grading and drainage, external lighting, buffering and other measures to protect adjoin lands.

### **Comments on Consistency to the Township of Lucan Biddulph Official Plan**

- The proposal is located within a settlement area, on land identified for residential development within the Township of Lucan Biddulph Official Plan.
- The subdivision will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- Staff have indicated that there would be sufficient sanitary capacity available to service this development.
- The Preliminary Servicing Report provided by Dillion Consulting Ltd has described how stormwater management would be controlled both in terms of quality and quantity on-site and off-site. This plan has been reviewed by staff and has received preliminary support.
- The recommended draft conditions include a requirement for the applicants to convey 5% of land as parkland. However, the Municipality is provided the option to require cash-in-lieu of parkland dedication for a portion or all of the conveyance. The owner

is proposing to provide the dedication as parkland as shown on the draft plan. Staff are of the opinion that the proposed linear parkettes along Saintsbury Line could act as a regional facility both for residents of the development as well as the surrounding community as a whole.

- The proposed development represents an appropriate density and scale for a more intense residential development, meeting the needs of both current and future citizens.
- The proposed draft plan of subdivision would create an appropriate transition of residential scale and density by locating single unit dwellings adjacent existing development, and providing lands for a medium density development internal to the site. Additionally, the proposed scale, height and form is considered appropriate and represents good land use planning as it is located in close proximity to an arterial roadway as well as existing public amenities to promote healthy communities.
- The medium density housing helps to achieve local targets by creating more affordable housing typologies for current and future residents.

Given the above, it is staff's opinion that the applications conform to the Township of Lucan Biddulph's Official Plan.

#### Township of Lucan Biddulph Zoning By-law No. 100-2003

A portion of the subject lands to the west is currently zoned a Future Residential (FR) Zone. The current zone permits the following:

Permitted Uses	<ul style="list-style-type: none"> <li>• Existing single unit dwelling</li> <li>• Home Occupation</li> </ul>	
Minimum Lot Area	existing	
Minimum Lot Frontage	existing	
Minimum Lot Depth	existing	
Permitted Buildings and Structures	existing	
Accessory Buildings and Structures	Maximum Lot Coverage	10% or 75m <sup>2</sup> whichever is lesser
	Maximum Height	One (1) storey or 5 m in height whichever is lesser
	Maximum Height of an Exterior Wall	3 m

A portion of the subject lands to the east is currently zoned a 'site-specific' Future Residential Exception (FR-4) Zone. The current zone permits the following:

Permitted Uses	<ul style="list-style-type: none"> <li>Existing single unit dwelling</li> <li>Home Occupation</li> </ul>	
Minimum Lot Area	7.6 ha	
Minimum Lot Frontage	325 m	
Minimum Lot Depth	existing	
Permitted Buildings and Structures	existing	
Accessory Buildings and Structures	Maximum Lot Coverage	10% or 75m <sup>2</sup> whichever is lesser
	Maximum Height	One (1) storey or 5 m in height whichever is lesser
	Maximum Height of an Exterior Wall	3 m

The applicant is proposing to rezone a portion of the lands to 'site-specific' Residential First Density Exception (R1-11-H) Zone for the purpose of establishing 61 single detached residential units and 3 blocks for future development. The proposed site-specific Zoning By-law amendment would be as follows:

Zoning Provisions for <b>Single Detached Dwelling</b>	Existing Provisions (Residential First Density (R1) Zone) (m = metres)	Proposed Provisions - Site Specific Residential First Density – exception (R1-11) Zone
Minimum Lot Area	460 m <sup>2</sup>	<b>400 m<sup>2</sup>*</b>
Minimum Lot Frontage	15 m	<b>12 m*</b>
Maximum Lot Coverage	40 %	40 %
Minimum Front Yard Depth	6 m	6 m

Minimum Side Yard Depth	Interior	1.2 m	1.2 m
	Exterior	3.5 m	3.5 m
Minimum Rear Yard Depth		7 m	7 m
Maximum Height		10 m	10 m
Minimum Floor Area		90 m <sup>2</sup>	90 m <sup>2</sup>
Max Dwelling Per Lot		1	1
Minimum Parking Spaces	Single Unit Dwelling	2	2
	Home Occupation	1	1

Note: \* indicates an exception from the current zoning provisions standards in the Residential First Density (R1) Zone

In addition to the Residential First Density – Exception (R1-11-H) Holding Zone, the applicant is also proposing a site specific Residential First Density – Exception (R1-12-H) Holding Zone in order to permit semi-detached dwellings. The associated requested amendments are as follows:

