



**Planning Department  
County of Middlesex  
399 Ridout Street North  
London, ON N6A 2P1  
519.434.7321  
www.middlesex.ca**

**Meeting Date: December 15, 2020**

## **PLANNING INFORMATION REPORT**

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

**FROM:** Dan FitzGerald MPI, Planner

**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 this report is to provide Council with background information regarding the proposed Zoning By-law Amendment and a Draft Plan of Subdivision 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 parts of two separate blocks of land. The plan of subdivision would include the following:

- 177 building lots for single-detached dwellings (8.3 hectares);
- 1 Block for medium density residential (4.07 hectares);
- An extension of Gilmore Drive across Saintsbury Line
- 4 new roads – listed as Street A, Street B, Street C, and Street D on the attached draft subdivision plan;
- 2 blocks (Block 181, 182) for future road extension considerations;
- 4 blocks (Block 179, 180, 183, 184) representing a 0.3 metre (1 foot) reserve to restrict access to remnant lands outside of the proposed subdivision;
- 1 block (Block 185) for future consideration of an extension of a residential building lot.

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. 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 to a site specific Residential First Density exception (R1-#) Zone for the proposed 177 single detached dwelling lots, which seeks reductions to the minimum lot size requirement and minimum frontage requirements. The remaining balance of lands are proposed to be a site specific Residential Third Density Exception (R3-#) Zone to permit multi unit/cluster townhouse forms of housing.

## **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, the applicant is requesting draft plan approval for 177 single detached residential lots and a block, conceptually deigned for 78 townhouse dwelling units, on the lands. The proposal includes the extension of Gilmour Drive across Saintsbury Line, four (4) new road allowances, two (2) blocks for future road extension considerations, four (4) blocks to restrict access to the remnant lands, a one (1) block for future consideration of an extension of a residential building lot. The applicant's Planning Justification Report is included as attachment 3.

The applicant is proposing that the development be serviced in two separate phases. Phase 1, which would include 130 single detached dwelling units on the north side of the property, would drain to a proposed temporary storm pond across units 1 – 10 on the conceptual draft plan. Water would then be directed under Saintsbury Line, through an easement north of the ridge crossing development. The applicant is proposing that the remainder would be subject to completion of a new storm water pond located on Municipal lands as part of a regional storm water management strategy. In order to do so, the applicant would need approval from

the municipality and adjacent land owner to cross their 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'.

#### 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.' Further, subsection (a) promotes intensification and redevelopment, primarily within Settlement Areas, and in other areas where an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of Section 2.3.6. In this regard, the County will require that 15 percent of all development occur by way of intensification and redevelopment'.

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.

#### 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.

Schedule A of the Township Official Plan depicts the presence of a 300 metre grain elevator buffer area, which directly impacts the lands. As per section 5.4 of the Township Official Plan, it is identified that the Ministry of Environment has identified a potential influence of 300 m around the grain elevator located in Lucan due to the potential adverse impacts on sensitive land uses, such as residential and institutional. Section 5.4.1 further identifies that prior to approving any development within the Buffer Rea, technical studies shall be required to address the degree of adverse impacts and the measures which are capable of being undertaken to mitigate such impacts on sensitive land uses.

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.

#### 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 the north portion of the lands to 'site-specific' Residential First Density Exception (R1-#) Zone for the purpose of establishing 177 single detached residential units. The proposed site-specific Zoning By-law amendment for the north portion of the lands is as follows:

Zoning Provisions for Single <b>Detached Dwelling</b>	Existing Provisions (Residential First Density (R1) Zone) (m = metres)	Proposed Provisions - Site Specific Residential First Density – exception (R1-#) Zone
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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

The applicant is proposing to rezone the south portion of the lands to a Residential Third Density Exception (R3-#) Zone for the purpose of establishing a block for a conceptually designed 78 unit townhouse development. The proposed Zoning By-law amendment for the south portion of the lands is 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)
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Minimum Lot Area		1,500 m <sup>2</sup>	<b>350 m<sup>2</sup> per unit*</b>
Minimum Lot Frontage		30 m	<b>11.0m per unit*</b>
Maximum Lot Coverage		35%	<b>55%*</b>
Minimum Front Yard Depth		8.0 m	<b>6.0 m*</b>
Minimum Side Yard Depth	Interior	3 m	<b>1.2 m*</b>
	Exterior	8 m	<b>3.0 m*</b>
Minimum Rear Yard Depth		10 m	<b>9.5 m*</b>
Maximum Height		10 m	10 m
Minimum Parking Spaces		1.5 per dwelling unit	1.5 per dwelling unit
Minimum Outdoor Amenity Area		35% of lot area	<b>1350 m<sup>2</sup>*</b>

Note: \* indicates an exception from the current zoning provisions standards in the Residential Third Density (R3) Zone.

### **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 – provides the following comment:

Wilberforce Public School is currently operating above its on-the-ground capacity and, due to residential growth occurring in the area, enrolment is expected to continue to increase. Based on the above, TVDSB requests that the following clause be included as a condition of Draft Plan Approval for the proposed development:

"The Owner shall inform all Purchasers of residential lots by including a condition in all Purchase and Sale and/or Lease Agreements stating that the construction of additional public school accommodation is dependent upon funding approval from the Ontario Ministry of Education, therefore the subject community may be designated as a "Holding Zone" by the Thames Valley District School Board and pupils may be assigned to existing schools as deemed necessary by the Board."

**Recommendation:**

**THAT** council receives the planning report as information.

**Attachments:**

Applications for Zoning Bylaw Amendment (ZBA 12/2020) and  
Application for a Draft Plan of Subdivision 39T-LB2002  
Dillion Consulting on Behalf of 2219260 Ontario Inc.

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



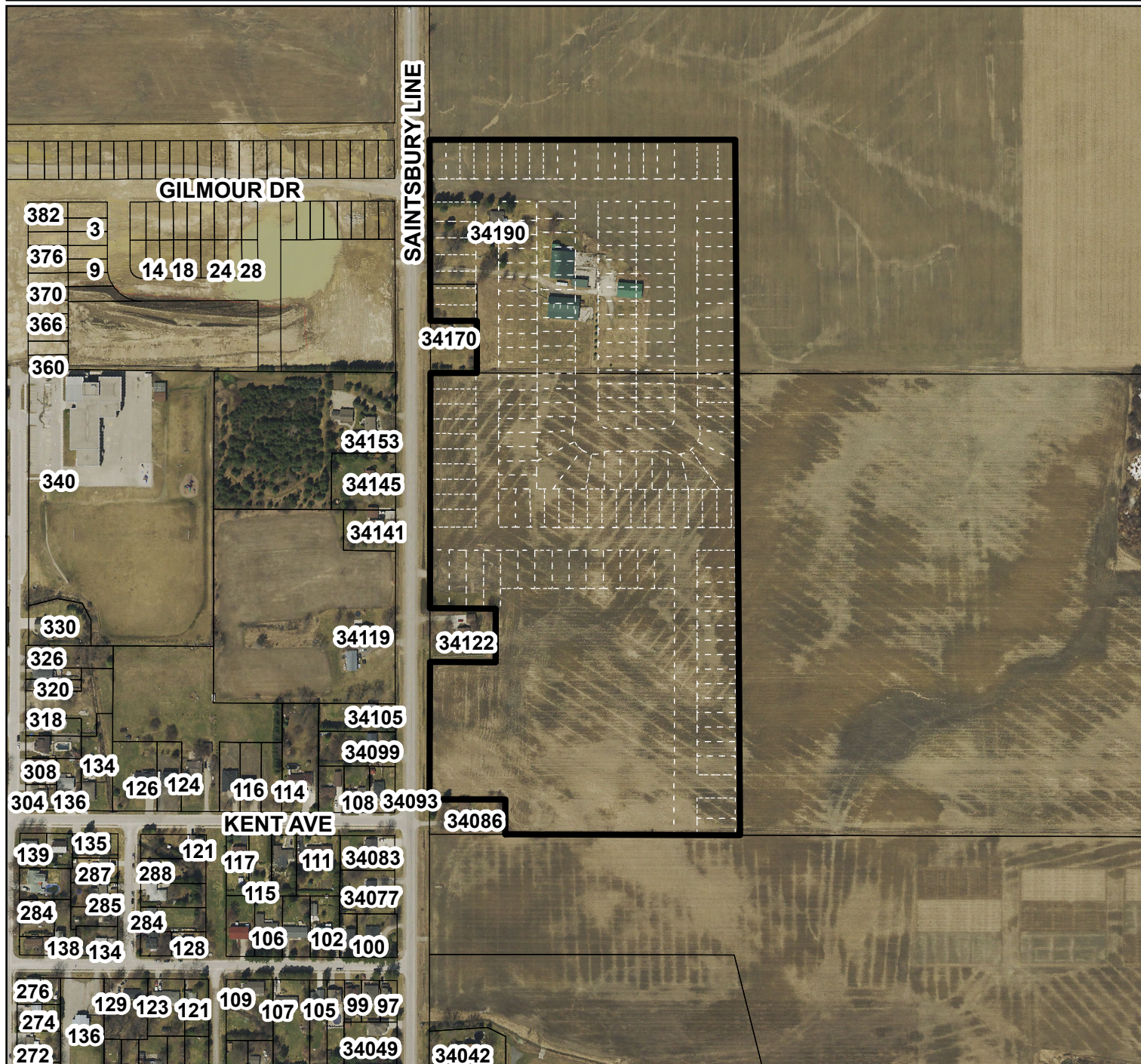
# APPLICATION FOR ZONING BY-LAW AMENDMENT: ZBA 12-2020

2219260 Ontario Inc. c/o Vita Campanale (owner)  
Dillon Consulting Limited c/o Jason Johnson (agent)

Lot 27 & 29, Concession 5  
34122 & 34190 Saintsbury Line  
Township of Lucan Biddulph



## Township of LUCAN BIDDULPH KEY MAP



Published by the County of Middlesex  
Planning Department  
399 Ridout Street North, London, ON N6A 2P1  
(519) 434-7321  
October 2020

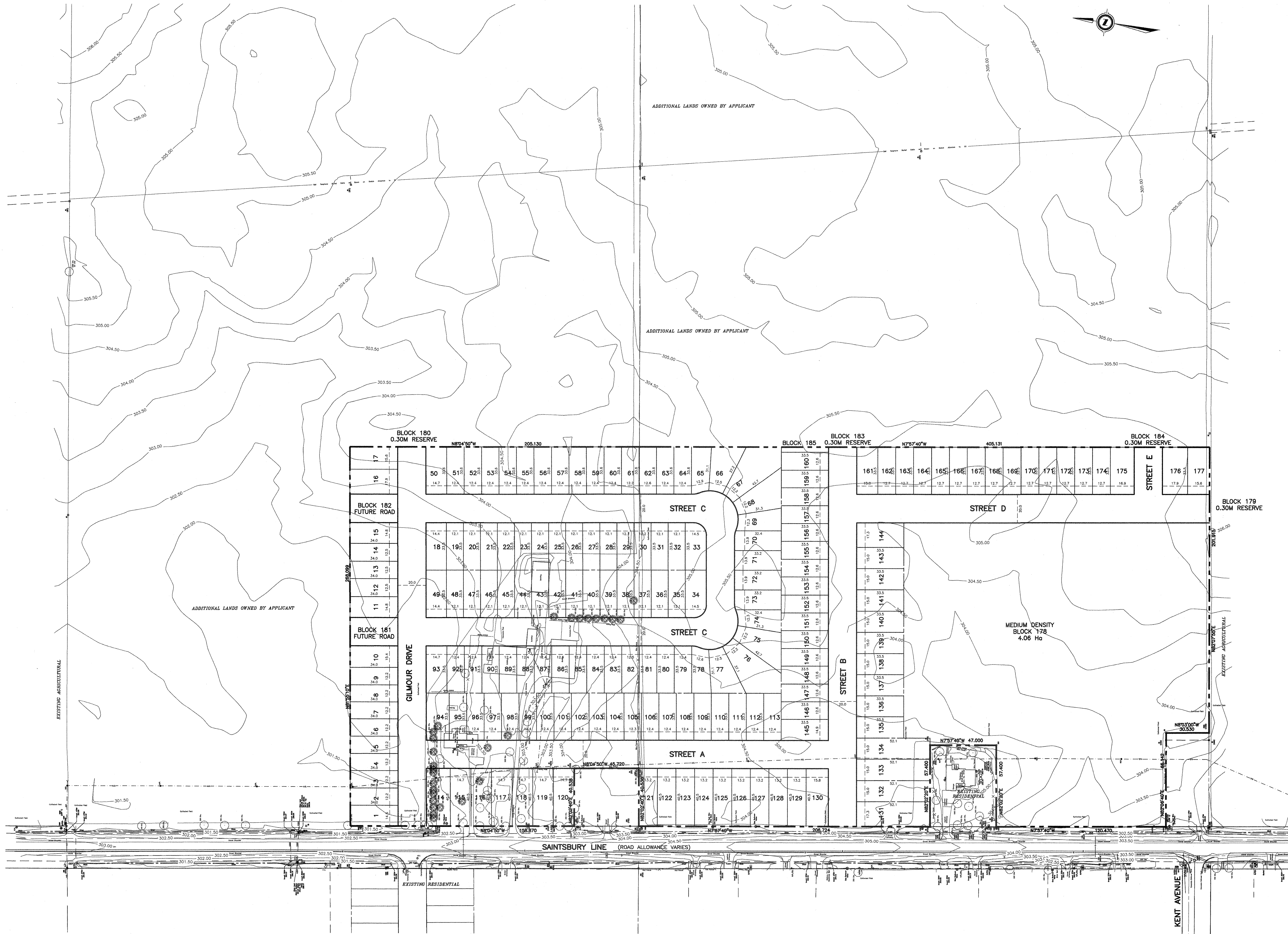
 Subject Lands



1:5,000  
0 30 60 90 120 Metres

ORTHOPHOTOGRAPHY: SWOOP 2015  
Disclaimer: This map is for illustrative purposes only.  
Do not rely on it as being a precise indicator of routes,  
locations of features, nor as a guide to navigation.





**KEY PLAN**  
SCALE - N.T.S.

**DRAFT PLAN OF SUBDIVISION**

PART OF LOTS 27 AND 28  
CONCESSION 5  
(GEOGRAPHIC TOWNSHIP OF BIDDULPH)  
TOWNSHIP OF LUCAN BIDDULPH  
COUNTY OF MIDDLESEX

**OWNER'S CERTIFICATE:**  
I HEREBY SUBMIT THIS DRAFT PLAN OF SUBDIVISION.

VITO CAMPBELL  
SECRETARY  
2219260 ONTARIO INC.

Aug 28/20  
DATE

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.

ROB WOOD  
O.L.S., O.L.I.P.,  
ARCHIBALD, GRAY & MCKAY LTD

AUGUST 27 2020  
DATE

**LAND USE SCHEDULE**

SINGLE FAMILY RESIDENTIAL - 177 LOTS	8.23 ha
BLOCK 178 - MEDIUM DENSITY RESIDENTIAL	4.06 ha
BLOCKS 185 - FUTURE LOT	0.01 ha
ROADS - GILMOUR STREET, STREETS A, B, C, D, E	3.24 ha
BLOCKS 181, 182 - FUTURE ROADS	0.14 ha
TOTAL AREA	15.68 ha

**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, FILL, SAND, SILT, CLAY
(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

**TIMBER RIDGE SUBDIVISION**

**2219260 ONTARIO INC.**

**DILLON CONSULTING**

No.	REVISION	DATE	BY

DRAWN	BP	CHECKED	BP	DATE	2020-08-14
NOTE: DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048					PROJECT No. 20-2552

August 28, 2020

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2219260 ONTARIO INC.

# Draft Plan and Zoning By-Law Amendment

Planning Justification Report  
Timber Ridge Subdivision

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- D Township of Lucan-Biddulph – Official Plan Policies
- E Township of Lucan-Biddulph - Zoning By-law

# 1.0 INTRODUCTION

## 1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by 2219260 Ontario Inc., herein referred to as the “Applicant”, to assist in obtaining the necessary planning approvals associated with a proposed residential development located east of Saintsbury Line, located in the Township of Lucan-Biddulph, within Middlesex County (refer to [Figure 1.0 - Location Map](#)).

The property is designated accordingly in the Middlesex County Official Plan, Township of Lucan-Biddulph Official Plan and Township of Lucan-Biddulph Zoning By-law 100-2003 as follows:

Middlesex County Official Plan – Schedule A: Land Use

Settlement Area (Urban and Community)

(Refer to [Figure 2.0 - Existing County of Middlesex Official Plan Designations](#)).

Township of Lucan-Biddulph Official Plan – Schedule A: Land Use & Transportation Plan – Lucan

- Residential

(Refer to [Figure 3.0 - Existing Township of Lucan-Biddulph Official Plan Designations](#)).

Township of Lucan-Biddulph Zoning By-law 100-2003 – Schedule B: Map No. 4

- Future Residential with an Exception Defined Area (FR, FR-4);
- Residential First Density (R1); and
- Agricultural Area (A1).

(Refer to [Figure 4.0 - Existing Township of Lucan-Biddulph Zoning Designations](#)).

The applicant is seeking to rezone the subject site to permit the proposed development of residential dwelling units including single detached and townhome dwelling units, to be consistent with the policies in the Official Plan. The applicant is requesting two (2) amendments to permit:

- 1) A site-specific residential zone similar to the Residential First Density (R1) zoning that would permit the development of single detached dwellings within the subdivision; and
- 2) A site specific residential zone similar to the Residential Third Density (R3) zoning that would permit the development of townhome units on the proposed medium density block.

The proposed development will also require Draft Plan of Subdivision approval. The Zoning By-law Amendment and Draft Plan of Subdivision can be processed concurrently. The applicant has submitted applications to this effect (Refer to [Appendix A – Development Applications](#)).

## 1.2 Description of Site

The subject site is located on the east side of Saintsbury Line in the Township of Lucan Biddulph and is comprised of two (2) parcels of land (refer to **Figure 1.0 - Location Map**). The lands are more specifically described as:

- Part of Lot 27, Concession 5, municipal address 34122 Saintsbury Line; and
- Part of Lot 28, Concession 5, municipal address 34190 Saintsbury Line.

The total site area under application is approximately 15.68 ha (38.75 acres) with 486.06m (1,594.68 ft.) of broken frontage on Saintsbury Line. Access to the site will be provided via Saintsbury Line with proposed connections to future development to the north, south and east.

## 1.3 Proposed Development

The applicant wishes to develop the site for 177 single detached dwellings and a medium density, townhouse block consisting of 78 units. The applicant intends to develop in phases with the single detached dwellings through the Draft Plan of Subdivision process, and the townhouse block through a Vacant Land Condominium exemption.

The subject site are currently vacant agricultural lands. The majority of the surrounding lands are developed as single detached dwellings, townhomes and agricultural uses (refer to **Figure 1.0 - Location Map**).

The proposed development is complimentary to the neighbouring residential uses and is similar in scale to the existing dwellings located to the east on Gilmour Drive, Gibson Crescent, Willow Avenue, Campanale Way, Hardy Court and Nicholson Street. The proposed development will exist in harmony with the existing residential developments (single detached and townhomes) in the surrounding neighbourhood. The proposed development also contributes to the mix of housing options in the surrounding neighbourhood and the Town of Lucan.

A Zoning By-Law Amendment application is required to permit the proposed residential subdivision. The applicant is requesting two (2) amendments from the existing Future Residential (FR, FR-4), Residential Density 1 (R1) and General Agricultural (A1) zones to permit:

- 3) the development of single detached dwellings with a site-specific provisions similar to those within the Residential First Density (R1) zone; and
- 4) the development of townhome units on the proposed medium density block with site specific provisions similar to those within the Residential Third Density (R3) zone.

Draft Plan of Subdivision approval is also required prior to the development of the subdivision, and has been submitted concurrently as part of this submission. Refer to **Figure 5.0 - Conceptual Development Plan** and **Appendix A – Development Applications**.

## 2.0 EXISTING LAND USE

### 2.1 Subject Site

The physical attributes of the site are as follows:

- A total site area of 15.68 ha ( 38.75 acres);
- The subject site is comprised of two separate parcels;
- An irregularly-shaped site with 486.06m (1,594.68 ft.) broken of frontage along Saintsbury Line;
- The majority of the site is vacant, with two existing single dwelling residences;
- Adjacent residential uses are present.

### 2.2 Surrounding Land Use

The surrounding land uses are varied as shown in [Figure 6.0 - Surrounding Land Uses](#) and are described as follows:

#### North

- Vacant Land - General Agricultural (A1);
- Fallon Drive;
- Agricultural Land – General Agricultural (A1); and
- Single Detached Dwelling – Rural Residential (RR).

#### East

- Agricultural Land - General Agricultural (A1)

#### South

- Vacant Land - Future Residential (FR) and Open Space (OS);
- Agricultural Land – General Agricultural (A1); and
- Low Density Residential – Residential First Density (R1).

#### West

- Low Density Residential – Residential First, Second and Third Density (R1, R1-3, R1-7, R2-1, R3-4, and R3-6);
- Benn Drain – Open Space (OS);
- Wilberforce Public School – Future Residential (FR); and
- Vacant Land – Future Residential (FR. FR-3).

## 3.0

## PLANNING EVALUATION

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Policy Statement 2020;
- Middlesex County Official Plan policies and criteria;
- Township of Lucan-Biddulph Official Plan policies and criteria;
- Zoning By-Law regulations; and
- Visual inspections of the site and surrounding lands.

Recognizing that overlaps exist between the various policies and criteria in the Official Plan, the approach used attempts to consolidate the relevant policies and criteria, and identify and evaluate the potential planning and land use related issues associated with the proposed residential development.

## 3.1

### Provincial Policy Statement

The Provincial Policy Statement (PPS) promotes the development of 'Strong, Healthy Communities' through the redevelopment of lands for an appropriate mix of uses, which includes residential uses. The proposed uses must be "consistent with" the PPS and as a broad and general document, the applicants must, through analysis of the policies, determine how the proposed use is appropriate and advances the provinces' interests. There are a number of sections of the PPS that apply to the proposed development.

Our analysis suggests that the following policies of the PPS are relevant to the application:

Policy 1.1.1, relating to sustaining healthy, liveable and safe communities;

Policy 1.1.3, relating to settlement areas;

Policy 1.2.6, relating to land use compatibility;

Policy 1.4, relating to housing;

Policy 1.6, relating to infrastructure and public service facilities;

Policy 1.7, relating to long-term economic prosperity; and

Policy 1.8, relating to energy conservation, air quality and climate change.

These policies are included in [Appendix B](#) and will be referenced throughout the remainder of this report.

## 3.2

## County of Middlesex Official Plan

The County of Middlesex is the upper tier municipality for the Township of Lucan Biddulph. The County Official Plan (County OP) contains a holistic set of goals, objectives and policies to manage and direct the growth of Settlement Areas such as the Township's urban area. The primary goals of the County OP include:

- Directing the majority of growth and investment (infrastructure and community services and facilities) to the Settlement Areas;
- Creating and maintaining a balance between residential and employment growth in each of the Settlement Areas; and
- Promoting built forms and transportation systems that create more sustainable, efficient, healthy and livable communities.

The subject site is currently designated Residential in the County of Middlesex Official Plan, which provides for a broad range of land uses. The Official Plan policies state that settlement areas are directed to be the focus of growth and development in lower tier municipalities.

Our analysis suggests that the following policies and goals of the County of Middlesex OP are relevant to the application:

Policy 2.3, relating to growth management;

Policy 2.3.7, relating to housing policies;

Policy 2.3.8, relating to settlement areas;

Policy 2.4.2 relating to the transportation network;

Policy 2.4.5, relating to sanitary sewers and water;

Policy 3.2, relating to detailed land use policies for settlement areas;

Policy 4.5.1, relating to plan of subdivision; and

Policy 4.5.2, relating to site plan control.

Refer to **Figure 2.0 – Existing County of Middlesex Official Plan Designations** and **Appendix C –County of Middlesex Official Plan Policies**.

## 3.3

## Township of Lucan-Biddulph Official Plan

The Township of Lucan-Biddulph Official Plan (Lucan OP) sets general directions for the future pattern of development envisioned for the Township for a twenty year planning period. The Lucan OP was adopted by Council in 2002 and since then, a series of amendments have been adopted by the Township and approved by the County as part of a Consolidated Version dated June 1, 2015. The Lucan OP aims to provide guidelines through to 2022.



The Township of Lucan-Biddulph has general development policies within its primary land use plan with respect to new residential development. The Subject Site is currently designated Residential in the Official Plan (refer to **Figure 3.0 – Existing Township of Lucan-Biddulph Official Plan Designations**). The following policies found in the Official Plan (refer to **Appendix D – Township of Lucan-Biddulph Official Plan Policies**) are relevant to the proposed development and the proposed Zoning By-Law Amendments:

Policy 2.1, relating to the development within the settlement area of Lucan;

Policy 2.1.5, relating to Residential policies within Lucan;

Policy 2.1.5.2, relating to scale, density and form;

Policy 2.1.5.3, relating to plans of subdivision;

Policy 2.1.5.5, relating to medium density residential housing;

Policy 2.1.9, relating to roads;

Policy 2.1.11, relating to sanitary sewage;

Policy 2.1.12, relating to stormwater management;

Policy 2.1.14, relating to active transportation;

Policy 8.3, relating to plans of subdivision/condominium; and

Policy 8.10, relating to site plan control.

These policies are included in **Appendix D** and will be referenced throughout the remainder of this report.

### 3.4 Township of Lucan-Biddulph Zoning By-law

The Township of Lucan-Biddulph Zoning By-law No. 100-2003 implements the policies of the Township of Lucan-Biddulph Official Plan by regulating built form and land uses throughout the Township.

The subject site is currently zoned Future Residential Zone (FR, FR-4), Residential First Density (R1) and General Agricultural (A1). The applicant is applying for a site specific Zoning By-law Amendment to create two (2) site specific residential zones to permit the development. Additional provisions specific to the subject site and proposed development will also be included in the proposed zoning. The table below identifies the proposed zoning:

Proposed Unit Types	Blocks/Lots	Proposed Zone	Zoning Provisions	Existing R1/R3	Proposed <small>*bold indicates proposed amendment</small>
Single Detached Dwellings	Lots 1-177	Site Specific R1 Zone	Min. Lot Area	460m <sup>2</sup>	400m <sup>2</sup>
			Min. Lot Frontage	15m	12m
			Max Lot Coverage	40%	40%
			Min. Front Yard Depth	6m	6m
			Min. Side Yard Depth		
			a) Interior	1.2m	1.2m
			b) Exterior (Corner)	3.5m	3.5m
			Min. Rear Yard Depth	7m	7m
			Max. Height	10m	10m
			Min. Floor Area	90 m <sup>2</sup>	90m <sup>2</sup>
			Max. No. Dwellings per lot	1	1
			Min. No. of Parking Spaces		
			a) single unit dwelling	2	2
			b) home occupation	1	1
Townhouse Dwellings	Block 178 (Units 1 – 78)	Site Specific R3 Zone	Min. Lot Area	1,500m <sup>2</sup>	350m <sup>2</sup> per unit
			Min. Lot Frontage	30m	11.0m per unit
			Max Lot Coverage	35%	55%
			Min. Front Yard Depth	8m	6.0m
			Min. Side Yard Depth		
			a) Interior	3m	1.2m
			b) Exterior(Corner)	8m	3.0m
			Min. Rear Yard Depth	10m	9.5m
			Max. Height	10m	10m
			Min. No. of Parking Spaces	1.5 per dwelling unit	1.5 per dwelling unit
			Min. Outdoor Amenity Area	35% of lot area	1350 sq.m.

These policies are included in [Appendix E](#) and will be referenced throughout the remainder of this report.

### 3.5 Planning Analysis and Considerations

Municipalities in Ontario are required under Section 3 of the Planning Act to ensure that planning matters and decisions are consistent with the Provincial Policy Statement (PPS). The PPS includes policies designed to build strong and healthy communities and are intended to direct efficient and resilient development and land use patterns. According to the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating a range and mix of housing, avoiding development and land use patterns which cause environmental or public health and safety concerns, and promote cost effective development patterns to minimize land consumption and servicing costs (PPS, 1.1.1 (a)(b)(c)(e)). This proposed residential development is consistent with these policies by encouraging the use of vacant lands, proposing an intensification of land uses that can exist in harmony with the surrounding land uses, and by creating opportunities for increased municipal taxes.

The proposed development is for a residential subdivision with 177 single detached lots and one (1) medium density residential block to consist of 78 townhome units. Located in close proximity to existing residential uses (single detached and townhome dwellings to the west) the proposed development would increase residential density in the Lucan settlement area and promote efficient land use patterns, compactness, and walkability within the surrounding neighbourhood.

### 3.5.1 Location

With respect to settlement areas, the PPS recognizes that the vitality of these areas is critical to the long-term economic prosperity of communities. According to the PPS, settlement areas should be the focus of growth and development and that their regeneration shall be promoted (PPS, 1.1.3.1). The proposed development is located within a settlement area as identified in both the County of Middlesex and the Lucan-Biddulph Official Plans (County OP: Schedule A, LB OP: Schedule A).

The proposed development promotes growth and vitality within the settlement area (County OP, 2.3.1). It is located within an 'Urban Area', which are to be the main locations for future population growth in the County (County OP, 2.3.2 & 2.3.8.1). The proposed development promotes a dense land use pattern which efficiently uses land and resources and supports active transportation due to the site's proximity to Wilberforce Elementary School, various open space areas and a number of nearby commercial uses. The proposal provides for an opportunity for the intensification of lands at an appropriate location due to the availability of suitable, existing infrastructure and public service facilities to accommodate projected needs (County OP, 3.2.2). The proposed site location supports a cost effective development pattern which minimizes land consumption and reduces servicing costs (LB OP, 2.1.1).

The proposed development provides an opportunity for increased density as well as a range and mix of housing types (PPS, 1.4). Residential intensification, a healthy mixture of housing options and a range of densities should be promoted in the settlement area (LB OP, 2.1.5.1). The proposed development will also provide alternative forms of housing which will serve the needs of residents who may not wish or cannot afford to live in single detached dwellings.

### 3.5.2 Land Use

The PPS states that major facilities and sensitive land uses should be planned to ensure they are buffered and/or separated from each other (PPS, 1.2.6.1). This is to ensure that adverse effects from odour, noise and other contaminants are prevented or mitigated, and that the risk is minimized for public health and safety. The proposed development is located away from industry, airports, railway lines, or provincial highways, and as such will not require additional buffering.

It was determined that the proposed development will have no negative impact on the associated natural environment

This application proposes to develop a permitted use on the subject lands, which are currently designated Residential in the Lucan Official Plan (LB OP, 2.1.5). Medium density residential developments are currently permitted on lands designated Residential, and are encouraged to be located where direct or

proximate access to arterial or collector roads are available (LB OP, 2.1.5.5). The development is located along Saintsbury Line, a County collector road, with the direct access to the medium density portion of the development being from a proposed local road within the subdivision. A further review of the medium density development block will be completed through the site plan control process, as required (LB OP 2.1.5.5).

## 3.5.2.1

**Housing**

The PPS speaks to providing for an appropriate range and mix of housing types and densities required to meet the projected requirements of current and future residents of the regional market (PPS 1.4.1). The proposed development will provide the Village of Lucan with additional residential units that will help diversify the housing stock within the area (County OP, 2.3.7; LB OP, 2.1.5.1).

The proposal is a form of residential intensification that meets the social, health and well-being requirements of current and future residents, promotes increased densities which efficiently use land, resources, infrastructure and public service facilities and supports the use of active transportation (PPS 1.4.3 (b)(d); County OP 2.3.7.2). The proposed development will help enhance the housing stock of Lucan and provide residents with alternative housing options. The Lucan settlement area currently lacks alternative forms of housing, as the area is dominated by single detached dwellings.

The proposed development will help provide residents of the Village of Lucan with housing options that will allow the aging population to age in place and remain in the community (LB OP, 2.1.5). Additionally, the townhome units will also provide the opportunity for first-time home buyers to enter the housing market. It is noted that 'residential development has been traditionally and continues to be primarily in the form of low-density single unit detached dwellings thereby contributing to the 'small town' residential character of the Village, a demand exists for other housing types to meet the socio-economic needs of the community' (LB OP, 2.1.5). This will require that an affordable range of housing types (owned, rental, condo) are available, including single detached homes, semi-detached homes, townhomes, homes geared to seniors, etc.

The proposed development will help provide housing that is affordable to low and moderate income households (PPS, 1.4.3). The proposed development will provide an increased mix of options in the Lucan housing market. The proposed development is in conformity with the Township of Lucan Biddulph OP housing policies as it provides an alternative form of housing and intensification on a mostly vacant parcel of residential land (LB OP, 2.1.5.1 & 2.1.5.3).

## 3.5.3

**Transportation System**

The PPS encourages development that promotes a dense land use pattern to minimize the length and number of vehicle trips, and encourage the use of active transportation methods (PPS, 1.6.7.4 & 1.8.1 (b)). Given the site locality, and its close proximity to commercial, institutional, and recreational land uses, the proposed development will help to promote active transportation thus limiting and minimizing the length and number of vehicle trips (LB OP 2.1.14).

The subject site is located on a collector County Road (Saintsbury Line) as identified by Schedule 'A' of the Lucan Biddulph Official Plan. Collector Roads are designed to carry moderate volumes of traffic between arterial roads and local roads, while local roads are intended to function as distributors of traffic to the collector roads (County OP, 2.4.2.1 (b)(c); LB OP, 2.1.9). The proposed development includes two (2) access points located along Saintsbury Line. In addition, there are four (4) connection points located within the development to future phases of the subdivision, and two (2) blocks to be dedicated for future rights-of-ways. Local roads are commonly used in the Lucan settlement area for residential subdivisions, and the proposed development can be considered an appropriate use on a local road.

Direct access to Saintsbury Line is limited and thus connections to the County Road have been restricted to two (2) locations, and all proposed lots have been designed with reverse frontage and front onto the internal roads (County OP 2.4.2.2 (f) & 2.4.2.5). No driveway access to the individual dwellings are provided via Saintsbury Line. In addition, the County requires a setback of 33m from the centre line of the county road to all buildings (County OP, 2.4.2.4). As depicted on [Figure 5.0 - Conceptual Site Plan](#), the building envelopes reflect the required setback from Saintsbury Line.

#### 3.5.4 Infrastructure

The proposed development promotes the efficient use and optimization of existing municipal sewage and water services, and will ensure that the services provided comply with all regulatory requirements and protect human health and the natural environment (PPS, 1.6.6 (a) (b), 1.7.1 (b); County OP, 2.4.5; LB OP, 2.1.11 & 2.1.12). The proposed development will take advantage of existing municipal services.