Zoning Provisions for <b>Single Detached Dwelling</b>	Existing Provisions (Residential First Density (R1) Zone) (m = metres)	Proposed Provisions - Site Specific Residential First Density – exception (R1-11) Zone
Minimum Lot Area	460 m <sup>2</sup>	<b>220 m<sup>2</sup>*</b>
Minimum Lot Frontage	15 m	<b>12 m*</b>
Maximum Lot Coverage	40 %	<b>50 %</b>
Minimum Front Yard Depth	6 m	6 m

Minimum Side Yard Depth	Interior	1.2 m	1.2 m, no side yard width shall be required between the common wall dividing individual dwelling units of a semi-detached dwelling
	Exterior	3.5 m	3.5 m
Minimum Rear Yard Depth		7 m	7 m
Maximum Height		10 m	10 m
Minimum Floor Area		90 m <sup>2</sup>	<b>50 m<sup>2</sup></b>
Max Dwelling Per Lot		1	1
Minimum Parking Spaces	Single Unit Dwelling	2	2
	Home Occupation	1	1

Note: \* indicates an exception from the current zoning provisions standards in the Residential First Density (R1) Zone

The applicant is proposing to rezone a portion of the lands to a Residential Third Density Exception (R3-12) Zone for the purpose of establishing a block conceptually designed for multi-family in the format of townhouse dwellings. The proposed Zoning By-law amendment would be as follows:

Zoning Provisions for Single <b>Townhouse Dwellings</b>	Existing Provisions (Residential Third Density (R3) Zone) (m = metres)	Proposed Provisions - Site Specific Residential Third Density – exception (R3-#) Zone (m = metres)
Permitted Uses	apartment dwelling multiple-unit dwelling senior citizen home townhouse dwelling	<b>townhouse dwelling</b>
Minimum Lot Area	1,500 m <sup>2</sup>	<b>350 m<sup>2</sup> per unit</b>

Minimum Lot Frontage		30 m	11 m per unit
Maximum Lot Coverage		35%	55%
Minimum Front Yard Depth		8.0 m	6.0 m (18 ft) for an attached garage
Minimum Side Yard Depth	Interior	3 m	On an interior lot, 1.2m shall be required. Notwithstanding the foregoing, no side yard width shall be required between the common wall dividing individual dwelling units of a townhouse dwelling
	Exterior	8 m	On a corner lot, 3.5 form the street line and 1.2 metres on the other side. Notwithstanding the foregoing, no side yard width shall be required between the common wall dividing individual dwelling units of a semi-detached or townhouse dwelling
Minimum Rear Yard Depth		10 m	7 m
Maximum Height		10 m	10 m
Minimum Parking Spaces		1.5 per dwelling unit	1.5 per dwelling unit plus 1 visitor parking space per 10 dwelling units in the case of a condominium style development
Minimum Outdoor Amenity Area		35% of lot area	20 % of the lot area
Common Amenity Area		n/a	Development of a standard condominium or vacant land condominium shall require the development of a common amenity area at a minimum size of 1350 m <sup>2</sup>
Minimum Interior Side Yard Setback for a Deck		n/a	On an interior lot, no side yard width shall be required between the common wall dividing

		<b>individual units of a townhouse dwelling for a deck, provided that a minimum 1.8 metre fence for the purpose of screening be provided along the entire length of the deck located on the common wall line.</b>
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### **Analysis on the Proposed Zoning By-law Amendment to the Township of Lucan Biddulph's Comprehensive Zoning By-law:**

- The proposal includes a site specific Residential First Density – Exception (R1-11-H4) Holding Zone for the lands identified for single detached dwellings. The zoning is similar to existing similar detached dwelling zones within the Township, but includes reduce lot sizing and frontages in line with modern development principles. Furthermore, the applicant is proposing a Residential First Density – Exception (R1-12-H-4) Holding Zone to provide options for semi-detached dwellings within the R1 lands. The introduction of semi-detached dwellings achieve a higher residential density while providing potentially more affordable options to residence. The reductions are considered appropriate given the desire to achieve a more compact housing form and achieve higher densities within the urban settlement areas.
- The proposal also includes a site specific Third Density Residential – Exception (R3-12-H-4) Holding Zone, for the purposes of establishing a future townhouse development. The proposed zone by the application would be considered appropriate as it seeks to achieve a medium density residential development on desirable lands for a more intense form of residential use. The provisions proposed by the applicant would be intended to accommodate the future development of a condominium in the format of a townhouse block. The provisions sought by the applicant seeks to reduce setbacks to bring buildings out to the street, while still requiring a minimum 6.0 metre driveway, reduce interior side yards, allow for attached decks, identify appropriate lot sizing for the proposed use, require private and community amenity areas, and require lots facing Saintsbury Line to front onto the street, while taking access to the rear from the local road. The proposed zoning is appropriate in meeting the intent of a safe, compact, and intensified development that interacts with the street, while providing appropriate spatial separation and parking standards.
- The applicant is also proposing to rezone a portion of lands to Open Space (OS) Zone. This is simply to accommodate the future development of a linear park along the Saintsbury Line frontage. This is considered appropriate and desirable as zoning the lands as Open Space (OS) Zone provides a clear intention to Council and the public that the lands are to be used for park purposes.
- Compatibility between the County Road and the proposed development site will be mitigated by the inclusion and requirements for off side turning lanes into the

development, as well as a noise study to demonstrate no adverse impacts to the proposed development on the lands. These requirements have been included as draft plan conditions.