#### 3.5.5 Urban Design

The proposed infill development is compatible with the surrounding area in terms of scale, massing, height, architectural proportions, siting, orientation, setbacks, parking and landscaped areas (LB OP 2.1.5.2).

These aspects of the development will be addressed more thoroughly during the Site Plan Approval stage of the development for the townhome dwellings.

#### 3.5.6 Draft Plan of Subdivision

The proposed single detached dwellings will be developed through the Draft Plan of Subdivision process, while the proposed, townhome dwellings will be developed through the Vacant Land Condominium and Site Plan Control process following the approval of the Plan of Subdivision (County OP, 4.5.1; LB OP, 2.1.5.3, 8.3, 8.10).

#### 3.5.7 Site Plan Control

The Lucan Biddulph OP designates the entire municipality as a Site Plan Control Area. The proposed townhome units will be subject to Site Plan Control and will be further reviewed following the adoption of the Zoning By-law Amendments, Draft Plan of Subdivision and Vacant Land Condominium approval (County OP, 4.5.2; LB OP, 8.10).

During the Site Plan Approval process, the applicant will submit any additional required studies, and drawings in order to confirm site suitability (LB OP, 2.1.5.2).

### 3.5.8 Economic Prosperity

The proposed development optimizes the use of vacant lands, existing infrastructure, and public service facilities available within and adjacent to the subject site (PPS, 1.1.1 (e), 1.4.3 (c)). The proposed development provides real estate investment in Lucan that improves the quality of place, walkability, and aesthetic in the surrounding neighbourhood (LB OP, 2.1.14) by promoting growth in Lucan-Biddulph. The proposed development also supports and promotes private reinvestment within a settlement area (County OP, 2.3.8, 3.2).

### 3.5.9 Energy Conservation, Air Quality and Climate Change

The proposed development is located approximately 1.0 km from the main street of the Lucan settlement area and is therefore within walking distance of nearby accessible amenities. Increased active transportation will result in decreased vehicular transportation, and ultimately reduced greenhouse gas emission while the increased density will also promote energy efficiency due to the sharing of services (PPS, 1.8(f)).

## CONCLUSIONS

After reviewing relevant policies and guidelines, it is my professional opinion that the proposed residential development is consistent with the intent of the PPS providing residential infill in a quality, compact form within an already established residential area close to major public facilities and resources. The proposed development will efficiently utilize vacant land within the settlement boundary to meet the needs of a growing population.

The proposed application to amend the Official Plan and Zoning By-Law to permit the proposed residential uses for the following reasons:

1. The proposed uses are consistent with the Provincial Policy Statement, specifically policies regarding Settlement Areas, Intensification & Redevelopment and Housing, as outlined in Section 3;
2. The proposed uses are consistent with the residential policies of the County of Middlesex Official Plan outlined in Section 3;
3. The proposed Official Plan Amendment is consistent with the PPS policies regarding infill and redevelopment and is in keeping with the Residential policies as discussed in Section 3 of this report;
4. The proposed residential infill of vacant land is an appropriate and compatible extension of existing residential uses, and will provide a mix of housing in an area that lacks a variety of housing options;
5. The proposed development will improve the urban quality of the surrounding area;
6. The proposed development takes advantage of existing infrastructure and community facilities currently serving Lucan-Biddulph;
7. The proposed Zoning By-Law Amendment respects the land use capability and site suitability directives of the Zoning By-law supporting healthy, complete neighbourhoods. The proposed development can add to the vitality of the area while supporting the efficient use of land and existing infrastructure, as identified in Section 3 of this report;
8. The proposed single detached dwellings will be developed through the Draft Plan of Subdivision process which will also identify the proposed townhome block;
9. The proposed townhome dwellings will be developed through the Vacant Land Condominium and Site Plan process upon the approval of the Draft Plan of Subdivision. Specific design details for the townhome dwellings will be considered during the Site Plan Control process.



Melanie Muir, MCIP RPP  
Planner

## Figures






**2219260 ONTARIO INC.**  
TIMBER RIDGE SUBDIVISION

**PLANNING JUSTIFICATION REPORT**

**LOCATION MAP**  
FIGURE 1.0

 SUBJECT SITE  
±15.68 ha (± 38.75 ac)

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SOURCE: MIDDLESEX COUNTY AERIAL (2015)

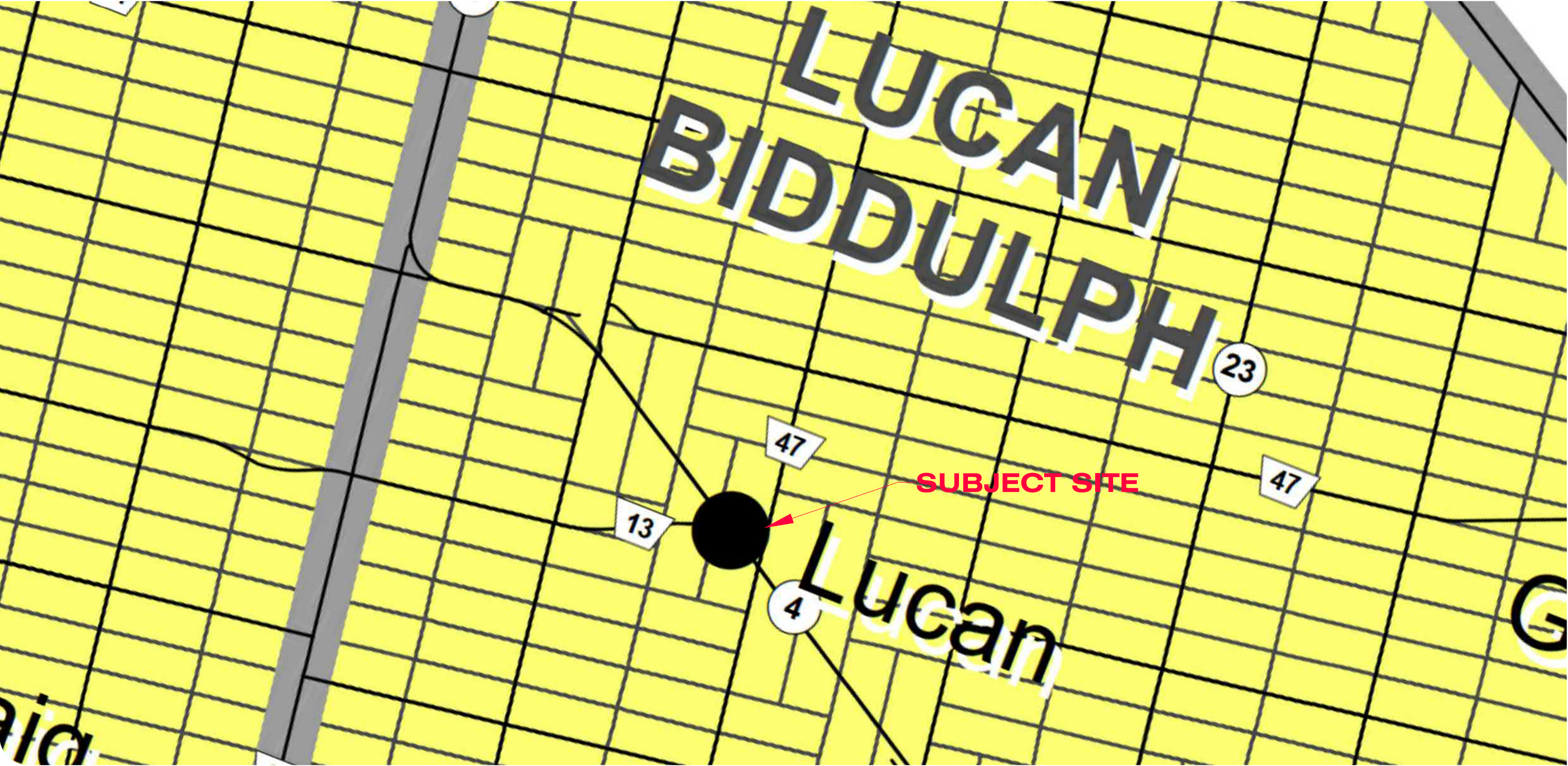
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ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD  
BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
CREATED BY: ESB  
CHECKED BY: MAM  
DESIGNED BY: ESB

SCALE: N.T.S.



PROJECT: 20-2552  
STATUS: DRAFT  
DATE: 09/08/2020





**2219260 ONTARIO INC.**  
TIMBER RIDGE SUBDIVISION

**PLANNING JUSTIFICATION REPORT**

**EXISTING COUNTY OF MIDDLESEX  
OFFICIAL PLAN DESIGNATIONS  
FIGURE 2.0**

 SUBJECT SITE  
±15.68 ha (± 38.75 ac)  AGRICULTURAL  SETTLEMENT AREAS  
(URBAN AND COMMUNITY)

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SOURCE: COUNTY OF MIDDLESEX OFFICIAL PLAN  
-SCHEDULE A LAND USE

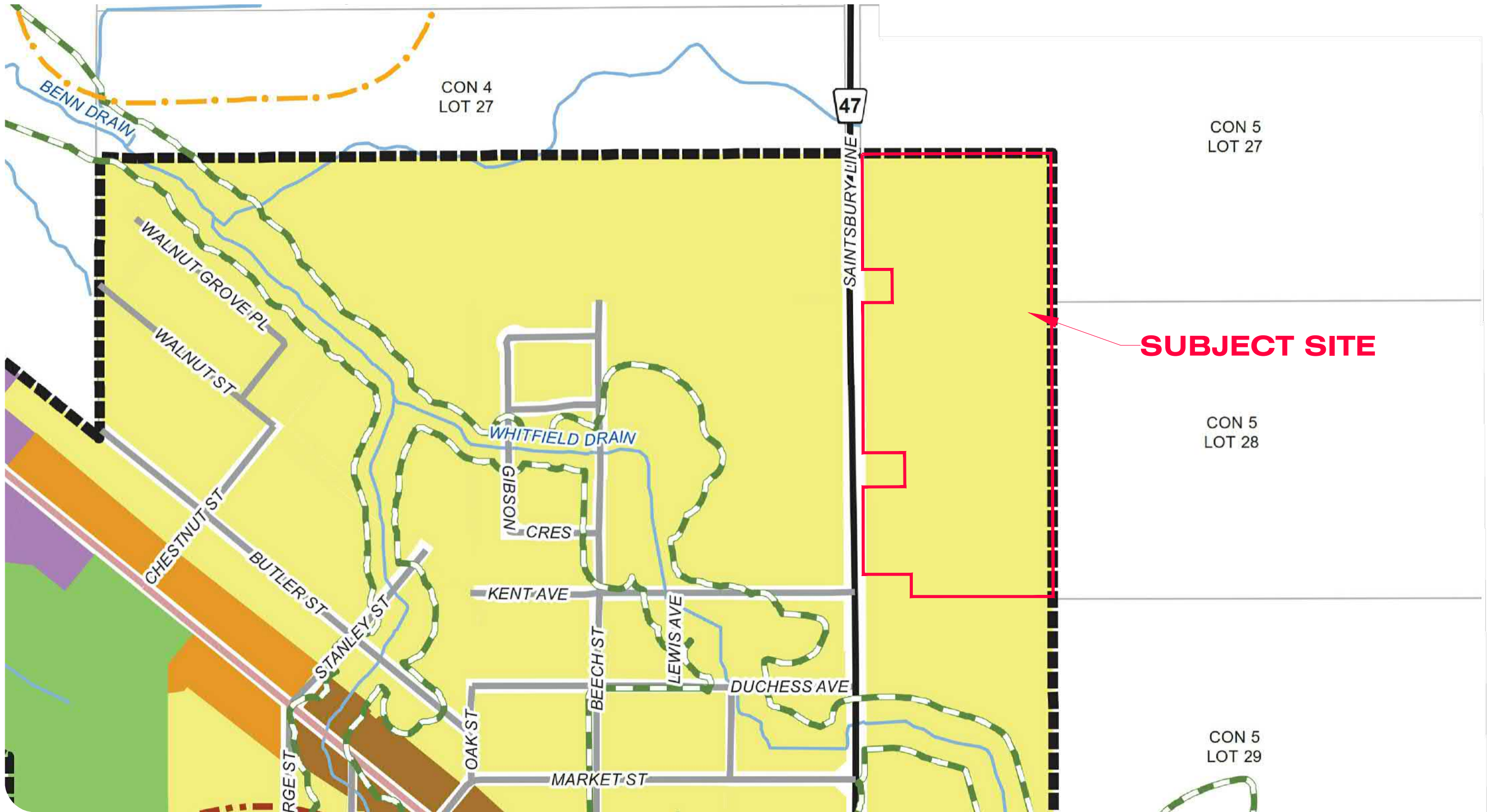
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**2219260 ONTARIO INC.**  
TIMBER RIDGE SUBDIVISION

**PLANNING JUSTIFICATION REPORT**

**EXISTING TOWNSHIP OF  
LUCAN-BIDDULPH OFFICIAL PLAN  
DESIGNATIONS**  
FIGURE 3.0



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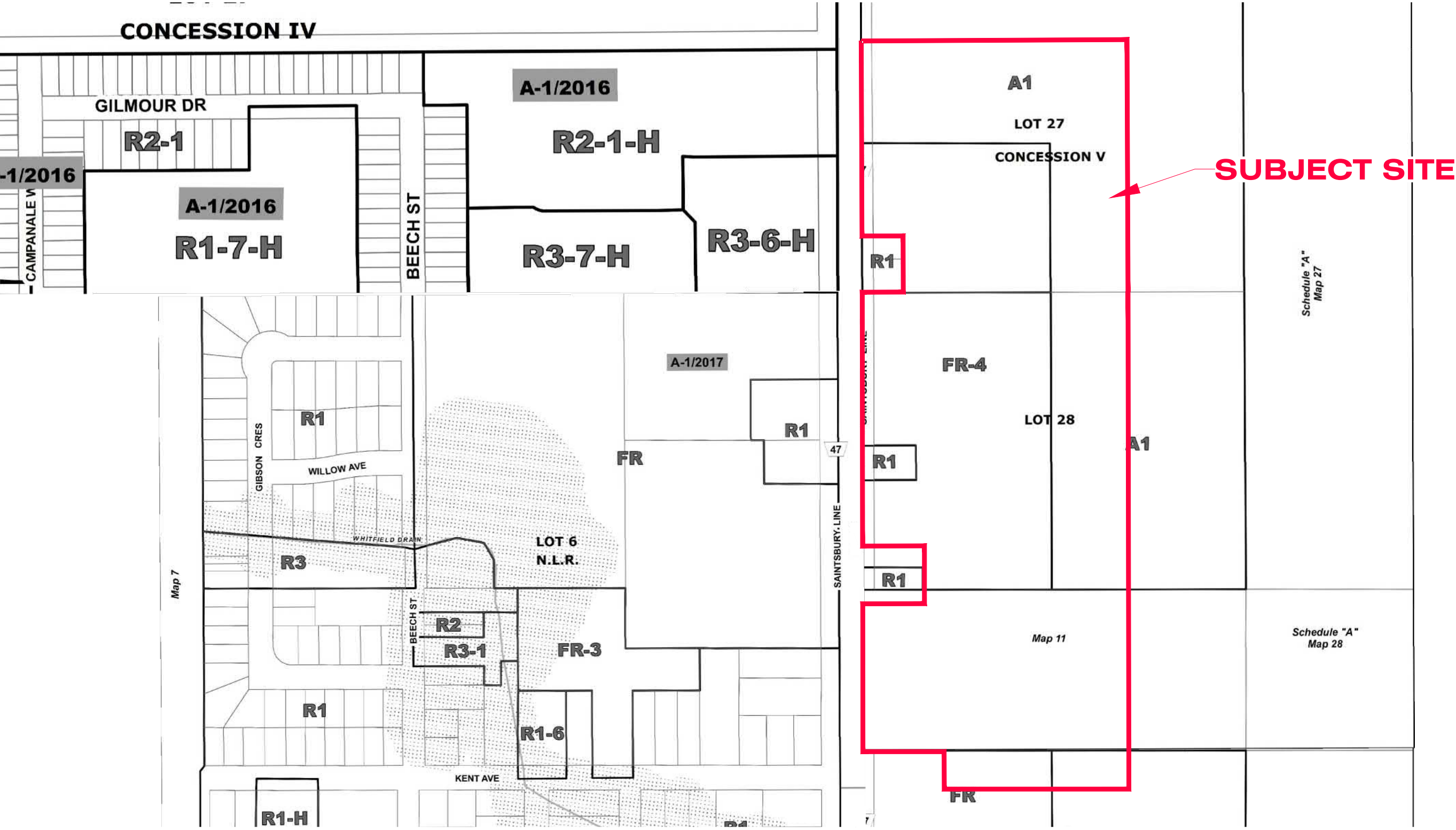
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- LAND USE & TRANSPORTATION PLAN Schedule 'A'

MAP/DRAWING INFORMATION  
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SCALE: N.T.S.



PROJECT: 20-2552  
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DATE: 09/08/2020



**2219260 ONTARIO INC.**  
TIMBER RIDGE SUBDIVISION

**PLANNING JUSTIFICATION REPORT**

**EXISTING TOWNSHIP OF LUCAN-BIDDULPH ZONING DESIGNATIONS**  
FIGURE 4.0

SUBJECT SITE  
±15.68 ha (± 38.75 ac)

A1

- General Agricultural

R1

- Residential First Density

R2

- Residential Second Density

R3

- Residential Third Density

FR

- Future Residential

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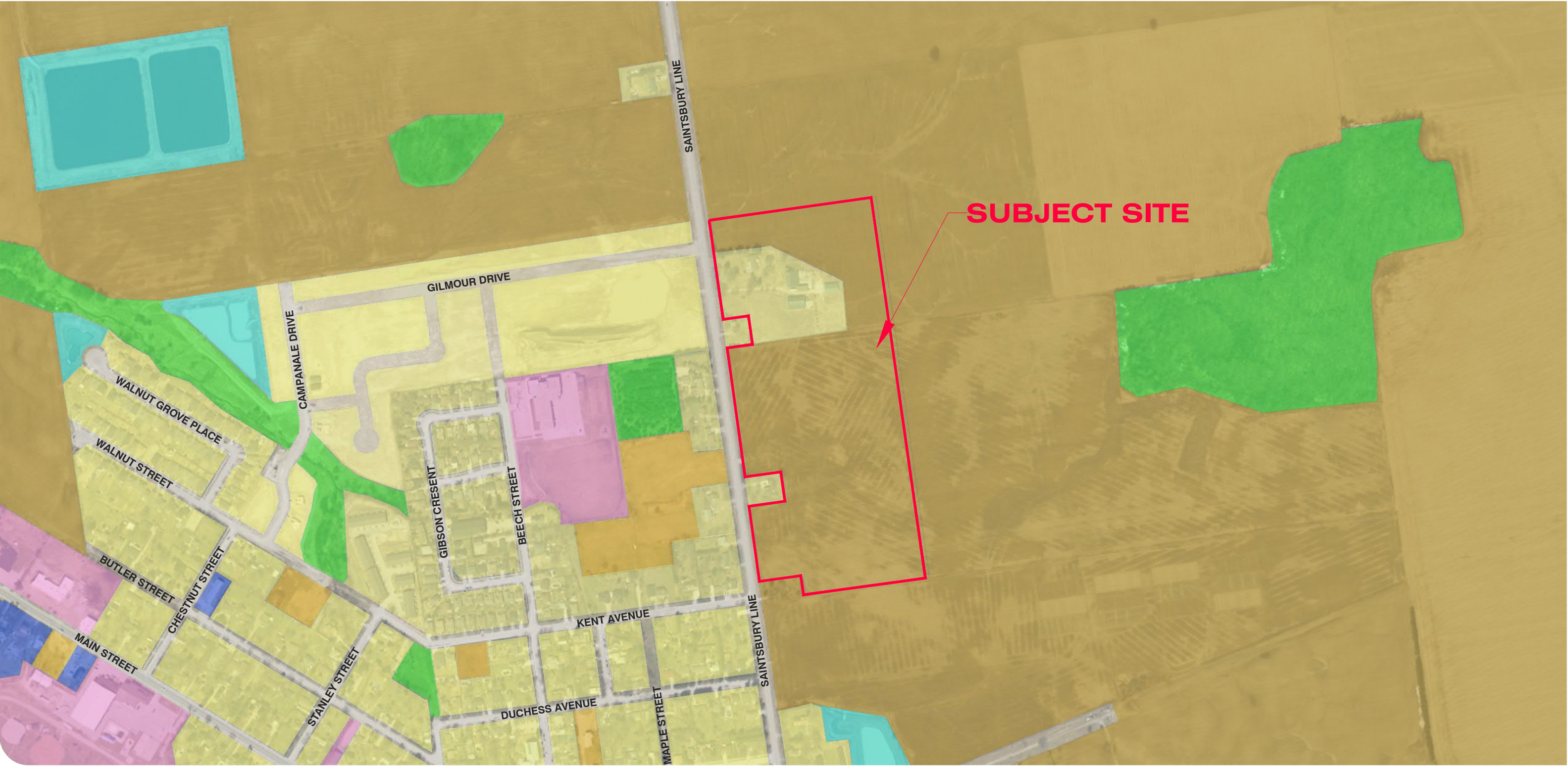
DATE: 09/08/2020

SOURCE: TOWNSHIP OF LUCAN BIDDULPH  
- ZONING SCHEDULE "B"












**2219260 ONTARIO INC.**  
TIMBER RIDGE SUBDIVISION


**PLANNING JUSTIFICATION REPORT**


**SURROUNDING LAND USE**  
FIGURE 6.0


SUBJECT SITE  
±15.68 ha (± 38.75 ac)


RESIDENTIAL


OPEN SPACE

AGRICULTURAL

VACANT

INSTITUTIONAL

COMMERCIAL


SWM AREA


File Location:  
c:\pw working directory\projects 2020\32mam\dms18179\20-2552 pr figures.dwg  
September, 08, 2020 9:25 PM

SOURCE: MIDDLESEX COUNTY AERIAL (2015)

MAP/DRAWING INFORMATION  
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY.  
ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD  
BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
CREATED BY: ESB  
CHECKED BY: MAM  
DESIGNED BY: ESB

SCALE: 1:3000





PROJECT: 20-2552

STATUS: DRAFT

DATE: 09/08/2020



# Appendix A

## Development Applications



# Instructions for Zoning By-law Amendment Application

**PLEASE DETACH AND RETAIN THE FIRST TWO PAGES FOR FUTURE REFERENCE**

## BACKGROUND INFORMATION

This process pertains to an application for zoning by-law amendment pursuant to Section 34 of the Planning Act. Prior to the Municipality processing the application, it is required that a copy of the attached application form be completed including the required sketch and processing fee of \$1,500. The removal of a Holding symbol is \$200.

Acceptance of the application by the Township shall not be construed as relieving the applicant from the obligation to obtain any license, permit, authority or other approval required by the Township, the Conservation Authority having jurisdiction, or any other public authority or body.

The Township collects planning application review fees on behalf of the Upper Thames River Conservation Authority (\$150) and/or the Ausable Bayfield Conservation Authority (\$150) as the case may be. A septic review fee is also collected on behalf of the Municipality of Middlesex Centre (\$100), where applicable. These fees are payable at the time the application for a zoning by-law amendment is filed.

Please note:

- The application must be completed in metric units.
- The receipt of inaccurate information may cause delays in the processing of this application.
- Additional information, studies and/or reports may be required by the Municipality prior to approval being granted. The Municipality reserves the right to determine what information is necessary in order to properly process an application.

## APPLICATION SUBMISSION

Please submit the application, sketch and fee to:

Township of Lucan Biddulph  
270 Main Street,  
Box 190  
Lucan, ON  
N0M 2J0

Marc Bancroft, MPL, MCIP, RPP  
Senior Planner  
519.434.7321, ext 2292  
[mbancroft@middlesex.ca](mailto:mbancroft@middlesex.ca)



APPLICATION PROCESS	
<b>Step 1</b>	<b>Consult with Planning Staff:</b> Applicants are encouraged to meet with staff prior to submitting an application. Please contact the Senior Planner. Depending on the nature of the application, you may be required to submit studies in support of your proposal.
<b>Step 2</b>	<b>Application submission:</b> Complete the attached application form and include the submission of the required sketch and processing fee.
<b>Step 3</b>	<b>Complete application accepted:</b> The file is opened and timelines for processing are established provided the application is deemed complete. The application must be filed at least 25 days prior to a public meeting being held.
<b>Step 4</b>	<b>Notice of Public Meeting:</b> The application is circulated to the public, agencies and municipal departments. The public circulation applies to every property owner within 120 metres of the subject land and to every person and public body that has provided a written request for such notice. A “Possible Land Use Change” sign is erected on the subject land.
<b>Step 5</b>	<b>Public Meeting:</b> Township Council meetings are generally heard on the first and third Mondays of every month. The purpose of the meeting is to hear from members of the public. It is expected that you and/or your agent will attend the meeting to explain the reasons for your application. Council may grant or deny the application, or defer its decision. In the case of a deferral, the applicant and/or your agent will be notified by the Clerk of the date on which Council will further consider the application and/or the public meeting will resume.
<b>Step 6</b>	<b>Notice of Decision:</b> <ul style="list-style-type: none"> <li>○ If the By-law is passed, a notice is sent to the Owner and property owners within 120 metres of the subject land advising them of the passing of the Zoning By-law amendment.</li> <li>○ Where an amendment is refused, the owner and anyone who made written request to the Township Clerk for notice are informed of the decision.</li> <li>○ Where an application is referred back to staff, the owner should contact the Senior Planner to discuss the options and opportunities going forward, and for clarification of the referral.</li> </ul>
<b>Step 7</b>	<b>Appeal period:</b> Following the decision of Council and subject to the conditions specified in the Planning Act, an appeal may be made to the Ontario Municipal Board (OMB) by filing a notice of appeal with the Clerk of the Township. Visit <a href="http://www.omb.gov.on.ca">www.omb.gov.on.ca</a> for more information.
<b>Step 8</b>	<b>Enactment:</b> If no appeal is submitted, the Zoning By-law amendment is enacted and brought into force.

## APPEAL TO THE ONTARIO MUNICIPAL BOARD

If an application is made for a zoning by-law and Council fails to make a decision within 120 days after the day the application is deemed complete by Staff, the applicant may appeal to the Ontario Municipal Board (OMB) with respect to the consent application.

Anyone may appeal a decision of Council to the OMB within 20 days of the date of the Notice of the Passing of the Municipal Clerk by personally delivering or sending a Notice of Appeal to the Clerk of the Municipality and the required forms, downloadable from the OMB website ([www.omb.gov.on.ca/](http://www.omb.gov.on.ca/)). The appeal must set out the reasons for objecting to the decision, and must include a cheque in the amount of \$125.00, made payable to the Minister of Finance of Ontario. The Township Clerk will then prepare an appeal package and forward it to the OMB. The OMB will schedule a hearing and give written notice of the time and date in advance of the hearing. The decision of the OMB is considered final.



# Zoning By-law Amendment Application

Pursuant to Section 34 of the Planning Act

For Office Use Only	
Date Received:	
File Number:	

<b>1. Applicant information</b>	
<b>Registered owner(s) of the subject land</b>	
Name: 2219260 Ontario Inc. c/o Vita Campanale	
Address: 420 York Street	
Town: London	Postal Code: N6B 1R1
Phone: 519-673-3391x600	Cell:
Fax:	Email: vito.campanale@century21.ca
<b>Authorized agent (authorized by the owner to file the application, if applicable)</b>	
Name: Dillon Consulting Limited c/o Jason Johnson	
Address: 130 Dufferin Avenue Suite 1400	
Town: London, Ontario	Postal Code: N6A 5R2
Phone: 519-438-1288 ext.1222	Cell:
Fax: 519-667-2050	Email: jjohnson@dillon.ca

<b>2. If known, please indicate the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land. Provide a separate sheet where needed.</b>	
Name:	
Address:	
Town:	Postal Code:
Phone:	Cell:
Fax:	Email:

**3a. Current Official Plan land use designation:** Residential**b. Please explain how this application conforms to the Official Plan?**

The subject site is currently designated *Residential Area* in the Middlesex County (County OP), which provides for a broad range of land uses. The Official Plan policies state that settlement areas are directed to be the focus of growth and development in local municipalities. Please see the attached Planning Justification Report.

**4a. Current Zoning:** FR, FR-4, R1 AND A1**b. Please explain the nature and extent of the rezoning?**

The applicant is requesting that Zoning By-Law 100-2003 be amended to create TWO (2)) site-specific residential zones on the subject site. Specifically, the site-specific zones would permit the development of single detached dwellings and townhouse dwellings on the subject site. The proposed zone would include the appropriate setbacks & other necessary zoning provisions. Please see the attached Planning Justification Report.

**c. Please provide the reason why the rezoning is requested?**

To permit the development of the subject site for a mix of single detached and townhome dwellings.

**5. Description of subject land**

Geographic Municipality: Township of Lucan	Lot(s)/Concession: Concession 5
Registered Plan:	Lot(s): 27 & 29
Reference Plan:	Part(s):
Street Address: 34122, 34190, & 0 Saintsbury Line	Municipal Roll Number: 395800001010300; 395800001010350; 395800001010500

**6. Dimensions of subject land (in metric units)**

Frontage: 486m (broken)	Depth: Irregular	Area: 15.68ha
-------------------------	------------------	---------------

**7. Access to subject land (please provide information for only those that apply to this property)**

Provincial Highway:	County Road: Saintsbury Line
Municipal Road: Gilmour Drive (extension)	Other Public Road:
Right of Way:	Water:

**8. Describe all existing uses of the subject land?**

- Residential
- Vacant Agricultural

**9. Please indicate whether there are any existing buildings or structures on the subject land?**

Yes\* ☒ No ☐

\*If yes, please complete the following table indicating the types of buildings and structures, including date of construction, that currently exist on the lot and the specified measurements (in metric units):

Type of Building / Structure	Date of construction	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area
Residential	+/-25 yrs	56 m			2 storey	230 m <sup>2</sup>

**10. Describe all proposed uses of the subject land?**

177 residential detached dwellings and one (1) medium density block (78 townhomes)

**11. Please indicate whether any buildings or structures are proposed to be built on the subject land?**

Yes\* ☒ No ☐

\*If yes, please indicate the type of buildings or structures proposed on the subject land and the specified measurements (in metric units):

Type of Building / Structure	Distance from front lot line	Distance from rear lot line	Distance from side lot lines	Height	Floor Area
Single Detached Dwelling (177)	12m	7m	1.2m	10m	See attached Draft Plan of Subdivision

**12. Please indicate the date when the subject land was acquired by the current owner?**

June 2017

**13. Please indicate the length of time that the existing uses of the subject land have continued?**

+25 years

**14. Water Supply:** Water supply will be provided via?

<input checked="" type="checkbox"/>	publicly owned and operated piped water system	<input type="checkbox"/>	lake or other water body
<input type="checkbox"/>	privately owned well or communal well	<input type="checkbox"/>	other (please specify) _____

**15. Sewage Disposal:** Sewage disposal will be provided via?

<input checked="" type="checkbox"/>	publicly owned and operated sanitary sewage system	<input type="checkbox"/>	privy
<input type="checkbox"/>	privately owned individual or communal septic system	<input type="checkbox"/>	other (please specify) _____

**16. Please indicate if the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent produced per day as a result of the development being completed.**Yes\* ☐No ☒

\*If yes, have the following reports been submitted as part of the requested amendment?

<input type="checkbox"/>	servicing options report	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/>	hydrogeological report	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**17. Storm Drainage:** Storm drainage will be provided via?

<input checked="" type="checkbox"/>	storm sewers	<input type="checkbox"/>	swales
<input type="checkbox"/>	municipal drainage ditches	<input type="checkbox"/>	other (please specify) _____

**18. Indicate the minimum and maximum density and height requirements if applicable:**

	Minimum	Maximum
Height	N/A	N/A
Density	N/A	N/A

**19. Is this an application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?**Yes\* ☐ No ☒

\*If yes, provide the current Official Plan policies, if any, dealing with the alteration or establishment of an area of settlement: *(please use a separate sheet)*

**20. Does this application remove land from an area of employment?**Yes\* ☐ No ☒

\*If yes, provide the current Official Plan policies, if any, dealing with the removal of land from an area of employment: *(please use a separate sheet)*

**21. Are the subject lands within an area where zoning with conditions applies?**Yes\* ☒ No ☒

\*If yes, provide an explanation of how the proposed amendment complies with the Official Plan policy relating to the zoning with conditions: *(please use a separate sheet)*

**22. If known, has the subject land ever been the subject of:**An application for an amendment to the Official Plan under the *Planning Act*?Yes\* ☐ No ☒

\*If yes, provide the following: File No. \_\_\_\_\_ Status \_\_\_\_\_

An application for an amendment to the Zoning By-law under the *Planning Act*?Yes\* ☐ No ☒

\*If yes, provide the following: File No. \_\_\_\_\_ Status \_\_\_\_\_

A Minister's zoning order under the *Planning Act*?Yes\* ☐ No ☒

\*If yes, provide the following: Reg. No. \_\_\_\_\_ Status \_\_\_\_\_

An application for approval of a Plan of Subdivision under the *Planning Act*?Yes\* ☒ No ☐

\*If yes, provide the following: File No. \_\_\_\_\_ Status \_\_\_\_\_

DP done  
concurrentlyAn application for an application for Consent under the *Planning Act*?Yes\* ☐ No ☒

\*If yes, provide the following: File No. \_\_\_\_\_ Status \_\_\_\_\_

**23. Is this application consistent with the Provincial Policy Statement (a copy of the Provincial Policy Statement is available at [www.mah.gov.on.ca](http://www.mah.gov.on.ca))?**Yes ☒ No ☐

**24. This application must be accompanied by a sketch showing the following information. Failure to supply this information will result in a delay in processing the application. Please fill out the checklist below to ensure you have included all the required information.**

- ☒ The boundaries and dimensions of the subject land.
- ☒ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings and structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- ☒ The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application (for example buildings, railways, roads, watercourses, drainage ditches, rivers or stream banks, wetlands, wooded areas, wells and septic tanks)
- ☒ The current uses on land that is adjacent to the subject land.
- ☒ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- ☒ If access to the subject land will be by water only, the location of the parking and docking facilities to be used.
- ☒ The location and nature of any easements affecting the subject land.



# STATUTORY DECLARATION

I, Jason Johnson of the City of London  
(Name) (Name of City, Town, Township, Municipality, etc.)

in the County of Middlesex  
(Name of County, Region or District)

## SOLEMNLY DECLARE THAT

The information provided in this application as required under Section 34 of the Planning Act and Ontario Regulation 546/06 is true.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that is of the same force and effect as if made under oath.