- Holding provisions are recommended to be added to the proposed zones to require the extension of municipal services to be installed and functional prior to development, as well as a traffic measures, noise impact assessments, and site plan control for townhouse block development.

Given the above, it is staff's opinion that the proposed Zoning By-law meets the intent of the PPS, County Official Plan and Local Official Plan, and also represents sound land use planning.

### **Consultation:**

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements to the Planning Act. Additionally, the applicant hosting a public open house on December 1<sup>st</sup>, 2020. Comments from the public and meeting minutes from the open house are included as attachment 4 and 5.

### **Public Comments:**

To date, only one formal written comment has been received from the public. Concerns were raised on the lack of diversity on the product as well as the lack of park space within the proposal.

### **Agency Comments**

At the time of writing of this report the following comments had been received:

- a) Bell – requests the following to be included as conditions:

- a. 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.
- b. The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost

- b) Canada Post – provides the following comments:

- a. Canada Post will provide mail delivery service to the subdivision through centralized Community Mail Boxes (CMBs).



- b. Canada Post will provide mail delivery service to the Apartments through centralized Lock Box Assembly.
  - c. The development includes plans for (a) multi-unit building(s) with a common indoor entrance(s). The developer must supply, install and maintain the mail delivery equipment within these buildings to Canada Post's specifications.
  - d. Please update our office if the project description changes so that we may determine the impact (if any).
  - e. Should this application be approved, please provide notification of the new civic addresses as soon as possible.
  - f. Please provide Canada Post with the excavation date for the first foundation/first phase as well as the date development work is scheduled to begin. Finally, please provide the expected installation date(s) for the CMB pads.
- c) Chief Building Official – no objections to this application.
- d) County Engineer – provides the following comments:
- a. The owner will be required to dedicate lands measured up to 18 m from the centerline of construction of County Road 47 (Saintsbury Line) to the County of Middlesex for the purposes of road widening if the right of way is not already to that width.
  - b. The owner will be required to dedicate 0.3 m (1 foot) reserves along lots 1, 114 to 131 inclusive, and the medium density residential block to the County of Middlesex. Access to these parcels will be strictly limited to the internal road network.
  - c. A noise study should be conducted to determine and mitigate any negative impacts from the traffic on the County road.
  - d. Left and right turn lanes will be required at both road access points for the development. All costs associated with the design and construction of these lanes will be the responsibility of the developer.
  - e. Grading plans, servicing plans, and storm water management plans should be submitted to the County of Middlesex for approval. No negative impacts on the County road system will be permitted.
- e) Enbridge Gas – Enbridge Gas does not have an issue with the proposed subdivision. We do have two high pressure main running up the east side of Saintsbury that the

developer should obtain approval from Enbridge for the new roads crossing them. It might create a concern if they are decreasing depth above these lines.

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.

- f) Hydro One – We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time.
- g) Thames Valley District School Board – No further comment.

**Recommendation:**

**THAT** the County of Middlesex be advised that Lucan Biddulph recommends draft plan approval for the land known legally as Part of Lot 27, Concession 5, and Part of Lot 28, Concession 5 in the Township of Lucan Biddulph, County File No. 39T-LB2002, subject to the draft plan conditions appended to the Lucan Biddulph report PL-04-2023, and subject to a five (5) year lapse period.

**AND THAT** the Zoning By-law Amendment application (ZBA 12/2020), to rezone the subject properties from the Future Residential (FR) Zone and 'site specific' Future Residential exception (FR-4) Zone, to a site specific Residential First Density – Exception (R1-11-H-4) Holding Zone, a site specific Residential First Density – Exception (R1-12-H-4) Holding Zone, a site specific Residential Third Density – Exception (R3-12-H-4) Holding Zone, an Open Space (OS) Zone, and a site specific Agricultural Exception (A1-14) Zone, for the property legally described as Part of Lot 27, Concession 5, and Part of Lot 28, Concession 5 in the Township of Lucan Biddulph, be APPROVED, and that the Zoning By-law be brought forward for consideration.

**Attachments:**

- 1: Location Map
- 2: Proposed Draft Plan of Subdivision
- 3: Planning Justification Report
- 4: Public Comment
- 5. Public Open House Meeting Minutes
- 6. Draft Plan Conditions