*in the City of London by the Applicant  
stated as being*

*Remake* Declared before me at the City

of London in the

County of Middlesex

this 8<sup>th</sup> day of Sept. 2020.  
in accordance with O. Reg 431/20.



  
A Commissioner of Oaths  
**Lynsey Nicole McMullan**  
Barrister & Solicitor, London, Ontario  
Commissioner of Oaths & Notary Public

Applicant or Authorize Agent\*

**AGENT AUTHORIZATION**

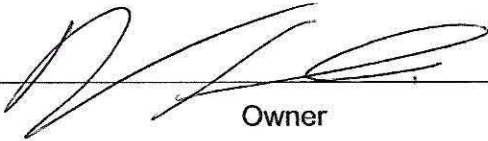
(Please complete the authorization for an agent to act on behalf of the owner of the subject land)

I, 2219260 Ontario Inc., being the owner of the property described in Section 1 of  
(Name)

this application for zoning by-law amendment, hereby authorize Dillon Consulting (Jason Johnson)  
(Agent)

to act as my agent in matters related to this application for zoning by-law amendment.

Dated this 24 day of August 20 20

  
Owner

# Approval Form D – Subdivisions and Condominiums

## Instructions

This form is to be used when submitting a proposed plan of subdivision or plan of condominium to the County of Middlesex as the Approval Authority. The County encourages those considering making an application to pre-consult. The County will organize and host a pre-consultation meeting where an applicant has an opportunity to discuss a proposal with staff from the County, the local municipality and affected agencies.

In accordance with Section 51(17) of the Planning Act, the prescribed information must be submitted to the approval authority. Filling out this form and attaching the accompanying information will help you meet the requirements of the Planning Act and Ontario Regulation 544/06. If additional space is needed to answer any of the questions, attach separate pages or reports. Please note that additional information may be required by the Approval Authority.

**A processing fee (see page 10) is required to accompany this application (made payable to the 'Treasurer – County of Middlesex').**

**All sections in this form marked \* must be completed before the application will be accepted. Failure to complete the entire application may result in delays in processing and in obtaining a decision.**

## Section One – General Information

Type of Application: ☒ Subdivision ☐ Condominium Municipality \_\_\_\_\_  
Has a pre-consultation meeting occurred? ☒ Yes ☐ No Date December 12, 2019

## Section Two – Primary Contacts \*

Owner of Subject Lands: 2219260 Ontario Inc. c/o Vito Campanale  
Address 420 York Street, London, Ontario  
Postal Code N6B 1R1 Telephone 519-673-3391 ext. 600  
Fax \_\_\_\_\_ E-mail vito.campanale@century21.ca  
Are the subsurface rights owned by the same owner? ☒ Yes ☐ No  
If not, indicate who owns the subsurface rights: \_\_\_\_\_  
Applicant / Agent: Dillon Consulting Limited - Jason Johnson, P.Eng.  
Address 130 Dufferin Avenue, Suite 1400, London, Ontario  
Postal Code N6A 5R2 Telephone 519-438-1288  
Fax 519-672-8209 E-mail jjohnson@dillon.ca

Specify to whom communications should be sent: ☐ Owner ☒ Agent

### Section Three – Secondary Contacts

Surveyor: AGM – Gary McWhirter

Address 3514 White Oak Road, London, Ontario

Postal Code N6E 2Z9

Telephone 519-685-5300

Fax \_\_\_\_\_

E-mail gmcwhirter@agm.on.ca

Engineer: Dillon Consulting Limited – Jason Johnson, P.Eng.

Address 130 Dufferin Avenue, Suite 1400, London, Ontario

Postal Code N6A 5R2

Telephone 519-438-1288

Fax \_\_\_\_\_

E-mail jjohnson@dillon.ca

Solicitor: \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_

Telephone \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### Section Four – Location and Description \*

Municipal Address 34122, 34190, & 0 Saintsbury Line

395800001010300; 395800001010350;

Assessment Roll Number 395800001010500

Former Municipality Lucan Biddulph

Description of the land (such as lot & concession) Lots 27 and 29 Concession 5

Description of the land (such as reference or plan numbers) \_\_\_\_\_

Dimensions of the land:

Frontage 486m

Depth Irregular

Area 15.68 ha

Are there any easements or restrictive covenants affecting the subject lands?

☒ Yes ☐ No

If yes, attach a copy of any deeds or documents and describe the nature and effect of the easement or restrictive covenant: \_\_\_\_\_

PARTS 1 AND 2, PLAN 33R-13680 AND PART 1, PLAN 33R-18968 SUBJECT TO AN EASEMENT AS IN 90954

## Section Five – Policy Context \*

Provide an explanation of how the plan is consistent with policy statements (including the Provincial Policy Statement) issued under subsection 3 (1) of the Planning Act. \_\_\_\_\_

Please see the attached Planning Justification Provided by Dillon Consulting Limited

If the subject land is within an area designated under any provincial plan or plans, provide an explanation of how the plan conforms or does not conflict with the provincial plan or plans. Not Applicable

Provide the current designation of the subject land in the County Official Plan and provide an explanation of how the draft plan conforms with the Official Plan. \_\_\_\_\_

Please see the attached Planning Justification Provided by Dillon Consulting Limited

Provide the current designation of the subject land in the local Official Plan and provide an explanation of how the draft plan conforms with the Official Plan. \_\_\_\_\_

Please see the attached Planning Justification Provided by Dillon Consulting Limited

If the plan does not conform to the municipality's Official Plan, has an application for an amendment been made?

☐ Yes ☐ No

If YES, indicate the application file number and its status: \_\_\_\_\_

If NO, the plan may be premature.

What is the current zoning on the subject lands? Future Residential (FR, FR-4), Residential (R1), and Agricultural (A1)

Does the plan conform to the uses permitted under the local municipal Zoning By-law? ☐ Yes ☒ No

\*If the plan does not conform to the local Zoning By-law, has an application for an amendment been made? ☒ Yes ☐ No

\* If YES, indicate the application file number and its status: Concurrent

Do the subject lands contain any areas of archaeological potential? ☐ Yes ☐ No ☒ Unknown

If the plan would permit development on land that contains known archaeological resources or areas of archaeological potential an **archaeological assessment** and a **conservation plan** for any identified archaeological resources must be attached.

☐ Attached ☐ Not Applicable

## Section Six – Proposed Land Uses \*

	Number of Units or Dwellings (as shown on the Plan)	Area in Hectares	Density (Units per Hectare)	Number of Parking Spaces	Number of Bedrooms	Tenure
<b>RESIDENTIAL</b>						
Detached Dwellings	177	8.24	21.5	N/A	N/A	N/A
Semi-detached dwellings				N/A		
Multiple Attached (Row / Townhouses)	1	4.06	18.7*	6	N/A	N/A
Apartments						
Seasonal	1	0.01	N/A	N/A	N/A	N/A
Mobile Home						
Other Residential (Specify) Future Lot						

Where a plan of subdivision / condominium application includes future development blocks, the lots/units for the development shall be equivalent to the anticipated future development yield for those blocks.

### NON-RESIDENTIAL

Commercial						
Industrial						
Institutional (Specify) _____						
Park or Open Space			N/A	N/A		
Roads		3.10	N/A	N/A		
Other (Specify) Future Roads 0.3m Reserves	2	0.278	N/A	N/A	N/A	N/A
	4	0.002	N/A	N/A	N/A	N/A
<b>TOTAL</b>	185	15.68	11.42	6	N/A	N/A
For Condominium Applications only, specify number of parking spaces for detached and semi-detached use						
Indicate if any of the units or dwellings are for specialized housing, being housing for groups such as senior citizens or the disabled.						

\*Note - Density based on potential 78 townhome units

## Section Seven - Condominium Applications \*

Has the local municipality approved a site plan? ☐ Yes ☐ No

Has a site plan agreement been entered into? ☐ Yes ☐ No

Has a building permit been issued? ☐ Yes ☐ No

Is the proposed development under construction? ☐ Yes ☐ No

If construction has been completed, indicate date of completion \_\_\_\_\_

Is this a proposal to convert an existing building containing residential rental units? ☐ Yes ☐ No

If YES, the number of units to be converted \_\_\_\_\_

Does this proposal comply with the Rental Housing Protection Act? ☐ Yes ☐ No

Indicate the type of condominium proposed (check only one)

- ( ) **Standard (Not Phased)** - The traditional condominium type.
- ( ) **Standard (Phased)** - A single standard condominium built in phases. **Provide** a summary of the number of units and common elements to be developed in each specific phase. Also provide a plan showing the units and common elements in each phase
- ( ) **Amalgamation** - Where two (2) or more existing standard condominium corporations amalgamate. **Provide** a plan showing the relationship of the previous condominiums to be amalgamated. Also provide file numbers, approval dates, etc.
- ( ) **Common Elements** - Where common elements are defined but the land is not divided into units. **Provide** a summary of the property ownerships and a plan showing the affected freehold properties outside the specific condominium site. Also provide a plan and a description of the common elements
- ( ) **Leasehold** - The initial term of the lease must be from 40 years to 99 years and a leasehold unit owner can sell a unit without the consent of the landowner. **Provide** information regarding the date the leases will be expiring and the intent of what happens at the end of the lease period
- ( ) **Vacant Land** - Each owner may decide what type of structure, if any, will be built on the lot. **Provide** information on proposed servicing and status of required permits etc. Also provide a plan which includes the proposed building envelopes
- ( ) **Exemption** - Where appropriate, a condominium may be exempt from the draft plan approval process. **Provide** a letter setting out the reasons in support of the request.
- ( ) **Amendment** – An amendment to an already approved and registered plan of condominium.

## Section Eight – Services \* (mark all that apply)

- ☒ Municipal sanitary sewage system
- ☐ Private individual or communal septic system(s)
  - ☐ with greater than 4500 litres effluent produced per day
  - ☐ with less than 4500 litres of effluent produced per day
- ☒ Municipal piped water
- ☐ Private communal well system
- ☐ Individual private well(s)
- ☒ Municipal Storm Sewers
- ☐ Other, explain \_\_\_\_\_
- ☐ Provincial Highway      ☐ County Road      ☒ Municipal Road

Servicing reports attached: \_\_\_\_\_

A **hydrogeological report** is required to accompany this application if the plan would permit development of lots / units on privately owned and operated septic systems.

A **servicing options report** and a **hydrogeological report** is required to accompany this application if the plan would permit development of five or more lots / units on privately owned and operated wells or five or more lots / units on privately owned and operated septic systems or any development on privately owned an operated wells or septic systems where more than 4500 litres of effluent would be produced per day.

## Section Nine – Previous and Existing Uses

What is the current use of the subject land? Agricultural & residential

What previous uses have there been on the subject land? Agricultural & residential

What are the current surrounding land uses? Agricultural and residential

Is there reason to believe the subject land may be contaminated by former uses on the site or adjacent sites?  
No

If YES, an Environmental Site Assessment may be necessary. Has an Environmental Site Assessment under the Environmental Protection Act been completed?      ☐ Yes      ☒ No

What information did you use to determine the answers to the Previous and Existing Uses questions?  
Discussion with owner, review of old aerial photographs



Section Ten – Status of Other Applications under the Planning Act \*

Please indicate whether the subject land or land within 120 metres of it has been or is the subject of any other applications under the Planning Act. ☒ Yes (complete below) ☐ No ☐ Unknown

If YES, indicate the type of application:

- ☐ official plan amendment     ☒ zoning by-law amendment     ☐ minor variance  
☐ consent     ☐ plan of subdivision or condominium  
☐ site plan     ☐ any other matter, please specify \_\_\_\_\_

Authority considering the application \_\_\_\_\_ File No. \_\_\_\_\_

Purpose of the application and the impact (if any) on this proposal No impact

Current status of the application Application is being completed concurrently

## Section Eleven – Supporting Information

List the information / material that is available in support of this proposal:

[illegible]

**Section Twelve – Owners Delegation of an Agent \***

I, 2219260 Ontario Inc. (Vito Campanale), being the registered owner(s)  
(name(s) of owner, individual or company)  
of the subject lands authorize Jason Johnson (Dillon Consulting Ltd.) to prepare this application on my/ our behalf.  
(Name of agent)

[Signature]  
Signature of Owner(s)

Aug 24, 2020  
Date

**Section Thirteen – Affidavit or Sworn Declaration \***

I, Jason Johnson of the City of London in the  
(name) (municipality)  
Middlesex make oath and say (or solemnly declare) that the information  
(County)  
contained in this form and the accompanying material is true.

Remotely Sworn (or declared) before me at the City of London in the Middlesex, this 8th  
(municipality) (County)  
day of Sept., 2020, in accordance with O. Reg 431/20.

[Signature]  
Commissioner of Oaths  
**Lynsey Nicole McMullan**

Barrister & Solicitor, London, Ontario  
Commissioner of Oaths & Notary Public

[Signature]  
Applicant

**Section Fourteen – Applicant's Consent for Release of Information \***

In accordance with provisions of the Planning Act, it is required that the application and all supporting documentation be available for public viewing. Therefore, in accordance with the above, I/We  
2219260 Ontario Inc., the applicant(s), hereby acknowledge that the information contained  
(Applicant)

in this application and any supporting documentation provided by myself, my agents, consultants and solicitors will be part of the public record and will be available to the general public in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

[Signature]  
Signature of Applicant

Sept 8, 2020  
Date

## YOUR SUBMISSION CHECKLIST:

Have you read <u>The County of Middlesex Subdivision and Condominium Approvals Procedures – An Applicant's Guide</u> before completing this application form?	X
Have you discussed your proposal with the local municipality and County Planning Staff?	X
12* copies of this form, completed and signed	X
5* copies of any information or reports that accompany the application	X
12* full size (approx 24" x 36") folded copies of the plan signed by the owner(s) and an Ontario Land Surveyor ( <i>Note: draft plan must indicate all items as required by Section 51(17) of the <u>Planning Act</u></i> )	X
6* reduced copies of the plan (no larger than 11" x 17")	X

### \* contact the Planning Department to confirm the number of required copies

Digital copies of the plan in .dwg AND .pdf formats	X
The application fee made payable by cheque to the 'Treasurer – County of Middlesex' (See page 10)	X

#### Forward to:

County of Middlesex  
Planning Department  
399 Ridout Street North  
London ON N6A 2P1

#### For Help You May Contact:

Planning Department  
phone (519)434-7321 fax (519)434-0638  
email: [planning@middlesex.ca](mailto:planning@middlesex.ca)

## Subdivision and Condominium Application Fee

Plan of Subdivision / Condominium Application	1-20 lots/units \$4000 21-50 lots/units \$5000 51+ lots/units \$6000	
Plan of Condominium Exemption, Conversion, Amalgamation, or Amendment to a Final Approved Plan	\$2500	
The applicant shall be required to reimburse the County for the fees and expenses, if any, of the County's peer review professionals related to technical studies determined necessary by the Director of Planning. Technical studies include, but are not limited to: engineering studies, hydrogeology studies, development assessment reports, soil studies and noise assessment studies.		
The applicant shall be responsible for all actual costs incurred by the County in relation to any Ontario Municipal Board activities unless the activities are as a result of an appeal by the applicant.		
It is noted that the local municipality and the conservation authority may also collect fees associated with their review of applications. It is the applicant's responsibility to pay any such fees.		
Where a plan of subdivision / condominium application includes future development blocks, the lots/units for the development shall be equivalent to the anticipated future development yield for those blocks.		

## Appendix B

### Provincial Policy Statement Policies

## Part V: Policies

### 1.0 Building Strong Healthy Communities

Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Accordingly:

#### 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- 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;
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

- 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

### 1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

- 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;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and
- g) are *freight-supportive*.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 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.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 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.
- 1.1.3.8 A planning authority may identify a *settlement area* or allow the expansion of a *settlement area* boundary only at the time of a *comprehensive review* and only where it has been demonstrated that:
  - a) sufficient opportunities to accommodate growth and to satisfy market demand are not available through *intensification*, *redevelopment* and *designated growth areas* to accommodate the projected needs over the identified planning horizon;
  - b) the *infrastructure* and *public service facilities* which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;
  - c) in *prime agricultural areas*:
    - 1. the lands do not comprise *specialty crop areas*;
    - 2. alternative locations have been evaluated, and



- i. there are no reasonable alternatives which avoid *prime agricultural areas*; and
  - ii. there are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
- d) the new or expanding *settlement area* is in compliance with the *minimum distance separation formulae*; and
- e) impacts from new or expanding *settlement areas* on agricultural operations which are adjacent or close to the *settlement area* are mitigated to the extent feasible.

In undertaking a *comprehensive review*, the level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal.

1.1.3.9 Notwithstanding policy 1.1.3.8, municipalities may permit adjustments of *settlement area* boundaries outside a *comprehensive review* provided:

- a) there would be no net increase in land within the *settlement areas*;
- b) the adjustment would support the municipality's ability to meet *intensification* and *redevelopment* targets established by the municipality;
- c) *prime agricultural areas* are addressed in accordance with 1.1.3.8 (c), (d) and (e); and
- d) the *settlement area* to which lands would be added is appropriately serviced and there is sufficient reserve *infrastructure* capacity to service the lands.

## 1.1.4 Rural Areas in Municipalities

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

1.1.4.1 Healthy, integrated and viable *rural areas* should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets;
- b) promoting regeneration, including the redevelopment of *brownfield sites*;
- c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
- d) encouraging the conservation and *redevelopment* of existing rural housing stock on *rural lands*;
- e) using rural *infrastructure* and *public service facilities* efficiently;

## 1.2.6 Land Use Compatibility

- 1.2.6.1 *Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
- 1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:
- a) there is an identified need for the proposed use;
  - b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
  - c) *adverse effects* to the proposed *sensitive land use* are minimized and mitigated; and
  - d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

## 1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
  - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
  - c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
  - d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
  - e) ensuring the necessary *infrastructure* is provided to support current and projected needs.

## 1.4 Housing

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 suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

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* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

## 1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
- c) providing opportunities for public access to shorelines; and
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

## 1.6 Infrastructure and Public Service Facilities

1.6.1 *Infrastructure* and *public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

1.6.2 Planning authorities should promote *green infrastructure* to complement *infrastructure*.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:
- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
  - b) opportunities for adaptive re-use should be considered, wherever feasible.
- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.
- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

## **1.6.6 Sewage, Water and Stormwater**

- 1.6.6.1 Planning for *sewage and water services* shall:
- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
    - 1. *municipal sewage services* and *municipal water services*; and
    - 2. *private communal sewage services* and *private communal water services*, where *municipal sewage services* and *municipal water services* are not available or feasible;
  - b) ensure that these systems are provided in a manner that:
    - 1. can be sustained by the water resources upon which such services rely;
    - 2. prepares for the *impacts of a changing climate*;
    - 3. is feasible and financially viable over their lifecycle; and
    - 4. protects human health and safety, and the natural environment;
  - c) promote water conservation and water use efficiency;
  - d) integrate servicing and land use considerations at all stages of the planning process; and
  - e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where *municipal sewage services* and *municipal water services* are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.
- 1.6.6.2 *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. Within *settlement areas* with existing *municipal sewage services* and *municipal water services*, *intensification* and *redevelopment* shall be promoted wherever feasible to optimize the use of the services.

1.6.6.3 Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.

1.6.6.4 Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In *settlement areas*, *individual on-site sewage services* and *individual on-site water services* may be used for infilling and minor rounding out of existing development.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the character of rural *settlement areas*. Where planning is conducted by an upper-tier municipality, the upper-tier municipality should work with lower-tier municipalities at the time of the official plan review or update to assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on the environmental health and the desired character of rural *settlement areas* and the feasibility of other forms of servicing set out in policies 1.6.6.2 and 1.6.6.3.

1.6.6.5 *Partial services* shall only be permitted in the following circumstances:

- a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
- b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

Where *partial services* have been provided to address failed services in accordance with subsection (a), infilling on existing lots of record in *rural areas* in municipalities may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*. In accordance with subsection (a), the extension of *partial services* into *rural areas* is only permitted to address failed *individual on-site sewage* and *individual on-site water services* for existing development.

1.6.6.6 Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services*. The determination of

sufficient *reserve sewage system capacity* shall include treatment capacity for hauled sewage from *private communal sewage services* and *individual on-site sewage services*.

1.6.6.7 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 increases 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) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

## 1.6.7 Transportation Systems

- 1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- 1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
- 1.6.7.3 As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.
- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

## 1.6.8 Transportation and Infrastructure Corridors

- 1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
- 1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.
- 1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.
- 1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

## **1.6.9 Airports, Rail and Marine Facilities**

- 1.6.9.1 Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
  - a) their long-term operation and economic role is protected; and
  - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.
- 1.6.9.2 *Airports* shall be protected from incompatible land uses and development by:
  - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
  - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
  - c) discouraging land uses which may cause a potential aviation safety hazard.

## **1.6.10 Waste Management**

- 1.6.10.1 *Waste management systems* need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives.

*Waste management systems* shall be located and designed in accordance with provincial legislation and standards.



## **1.6.11 Energy Supply**

- 1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

## **1.7 Long-Term Economic Prosperity**

- 1.7.1 Long-term economic prosperity should be supported by:
- a) promoting opportunities for economic development and community investment-readiness;
  - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
  - c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
  - d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
  - e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
  - f) promoting the redevelopment of *brownfield sites*;
  - g) providing for an efficient, cost-effective, reliable *multimodal transportation system* that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
  - h) providing opportunities for sustainable tourism development;
  - i) sustaining and enhancing the viability of the *agricultural system* through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the *agri-food network*;
  - j) promoting energy conservation and providing opportunities for increased energy supply;
  - k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
  - l) encouraging efficient and coordinated communications and telecommunications infrastructure.

## **1.8 Energy Conservation, Air Quality and Climate Change**

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
- d) focus freight-intensive land uses to areas well served by major highways, *airports, rail facilities and marine facilities*;
- e) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
- f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and *green infrastructure*; and
- g) maximize vegetation within *settlement areas*, where feasible.

## Appendix C

### County of Middlesex - Official Plan Policies

#### **2.2.4.5 Hazard Policies**

Development on, abutting or adjacent to lands affected by former mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known hazards are underway or have been completed.

Contaminated sites discovered during the planning or implementing of a development proposal will be restored as necessary prior to any activity associated with a development proposal continuing.

#### **2.2.5 Cultural Heritage & Archaeology**

This Plan supports the conservation of the County's archaeological cultural and built heritage resources. Development and site alteration on or adjacent to lands containing archaeological resources and/or significant built heritage resources shall maintain the heritage integrity of the site.

### **2.3 GROWTH MANAGEMENT**

#### **2.3.1 Introduction**

Growth Management is the second theme area of the Official Plan Policy Framework. It recognizes that the County will experience population and employment growth and redistribution over the planning period. This growth is important to the residents and to the future of the County and its constituent municipalities. Growth must be managed to minimize adverse impacts on the Natural System and agriculture and be phased to coincide with the availability of appropriate types and levels of services.

The Growth Management policy framework recognizes the need to provide for some growth in each local municipality. However, Settlement Areas have been established in keeping with the Resource Management and Physical Services and Utilities policies established in Sections 2.2 and 2.4. These priorities are essential for the long-term protection of the Natural System and agricultural land and the logical provision of services.

The Growth Management Hierarchy outlined in Section 2.3.2 is designed to provide opportunities for environmentally responsible growth which avoids conflicts with natural heritage features and hazards and the agricultural community. The Hierarchy also attempts to provide a degree of lifestyle choice to the residents of Middlesex County. Consequently, different levels of growth are anticipated in different areas of the County.

Urban development is the focus for future population growth. The County shall direct the majority of growth to designated settlement areas, in accordance with the Growth Management Hierarchy. In agricultural areas, development by consent will be limited and shall only take place in accordance with the consent policies set out in Section 4.5.3.

In order to provide guidance in the implementation of the Growth Management policy framework, the following Growth Management Hierarchy has been established. The hierarchy builds on the framework of existing towns, villages, and hamlet communities. It is intended to promote healthy, diverse communities where County residents can live, work and enjoy recreational opportunities. In addition, the Hierarchy recognizes that growth will require investment in infrastructure. Every attempt should be made to make efficient use of existing infrastructure while creating and/or protecting opportunities for future infrastructure needs, as established in the Comprehensive Water Servicing Study prepared by Dillon Consultants, 1996, and Settlement Capability Reports completed in support of establishing the extent of Settlement Areas in local Official Plans. Whenever possible future development should proceed based on the provision of full municipal services. In all cases the amount, location and timing of development shall be dictated by the nature and availability of services necessary to support that development.

### 2.3.2 Growth Management Hierarchy

The Growth Management Hierarchy shall consist of the following types of Settlement Areas:

- Urban Areas
- Community Areas
- Hamlets in Agricultural Areas

Establishment of a Settlement Area shall be in accordance with the following criteria:

- a) **Urban Areas** shall demonstrate the potential to accommodate future growth through population projections and must either have full municipal services or demonstrate the potential to provide full municipal services, through a master servicing component of settlement capability report and/or completion of an Environmental Assessment (EA), pursuant to the Environmental Assessment Act.
- b) **Community Areas** shall demonstrate the potential to accommodate future growth through population projections, must currently serve a community function and must demonstrate the potential to provide a level of service necessary to support future growth through a master servicing component of a Settlement Capability Report and/or completion of an Environmental Assessment (EA) pursuant to the Environmental Assessment Act.
- c) **Hamlets in Agricultural Areas**, in the context of the Growth Management Hierarchy shall include existing locally designated hamlets not identified as Urban Areas or Community Areas. It is assumed that municipal services will not be provided in these areas and therefore future growth shall be commensurate with that level of service.

It is the goal of this Plan that future development within settlement areas proceed on the basis of full municipal services. Other methods of servicing (partial services) may be permitted on an interim basis where proper justification is provided.

Advancement within the Growth Management Hierarchy of this Plan, in keeping with the criteria established above, shall not require an amendment to this Plan unless such advancement is deemed to alter the County Growth Management Strategy.

### **2.3.3 Forecasting Growth**

In order to establish a basis for designating sufficient land area for future growth, determining housing needs, determining future transportation requirements, and establishing priorities for municipal infrastructure in the County, population projections have been prepared for the planning period. These projections are intended to be used by the County and local municipalities as a guideline for managing growth and will be monitored throughout the planning period. It is not the intention of this plan that the population projections presented in Appendix B be incorporated into local Official Plans; however, when local Official Plans are updated or when applications which propose significant additional growth are considered, the projections presented in Appendix B should be used as a guideline for future growth and development.

The population projection, shown in 5 year increments, for the County is 71,502 (2006), 75,399 (2011), 78,558 (2016), 81,791 (2021) and 88,896 (2026). Detailed projections for the County and for each local municipality are included in Appendix B.

Changes to the population projections will not require an amendment to the Plan.

Given that the projections are influenced by many factors external to the County, prudence should be exercised when assessing specific development proposals in the context of these projections.

It is the intention of this Plan to ensure that adequate lands be available to accommodate the projected growth but that over commitments that would waste land and resources be avoided. Effective phasing of growth will be required to make the best use of existing infrastructure as well as ensure the logical extension of services in the future.

In 2005, it was determined that sufficient vacant land for residential and commercial development was designated in local official plans to accommodate the anticipated growth in the County over the planning period. Further, based on anticipated growth patterns, the existing designated land was located in the appropriate Settlement Areas. However, unanticipated circumstances may result in alterations to the expected growth patterns during the planning period thus requiring the designation of additional land for development. It is the intention of this Plan to use the population projections presented in Appendix B as a guide to the County's future growth and development. If over the planning period, a local municipality can not absorb the population projections outlined, nothing in this Plan shall restrict other municipalities from accommodating that growth, provided the appropriate services can be provided.

**2.3.4 Economic Development**

Economic development is an important component of the County's Growth Management policy framework. Many long-term goals and objectives depend on economic activity and the opportunity for residents to live and work in the County.

Agriculture has been an economic mainstay in the County for many years and will continue to evolve as changes to the agricultural industry take place. In this time of change it is important that the County develop diversity in its economic base. The policies of this Plan are intended to protect the agriculture community while fostering new economic development opportunities. Through the policies of this plan the County will;

- a) monitor the supply of employment land to ensure that a sufficient supply is available throughout the County and particularly in those municipalities with access to provincial highways and major arterial roads;
- b) cooperate with local municipalities, the business community and other agencies to ensure that employment centres are served by modern infrastructure systems including road, rail, and telecommunications networks;
- c) encourage local municipalities to provide a balanced mix of housing to ensure a sufficient labour force and reduce the need for commuting;
- d) encourage local municipalities to promote a high standard of urban design to create healthy communities which attract investment;
- e) support local municipalities to promote economic development opportunities adjacent to Provincial 400 series highways where justified through an amendment to the local official plan; and,
- f) support the retention of educational, health, cultural and religious facilities to ensure that the County's communities are provided with those opportunities that facilitate growth and well-being. Such facilities provide a vital role in small communities and add economic vitality and a sense of place where quality of life is considered a major attraction for growth and development.

**2.3.5 General Policies**

The policies of this Plan are intended to promote communities that are diverse and have a sense of place. Lifestyle choice, economic vitality and protection of the natural environment are important components of the Growth Management policies.

Lands which are currently designated for development in local official plans are anticipated to be adequate to meet the growth projections for the planning period. New lot creation in Agricultural Areas will only be permitted in accordance with Section 4.5.3.

The policies are structured to ensure that the local municipalities have adequate opportunity to plan for growth while recognizing the need to: protect agricultural land and natural resources; prevent land use conflicts; and provide services commensurate with the level of growth anticipated.

Growth shall be directed to the Settlement Areas conceptually identified on Schedule A.

Local municipalities shall define the limits of Settlement Areas in their official plans. Where a Settlement Area is not an incorporated municipality the limit of the Settlement Area shall be the urban development boundary established in the local Plan.

Local municipalities shall develop Growth Management Strategies and Settlement Capability Studies as parts of their official plans to rationalize the type, amount, location and timing of growth and development and to establish the basis for the provision of the services and the necessary infrastructure.

Prior to the expansion of the limits of an existing Settlement Area, the local municipality shall prepare a Comprehensive Review including, the appropriate background information necessary to justify the expansion. The background information should address:

- (a) population and employment projections;
- (b) the need for expansion relative to land availability in other areas of the municipality;
- (c) intensification and redevelopment capabilities;
- (d) impact on the Natural System, aggregate, mineral and petroleum resources, and agriculture;
- (e) availability of servicing;
- (f) whether the lands are specialty crop areas; and
- (g) alternative locations that avoid prime agricultural lands and alternative locations on lower priority agricultural lands in prime agricultural areas.

Local municipalities, through their official plans or secondary plans, shall prepare detailed policies to guide redevelopment of areas in transition or land that is under utilized.



**2.3.6 Settlement Capability Study**

A Settlement Capability Study shall be prepared as part of a Comprehensive Review in support of the expansion of existing Settlement Areas. Expansion is deemed to be development beyond the Settlement Area boundary, established in the local official plan, as of the date of passing of this Plan. The Settlement Capability Study shall be completed to the satisfaction of the County in consultation with the Province and shall include the following:

- a) an analysis of the hydrology and hydrogeology of the area to determine the capability of surface and groundwater resources to provide sufficient quantity and quality of water supply on a sustainable basis;
- b) an assessment of the impact of future development on existing groundwater quantity and quality and on existing sources of drinking water, including municipal, communal and private wells;
- c) an assessment of the long-term sustainability of the soil, hydrologic and hydrogeologic conditions to accept sewage effluent;
- d) an identification of any existing restrictions to future development;
- e) an assessment of surface drainage;
- f) an assessment of the impact of new growth on the Natural System;
- g) an assessment of traffic and transportation services and needs; and
- h) an assessment of the existing servicing systems and their condition.

**2.3.7 Housing Policies**

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. These policies may be elaborated upon within local municipal official plans.

The County supports:

- a) intensification and redevelopment, primarily within Settlement Areas, and in other areas where an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of Section 2.3.6. In this regard, the County will require that 15 percent of all development occur by way of intensification and redevelopment;
- b) the provision of alternative forms of housing for special needs groups, where possible;

- c) the maintenance and improvement of the existing housing stock. This shall be encouraged through local maintenance and occupancy standards by-laws;
- d) the utilization of available programs and/or funding, if any, from applicable levels of government for assisted housing for households, including those with special needs, as well as programs to rehabilitate older residential areas; and
- e) housing accessible to lower and moderate income households. In this regard the County will require that 20 percent of all housing be affordable. In the case of ownership housing the least expensive is considered to be housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area. This 'benchmark' purchase price figure for 2005 is \$195,845 in the Middlesex regional market area. This 'benchmark' figure will change over time as a result of fluctuating mortgage costs, utility rates, and the vagaries of the housing market over which the County has no control. The County will; however, monitor the 'benchmark' on an annual basis.

In addition, the following policies shall apply:

- Councils of the local municipalities are encouraged to keep a housing inventory outlining the mix of housing by both type and tenure to reinforce the County housing policies.
- In the preparation of local official plans, Councils of local municipalities shall include policies and designations to implement the policies of this Plan, and the following:
  - i) appropriate criteria for intensification and redevelopment including site plan provisions, locational and land use compatibility criteria;
  - ii) policies to permit the conversion of larger single detached dwellings into multiple units;
  - iii) policies to preserve, improve, rehabilitate or redevelop older residential areas; and
  - iv) policies which permit, subject to appropriate criteria and conditions, apartments in houses.

#### **2.3.7.1 Adequate Supply of Land and Lots**

It is the goal of the County that at least a 3 year supply of draft approved and registered plans of subdivision lots be maintained, based on the consumption rates of the local municipalities. The County shall, in conjunction with the review of the County Official Plan, review the supply of vacant lots identified for residential development in draft approved and registered plans of subdivision and infill lots.

Every local municipality shall provide to the County, at least every five years, a summary of the supply of vacant land designated for future residential development to allow the County to ensure that at least a ten year supply of land designated for future residential development is maintained, based on the most recent population projections.

The County will, in co-operation with the local municipalities, monitor the consumption rates of residential lands and residential growth.

#### **2.3.7.2 *Number, Range and Mix of Housing Units***

Based on an overall permanent population increase of 17,394 people to the year 2026 and a projected average of 2.65 persons per unit, a total of approximately 6,560 additional residential units will be required throughout the County to house the increased population.

The mix of unit types and tenure shall be established by the local municipalities through their official plans. In the interim the following policies shall guide County Council and local Councils.

Local municipalities shall include policies in local official plans that will encourage a range of housing types, housing densities and housing options to meet the needs of their share of current and future County residents.

County Council encourages innovative housing and subdivision design and servicing standards as a means of reducing housing costs.

The County will permit prefabricated or portable manufactured housing units which meet the Ontario Building Code and/or Canadian Standards Association (CSA) Standards subject to policies of this Plan and the local official plan.

Local municipalities are encouraged to develop affordable housing targets that are generally consistent with the County's target which provides the opportunity for housing accessible to lower and moderate income households.

#### **2.3.7.3 *Intensification and Redevelopment***

The County and local municipalities shall support opportunities to increase the supply of housing through intensification and redevelopment in appropriate locations, taking into account municipal services, transportation and environmental considerations. Housing intensification and redevelopment shall include, but not be limited to:

- a) the conversion of single detached dwellings, in appropriate locations, into multiple residential units;
- b) the creation of new residential units on vacant or underdeveloped lands through infilling in Settlement Areas;
- c) the creation of residential units above compatible commercial uses;

- d) accessory apartments; and
- e) boarding and lodging houses.

County Council shall encourage residential intensification and redevelopment in areas designated for residential use which comply with the following criteria:

- the physical potential of the existing building stock or sites can accommodate the identified forms of residential intensification;
- the existing or planned physical services can support new households in the area; and
- physical compatibility with the existing built form;

Local official plans shall consider site specific characteristics for neighbourhood compatibility in order to address matters related to the physical character of redevelopment projects. Such matters as building height, lot coverage and parking, should be addressed in local official plans to guide the approval of zoning, site plans, and/or minor variances which occur as a result of intensification and redevelopment projects.

#### **2.3.7.4 Implementation**

The County shall, within its legislative authority:

- support increased residential densities, adequate land supply and residential intensification and redevelopment; and
- support new and innovative planning and servicing standards.

#### **2.3.8 Settlement Areas**

The local municipality shall have the primary responsibility for detailed planning policy within the Settlement Areas, and those locally designated hamlets which form part of the Agricultural Area, as shown on Schedule A.

Urban Areas and Community Areas shall be the focus for future growth including residential, commercial and industrial development. These areas are characterized by a range of land uses and have full services or where warranted, partial services, as described in Section 2.3.2. Designated Hamlets in Agricultural Areas may accommodate a limited amount of the anticipated County growth and development.

**2.3.8.1 Urban Areas**

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.

Where there is substantial vacant land between the built-up area and the Urban Area boundary, the local municipality shall ensure that development proceeds in a logical, phased manner.

Proposals to expand the boundary of an Urban Area as included in the local Official Plan shall require a comprehensive review and may require an amendment to the County Plan if such expansion is deemed to alter the County's Growth Management Strategy.

**2.3.8.2 Community Areas**

Community Areas are intended to serve the surrounding Agricultural Areas as well as provide an alternative to city or Urban Area living. Community Areas serve a community function but provide a more limited range of land uses and activities than in Urban Areas. The concentration and intensity of development is intended to be lower than in Urban Areas.

While Community Areas are intended to accommodate a portion of the County's future growth, certain Community Areas may experience more or less growth because of servicing, environmental and/or economic circumstances.

New development in Community Areas is intended to take place on municipal or communal services; however, in areas where new development is proposed and municipal or communal services are not currently available or will not be available in the immediate future, development may proceed on other than full municipal services, on an interim basis, where provided for in a master servicing strategy component of a Settlement Capability Study or Environmental Assessment pursuant to the Environmental Assessment Act. Such development should not preclude the efficient use of land should full services become available in the future and all servicing studies shall consider all servicing options.

In considering development applications in Community Areas, the local municipality shall ensure that the character of the Community Area and cultural heritage resources of the area is protected.

Where new development is proposed on a site part of which is identified as a Natural Heritage Feature in the Plan, then such Feature shall not necessarily be acceptable as part of the dedication for park purposes required under the Planning Act. Where an open water course is dedicated to the municipality adequate space shall be provided for maintenance operations.

### **2.3.11 Natural Hazards**

No buildings or structures, nor the placing or removal of fill of any kind whether originating on the site or elsewhere, nor grading shall be permitted in an area subject to the Conservation Authorities Fill, Construction and Alteration to Waterways Regulations, except where such buildings, structures or fill are intended for flood or erosion control or maintenance and management of the natural environment, recreational purposes or non-residential accessory farm buildings such as a sugar shack; and are approved by the County and the Conservation Authority. Remedial works required to stabilize slopes adjacent to river and stream systems will require written approval from the Conservation Authority having jurisdiction.

## **2.4 PHYSICAL SERVICE & UTILITIES**

### **2.4.1 Introduction**

Physical Services and Utilities is the third theme area of the Official Plan Policy Framework. These policies include the supply and distribution of water, the collection and disposal of sewage, the disposal of solid waste, electric power transmission lines and transportation networks. While the County only has authority over County Roads, it recognizes the importance of the other facilities and systems to serve daily activity and future growth and development.

The policy framework for physical services and utilities focuses on ensuring that the necessary physical services and facilities are available throughout the County, in order to accommodate future growth and development, while ensuring that the provision of such services and utilities is in keeping with the policies of Resource Management and Growth Management found in Sections 2.2 and 2.3.

### **2.4.2 Transportation Network**

#### **2.4.2.1 *Transportation Hierarchy***

The transportation network within the County includes a system of roads, highways and railways that are owned and operated by the Federal Government, the Province, the County, local municipalities, the public and private agencies. Schedule "B" shows the County Transportation Network.

The County Road system provides inter-municipal service moving people and goods throughout the County. There is a need to plan the transportation network and specifically the County Road system in order to protect rights-of-way for future improvements and to recognize that there is a strong relationship between transportation and urban form.

### **Classification of Roads**

All roads within the County can be classified as follows:

- provincial freeways and highways;
- county roads; and
- local roads

#### **a) Provincial Highways**

Provincial Highways 401 & 402 are limited access freeways that traverse Middlesex County. They provide for the needs of high volume traffic and link the major market areas between the United States, Southern Ontario and Quebec.

Provincial Highways 4, 7, and 23, generally serve as arterial roads. Therefore, direct private access to such highways should be avoided. Any access to such highways will require the approval of the Province.

#### **b) County Roads**

County roads generally function as arterial or collector roads and direct private access is controlled through By-law #5783 for the County of Middlesex. The County road system provides for the efficient movement of traffic between provincial freeways and highways and local roads. The County shall discourage development which would inhibit traffic movement along the County road system. The cumulative impact of individual private accesses to the County Road system compromises the underlying function of this transportation network.

The nature of road traffic along County roads can have an impact on adjacent land uses. The volumes, speeds and types of traffic can be a nuisance especially in residential areas. On County arterial roads, where speeds and volumes are higher, mitigating measures that attenuate noise and vibration factors shall be utilized. For high volume arterial roads, access shall be strictly controlled and where such roads abut residential areas, reverse frontage (back lotting) is encouraged. Agricultural, industrial, commercial and open space land uses are considered to be appropriate land uses adjacent to arterial County roads.

**c) Local Roads**

Local roads move traffic from arterial and collector roads to abutting properties. Local roads are generally under the authority of local municipalities. Transportation policies should be included in local official plans to protect the integrity of the local municipality's transportation network. Based on the volumes, types, and nature of the traffic, municipal roads may be classified as arterial, collector or local roads in the local official plan.

**2.4.2.2 General Policies**

The County shall:

- a) Minimize conflict between local and non-local traffic by defining a hierarchy of roads within the County. This hierarchy shall support the Growth Management policies established in Section 2.3;
- b) Allocate resources to ensure the transportation system meets the needs of the road users and growth policies of the County;
- c) Encourage integration of transportation facilities provided by local municipalities, adjacent municipalities and the Province;
- d) Review road corridors, in consultation with local municipalities and the Province, to determine if a change in classification is necessary. Transfer of road jurisdiction to the County shall not require an amendment to the Plan;
- e) Encourage safe, convenient and visually appealing pedestrian facilities in Settlement Areas;
- f) Limit direct access to County Roads where access is available by a local road;
- g) Ensure that development proposals that are likely to generate significant traffic are accompanied by a transportation study addressing the potential impact on the transportation network and surrounding land uses;
- h) Encourage the conversion of abandoned railway rights-of-way back to private ownership or to other appropriate public uses;
- i) Ensure where possible, compatible land uses adjacent to railway corridors and rail terminal facilities. New development may be required to provide appropriate safety measures such as setbacks, intervening berms, security fencing and noise and vibration studies satisfactory to the local municipality and in consultation with the railway company; and



- j) Address the matter of cross boundary traffic with the City of London, adjacent Counties and municipalities by establishing a planned network of roads which considers and coordinates the road hierarchy across municipal boundaries.

#### **2.4.2.3 County Roads Right-of-Way Widths**

The following County Road minimum rights-of-way widths shall apply:

- |    |  |                             |
|----|--|-----------------------------|
| a) | Arterial roads   | 36-metre right-of-way width |
| b) | Collector roads  | 30-metre right-of-way width |
| c) | Arterial roads constructed to an urban standard within Settlement Areas  | 30-metre right-of-way width |
| d) | Collector roads constructed to an urban standard within Settlement Areas | 26-metre right-of-way width |

Where road right-of-way widths are less than those described above, the County may require, as a condition of consent, the dedication of lands for road widening purposes. In addition, road widening may be required as a condition of development pursuant to Section 41 of the Planning Act and Section 4.5.2 of this Plan. Right-of-way widths as described above are the largest widenings that may be obtained as a condition of development. Where County roads rights-of-way are less than those described, widenings may be taken equally from both sides of the road as measured from the centre line of the original road allowance. Where topographical features or other situations necessitate a larger widening on one side, no more than 50% of the required widening shall be required through site plan control.

#### **2.4.2.4 County Road Setbacks**

Generally, the following minimum setbacks shall apply where a building or structure is to be erected on a lot adjacent to a County road:

- |    |   |  |
|----|---|--|
| a) | arterial roads  | 38 metres from the centre line   |
| b) | collector roads   | 33 metres from the centre line   |
| c) | arterial and collector road located within urban, community and hamlets in agricultural areas | setback requirement stipulated in the local zoning by-law  |
| d) | open storage on a lot which abuts or fronts on a County road                                  | setback shall be equal to the main building setback on the lot stipulated in the local zoning by-law |

#### **2.4.2.5 Access to County Roads**

Access to any County road shall require the approval of the County Roads Department and will be subject to By-law #5783 of the County of Middlesex for access permits. The location of access driveways should not create a traffic hazard due to concealment by a curve, grade or other visual obstructions. Access driveways should be limited in number and designed to minimize the danger to vehicular and pedestrian traffic in the vicinity.

In order to maintain an effective and efficient transportation network, access to county roads will be strictly enforced. In this regard, any new development proposed adjacent to a county road will require the approval of the County Roads Department.

#### **2.4.3 Communication and Transmission Infrastructure**

The location of communication and transmission infrastructure can have a significant impact on the Natural System as well as the built environment. It is important that these facilities be designed and located to minimize negative impacts wherever possible.

##### **2.4.3.1 General Policies**

The County shall:

- a) Cooperate with local municipalities, the business community and other agencies to establish high quality electronic communication networks including fibre optics, and telecommunications;
- b) Ensure all communication corridors and transmission facilities are constructed, either above ground or underground to minimize the physical, visual and social impacts on the community and natural environment;
- c) Ensure, where possible, shared rights-of-way and/or existing transportation and utility corridors shall be used in order to reduce impacts on the community and natural environment;
- d) Ensure facilities are located to avoid the Natural System, where possible, and minimize the impact on Agricultural Areas. Where facilities must be located in these areas, consideration shall be given to the environmental implications associated with the development;
- e) Ensure that in Settlement Areas facilities are located underground or constructed with aesthetically pleasing towers;
- f) Encourage construction of facilities to be timed to minimize crop losses;
- g) Ensure the crossing of County Roads or road rights-of-way are approved by the County;

## 2.4.5 Sanitary Sewers and Water

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. Where partial municipal services are considered the supporting studies shall address all servicing options.

### 2.4.5.1 General Policies

The County shall:

- a) Encourage development on municipal water and sanitary sewer systems. Where local municipalities do not provide or demonstrate a strong potential to provide full municipal water and sewage treatment facilities, development other than infilling will require a Settlement Capability Study as outlined in Section 2.3.6;
- b) Encourage local municipalities with water and sanitary sewage systems to monitor treatment capacities and operational effectiveness and to provide such information to the County at least every five years;
- c) Encourage improvement of existing systems and the installation of new systems in Settlement Areas throughout the County, where technically and financially feasible;
- d) Cooperate with local municipalities, the Province and other public and/or private partners to negotiate innovative arrangements for the provision of water and sanitary sewage systems in the County;
- e) Require site specific development proposals to be accompanied by an evaluation of servicing options within the Settlement Areas. The evaluation shall address the County's preferred servicing hierarchy:
  - i) extension from existing municipal system
  - ii) extension from existing communal system
  - iii) new municipal or communal system
  - iv) individual septic systems and private wells
- f) Evaluate local municipality needs for assistance with respect to the provision of water and sanitary sewage systems in accordance with the Growth Management framework established in Section 2.3;

- g) Encourage the proper maintenance of private sewage treatment systems in the County in order to protect and improve ground and surface water quality and avoid system malfunctions and failures;
- h) Encourage the correction of failed systems;
- i) Encourage and promote the use of technological and other system improvements which may help achieve reduced volumes and/or improved quality of effluent; and
- j) Encourage local municipalities to implement suitable and economically viable methods of reducing urban storm water runoff and to improve its quality in the furtherance of the Resource Management policies of this Plan.

## **2.4.6 Alternative & Renewable Energy Systems**

The County shall encourage the development of alternative and renewable energy systems, as a source of energy for the economic and environmental benefit of Middlesex County and the Province of Ontario. These systems significantly reduce the amount of harmful emissions to the environment when compared to conventional energy systems. The County encourages the use of wind, water, biomass, methane, solar and geothermal energy.

### **2.4.6.1 Wind Energy Generation Systems**

The County supports the development of Wind Energy Generation Systems (WEGS) due to its increasing recognition as a viable alternative energy source. These policies are intended to accommodate such systems at both small and commercial scales.

Small Wind Energy Generation Systems (SWEGS) generally produce electricity only for the on-site domestic consumption of the property owner. The establishment of a SWEGS is generally considered to be an accessory use to the principle use of the property and therefore may be permitted, subject to the provisions of the municipal zoning by-law.

Commercial Wind Energy Generation Systems (CWEGS) are a more intensive land use and usually comprise more than one generating unit. CWEGS are intended to be connected to the provincial electrical transmission grid. The establishment of a CWEGS will not require an amendment to this Plan. The establishment of a CWEGS may require an amendment to the local official plan.

As it relates to the establishment of CWEGS, the County shall:

- a) Support the use of Site Plan Control for the location of road access, parking, accessory buildings, vegetative buffers, location of external facilities, storm water management / drainage and any other identified impact mitigation measures.

## **3.0 DETAILED LAND USE POLICIES**

### **3.1 INTRODUCTION**

The detailed policies of this Plan apply to the lands designated on Schedule A. These policies shall be read and interpreted in conjunction with the Policy Framework established in Section 2, the policies of Sections 4 and 5 and Schedules A and C.

The detailed land use policies provide specific direction for growth and development within the County. Additional policy direction is provided through the local official plans.

The specific land use designations established through the policies of this Section include:

- Settlement Areas;
- Agricultural Areas; and
- Natural Environment Areas.

Any development on lands identified on Schedule A of this Plan must conform to the policies associated with the particular land use designation.

### **3.2 SETTLEMENT AREAS**

#### **3.2.1 Introduction**

The Growth Management policies of this Plan, presented in Section 2.3, direct a significant portion of the County's future growth to Settlement Areas in order to:

- protect Agricultural Areas;
- protect the Natural System; and
- promote efficient use of water and sewage services.

The Settlement Area designation is comprised of two policy sections: Urban Areas, Community Areas. The criteria for establishment of Urban and Community Areas and the policy framework for these Areas are set out in Section 2.3. Detailed land use Policies related to Hamlets can be found in Section 3.3, Agricultural Areas.

#### **3.2.2 Development Policies**

New development in Settlement Areas is encouraged to proceed by Plan of Subdivision. Development by consent will be considered only in accordance with Section 4.5.3.

A Settlement Capability Study, as outlined in Section 2.3.6, shall be prepared in support of any new development in a Settlement Area which does not provide full municipal water and sanitary sewer systems.

- i) municipal services;
- j) transportation;
- k) economic development; and
- l) other issues unique to the Settlement Area.

Local official plans shall contain, as a minimum, implementation policies dealing with the following issues:

- Amendments to the local Official Plan;
- Comprehensive Zoning By-laws and amendments;
- Minor variances;
- Non-conforming and non-complying uses;
- Plans of Subdivision;
- Site Plan Control;
- Consents;
- Property maintenance and occupancy standards;
- Public consultation;
- Servicing and phasing;
- Relationship to the County Official Plan; and
- Other by-laws pursuant to the Planning Act.

Secondary plans may be prepared as part of the local official plan to provide greater detail regarding land uses and specific development policies unique to each Settlement Area.

### **3.2.4 Urban Areas**

#### **3.2.4.1 *Permitted Uses***

The local official plans shall provide detailed land use policies for the uses permitted in Urban Areas. These uses shall include:

- a) A variety of housing types;
- b) Commercial uses;
- c) Industrial uses;
- d) Community Facilities;

- e) Natural System elements;
- f) Recreation and Open Space, including active and passive recreation activities; and
- g) Other specific land use designations necessary to reflect the unique needs and character of each Urban Area.

New livestock operations shall not be permitted in Urban Areas. No expansion of existing livestock operations shall be permitted beyond the existing requirements of the Minimum Distance Separation Formula II.

### **3.2.5 Community Areas**

#### **3.2.5.1 Permitted Uses**

- a) A variety of housing types;
- b) Commercial uses primarily serving the day-to-day needs of the residents of the community;
- c) Dry industrial uses;
- d) Community facilities;
- e) Recreation and Open Space, including active and passive recreation activities; and
- f) Other specific land use designations necessary to reflect the unique needs and character of the Community Area;
- g) Natural System elements

New livestock operations shall not be permitted in Community Areas. No expansion of existing livestock operations shall be permitted beyond the existing requirements of the Minimum Distance Separation Formula II.

### **3.3 AGRICULTURAL AREAS**

#### **3.3.1 Introduction**

The purpose of the Agricultural Areas designation is to protect and strengthen the agricultural community, a major economic component within the County, while recognizing the potential for a limited amount of development in existing locally designated hamlets. The Agricultural Areas policies protect agricultural lands from the intrusion of land uses that are not compatible with agricultural operations. These incompatible uses are most frequently identified as non-farm related residential dwellings on small lots. As a result, this Plan contains policies that limit the creation of new lots in Agricultural Areas.

#### **4.3 LOCAL OFFICIAL PLANS**

It is the intent of the County, and a requirement of the Planning Act that local official plans shall conform to the County Plan and be one of the primary means of implementing the policies herein.

It is recognized, however, that some time may elapse between the adoption of the Plan and the modification of the local official plans to ensure conformity. The modifications may be part of the statutory review process, as defined under the Planning Act. In the event of a conflict between the provisions of a local official plan and the provisions of this Plan in the interim period, the provisions of this Plan shall prevail to the extent of that conflict.

Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan. In addition, it is not the intention of this Plan to prevent the development of areas designated for non-agricultural development in local Official Plans, as of the date of passing of this Plan.

#### **4.4 LOCAL ZONING BY-LAWS**

When this Plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to the Planning Act.

The Amendments to the zoning by-laws should occur after the local official plan has been amended to conform to this Plan.

Notwithstanding the above, this Plan is not intended to prevent the continuation, expansion, or enlargement of uses which do not conform to the designations and provisions of this Plan. At their sole discretion, Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses:

- a) have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan;
- b) have regard for the MDS Formula as amended from time to time, if applicable; and
- c) are subject to any conditions that may be contained in a local official plan.

#### **4.5 DEVELOPMENT APPLICATIONS**

##### **4.5.1 Plan of Subdivision**

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.

#### **4.5.2 Site Plan Control**

County Council shall encourage the use of site plan control provisions of the Planning Act, to implement the policies and provisions of this Plan and the local official plans, and to coordinate and enhance the physical development of the local municipality.

Provisions for site plan control shall be detailed in the local official plans.

#### **4.5.3 Consent**

##### **4.5.3.1 Introduction**

The approval of consents to sever land in Middlesex County shall be in conformity with the relevant policies contained in this Plan, policies contained in local official plans, and the provisions of the Planning Act. Under no circumstances shall consents be granted for approval that are contrary to the policies of this Plan or the local official plan.

A plan of subdivision under the Planning Act is generally required when any of the following occur:

- more than 3 lots (two severed and one retained) from a land holding are being created unless the local official plan contains policies regarding the number of lots required for a plan of subdivision.
- lots created require a new road for the provision of access.
- the provision or extension of municipal servicing (water and/or sewers, including communal servicing) is required; or
- other matters that may arise during the review of the development proposed.

## Appendix D

### Township of Lucan-Biddulph – Official Plan Policies

#### **2.1.4.2 Buffering and Screening Measures**

To ensure industrial development does not detract from or conflict with existing or planned residential development; adequate buffering, screening and/or setback measures will be required.

#### **2.1.5 RESIDENTIAL**

*Areas designated for existing and future residential purposes in the Village of Lucan include existing residential development as well as lands for accommodating future residential development. While residential development has been traditionally and continues to be primarily in the form of low-density single unit detached dwellings thereby contributing to the ‘small town’ residential character of the Village, a demand exists for other housing types to meet the socio-economic needs of the community.*

*Undeveloped lands designated for residential purposes lie adjacent to existing residential areas to ensure contiguous development and the cost-efficient extension of services. Within existing developed areas, opportunities exist for redevelopment and infilling.*

##### **2.1.5.1 Land Use**

Within areas designated ‘Residential’ on Schedule “A”, the primary use of land shall be for single unit detached dwellings. Other dwelling types are also permitted including semi-detached dwellings, duplex dwellings, converted dwellings, accessory apartments, townhouses and low-rise and small-scale apartment buildings. Secondary uses may also be permitted provided they complement and are compatible with these areas and do not detract from their predominantly residential character. These uses may include churches, schools, neighbourhood parks, nursing and rest homes, and home occupations. The actual uses permitted shall be specified in, and regulated by the Zoning By-law.

##### **2.1.5.2 Scale, Density and Form**

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.

### **2.1.5.3 Plans of Subdivision**

In evaluating plans of subdivision, the following factors shall be taken into consideration:

- 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”;
- h) the requirements of Section 8.3.

### **2.1.5.4 Conversions**

The conversion of single unit dwellings to multiple unit residential dwellings may be permitted provided the following conditions are met:

- a) adequate size of individual dwelling units;
- b) adequate yards for outdoor, landscaped open space and on-site parking;
- c) compatibility with neighbouring dwelling types;
- d) maintenance of the quality of the streetscape.

### **2.1.5.5 Medium Density Housing**

Medium density residential development in the form of townhouses, apartments and other forms of multiple unit housing shall be encouraged to locate where direct or proximate access to arterial or collector roads is available; where proximity exists to commercial areas, schools, and/or parks and open space; and where municipal services are available or capable of being made available. Intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbouring development expected. Appropriate buffering and setbacks shall be provided where necessary to ensure compatibility. Standards regarding housing types, density, height, parking and landscaped open space shall be addressed in the Zoning By-law. Site plan control shall apply.

**2.1.5.6 Housing Mix**

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.

**2.1.5.7 Affordable Housing**

The Township shall encourage housing forms and densities designed to be affordable to moderate and lower income households. The County has set a target that 20 percent of all housing be affordable based on an annual benchmark. The County will monitor and provide this figure on an annual basis.

**2.1.5.8 Supply of Building Lots**

The Municipality will attempt to maintain at all times, subject to limitations imposed as a result of servicing constraints and market demand, a minimum 10 year supply of land designated and available for residential development and intensification, and a 3 year supply of residential building lots.

**2.1.5.9 Home Occupations**

Home occupations shall be permitted provided they remain clearly secondary to the main residential use and are situated entirely within a dwelling or an attached garage, provided they are engaged in only by those residing in the dwelling and provided they do not create a nuisance or potential nuisance or detract in any way from the residential character of the area. The range or type of home occupations permitted and the standards applying to them shall be set out in the Zoning By-law.

**2.1.5.10 Secondary Dwelling Units**

In the interest of increasing the number of affordable housing units within the Township, one secondary dwelling unit may be permitted, in addition to a proposed or existing single detached, semi-detached or townhouse dwellings where they are a permitted use in the Zoning By-law. Such unit may be located in the main building or within ancillary structures. The Zoning By-law shall have regard for the following requirements in order to permit such units:

- a) Parking,
- b) Yard requirements to ensure amenity space, and

- c) Minimum and maximum floor area.

#### **2.1.5.11 Intensification and Redevelopment**

The Township supports intensification and redevelopment, most notably within Settlement Areas, as well as in areas where the appropriate levels of servicing are or will be available. As a result, the Township requires that 15 percent of development occur by the way of intensification and redevelopment.

The Township shall encourage intensification and redevelopment within the Village of Lucan on vacant or underutilized sites in order to efficiently utilize designated settlement area land and available municipal services.

Residential intensification and redevelopment is subject to the following policies:

- a) Forms of residential intensification and redevelopment shall only be permitted based on the level of water and wastewater servicing that is available in the Village of Lucan.
- b) Residential intensification and redevelopment may take the form of multi-unit dwellings, dwelling conversion, street infilling, rear yard infilling, and infill subdivisions.
- c) Residential intensification and redevelopment may only occur to a maximum density which maintains the minimum lot areas permitted in the Zoning By-law, and/or is deemed suitable by the Township to satisfy the proposed water supply and wastewater disposal systems.
- d) When considering proposals for residential intensification and redevelopment, and in addition to all other applicable development criteria in the Official Plan, the Township will ensure that:
  - i. For dwelling conversions, the exterior design of the dwelling is compatible with the surrounding area in terms of height, bulk, scale, and layout;
  - ii. For street infilling, the proposal is consistent with the established building line and setbacks of the surrounding area.

- iii. For rear yard infilling, the siting of buildings and parking areas must be done in a way which minimizes the impacts on neighbouring rear yards; allows for direct vehicular access provided to a public street with sufficient width to allow efficient vehicular use, on-site snow storage, and access and turn-around by emergency vehicles.
- iv. For infill subdivisions, measures shall be considered, to buffer and screen the development from surrounding residential uses.

Proposals for residential intensification and redevelopment will not be supported if it is determined that the proposal cannot satisfy the above criteria.

## **2.1.6 MIXED-USE RESIDENTIAL**

*The 'Mixed-Use Residential' designation extends along Main Street beyond the downtown core. It constitutes primarily an established residential area where a limited amount of commercial development has occurred often through the conversion of single unit dwellings. While the area has lost a degree of its residential quality, it is attractive particularly to commercial uses seeking visibility to passing traffic, accessible on-street parking and residential style accommodation. Lying between lands designated 'Central Commercial' and 'Highway Commercial', it serves to strengthen the distinct identity of these two areas and maintain the compactness of the downtown core.*

### **2.1.6.1 Land Use**

Within areas designated 'Mixed Use Residential' on Schedule "A", the conversion of single unit detached dwellings to commercial uses will be permitted provided the residential character of the dwelling and the streetscape is maintained and compatibility with neighbouring residential uses is maintained. Typical uses include apartments, bed and breakfast establishments, business and professional offices, studios, funeral homes, day care centres, group homes and institutional uses. The actual uses permitted shall be specified in, and regulated by the Zoning By-law.

### **2.1.6.2 Maintaining the Residential Character**

The residential character of the area and the streetscape shall be retained. On-site parking shall be restricted and landscaped open space shall be significant. Signage will be subdued. Demolition of existing dwellings and replacement with commercially designed buildings and insensitive additions to existing dwellings will be discouraged.

## **2.1.9 ROADS**

*The Village of Lucan is serviced by system of arterial, collector and local roads under the jurisdiction of the Municipality, the County and the Province. The function of the system is to ensure the efficient flow of traffic through and throughout the Village and access to abutting properties. The general location of arterial, collector and local roads is shown on Schedule “A”.*

### **2.1.9.1 Arterial Roads**

The primary function of arterial roads is to carry large to moderate volumes of all types of traffic at medium speeds through the Village. Main Street (Richmond Street – Highway No. 4), which virtually bisects the Village, is the only designated ‘Arterial Road’. Although a Provincial Highway, it is designated a ‘connecting link’ within the former Village limits. Within this area, the Municipality has jurisdiction over entrances, signage and land use.

### **2.1.9.2 Collector Roads**

The primary function of ‘Collector Roads’ is to carry moderate volumes of traffic between arterial roads and local roads. Collector roads in the Village consist of William Street/ Alice Street (County Road No. 13) and Saintsbury Line (County Road No. 47).

### **2.1.9.3 Local Roads**

All public roads, other than ‘Arterial Roads’ and ‘Collector Roads’ are designated ‘Local Roads’. The primary function of local roads is to provide direct access to abutting properties and to serve destination as opposed to through traffic. Most local roads will either have an origin or destination along their length.

### **2.1.9.4 Private Roads**

The creation of private roads will only be permitted in accordance with the provisions of the Condominium Act where reconstruction and maintenance are clearly and fully the responsibility of a condominium corporation.



### **2.1.9.5 Road Allowances**

The required road allowance shall be determined by the authority having jurisdiction. Generally, all local roads will have a minimum road allowance of 20 metres in width. A road allowance width less than 20 metres for a local road may be considered based on the length of the street, its traffic carrying characteristics and the form of development being proposed.

### **2.1.9.6 Design and Construction**

Existing local roads will be redesigned and improved to current standards as conditions dictate and as funds permit. New local roads created as a result of a consent or plan of subdivision shall be designed and constructed to the standards of the Municipality prior to assumption. Where new local roads intersect Main Street, Saintsbury Line, and William Street – Alice Street, the location and design of intersections or intersection improvements shall be subject to the approval of the Ministry of Transportation and the County of Middlesex as the case may be.

## **2.1.10 PUBLIC WATER SUPPLY SYSTEM**

*The Village of Lucan is serviced by a system of watermains connected to a pumping station, situated west of the Village at the intersection of William Street (County Road No. 13) and Denfield Road (County Road No. 20). This station receives its water from the Lake Huron Water Supply System. A storage tower is located on the west side of Queen Street north of William Street. The current water supply system not only serves the Village but rural residences and establishments along William Street outside the Village. The design capacity of the system is equivalent to an estimated 6000 persons, based on a daily per capita consumption of 450 litres. Connection to the Lake Huron Water Supply System and abandonment of the former well system has eliminated a major constraint to development in the Village.*

### **2.1.10.1 Connection to the System**

All development, new and existing, shall be connected to and serviced by the public water supply system.

**2.1.10.2 Monitoring**

The Municipality will undertake the necessary monitoring and improvements to the water supply system to ensure the continued supply of an adequate, safe and secure supply of water to residents and establishments within the Village.

**2.1.11 PUBLIC SANITARY SEWAGE SYSTEM**

*Similar to the water supply system, the sanitary sewage system servicing the Village of Lucan has been recently and substantially up-graded by the construction of a sewage treatment plant located on the north side of Fallon Drive and a major pumping station on Chestnut Street. The design capacity of the system is equivalent to an estimated 3000 persons. The upgrading from the former lagoon-type system lifted a development 'freeze' previously imposed by the Ministry of Environment. The lagoons, situated north of the Village, remain as an effective and cost-efficient stand-by system in the event of a failure at the plant, which would require it to be shut down pending repairs.*

**2.1.11.1 Connection to the System**

All new development shall be connected to and serviced by the public sanitary sewage system. The Municipality will endeavour to connect all existing dwellings and establishments to the system as opportunities arise.

**2.1.11.2 Servicing Studies Required**

Outside the Benn/Whitfield Drainage Area (with the exception of the upper reaches of the Whitfield Drain), servicing studies will be required prior to development to determine the optimal location of a required pumping station capable of servicing additional development in that watershed and the routing of the required forcemain to a suitable outlet either at the main pumping station or to a trunk main with adequate design capacity.

**2.1.11.3 Future Improvements**

The Municipality will undertake, at the appropriate time, those engineering and environmental studies necessary to determine improvements required to the sanitary sewage system to service a population beyond 3000 persons.

## **2.1.12 STORMWATER MANAGEMENT**

*While the Village of Lucan lies within the watershed of the Little Ausable River, there are a number of subwatersheds within the Village, the largest being the Benn/Whitfield Drainage Area. Others include the Engel Drain, Hardy Drain and the Haskett Drain. A Master Drainage Plan has been prepared for the Benn/Whitfield Drainage Area.*

### **2.1.12.1 Master Drainage Plan**

The Municipality will require the preparation of a master drainage plan, satisfactory to the Ausable Bayfield Conservation Authority and the Ministry of Environment, before approving any plan of subdivision or other significant development in the watersheds associated with the Engel Drain, Hardy Drain and the Haskett Drain as shown on Schedule “A”.

When considering the development of stormwater management facilities, the following shall be planned for:

- a) Minimize, or, where possible, prevent increases in contaminant loads;
- b) Minimize changes in water balance or erosion;
- c) Not increasing risks to human health and safety and property damage;
- d) Maximize the extent and function of green infrastructure, including but not limited to, vegetative and pervious surfaces; and
- e) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

### **2.1.12.2 Watershed Boundaries**

Modifications to the boundaries of watersheds shown on Schedule “A” are anticipated as a result of minor re-grading to facilitate orderly development. Such modifications will be subject to the approval of the Municipality and the Ausable Bayfield Conservation Authority but will not require an amendment to this Plan.

## **2.1.14 ACTIVE TRANSPORTATION**

It is the policy of this Plan to support and encourage the development of trails on both public and private lands for both pedestrian and other non-motorized forms of transportation which are aimed at promoting public health through outdoor activities. The development of any such systems should be designed in a manner which promotes inclusivity and accessibility. It is intended that such systems would provide linkages to parks and recreation facilities, institutional facilities and, existing and proposed public or private trail systems, both locally and regionally. In addition, it is further the policy of this Plan to support and encourage the development of sidewalks for pedestrian movement within the Village of Lucan.

## **2.2 GRANTON**

*The Village of Granton, the second largest settlement after Lucan and the only other 'Settlement Area' formally recognized in the Township of Lucan Biddulph by the County of Middlesex Official Plan, is located in the east end of the Municipality. It functions primarily as a small rural dormitory/retirement community of single unit detached dwellings. Current population is in the order of 300 persons. Development of Granton occurred historically in a linear fashion along Main Street, also known as Granton Line (County Road No. 59), and to a lesser extent along the since abandoned (and now removed) CN railway.*

*The Village's commercial core has been virtually abandoned being adversely affected by expanding retail facilities in the north end of the City of London, improved transportation and a small population base. Relatively compact, it was not long ago that the core included several retail and service uses. While opportunities exist for revitalization through the reuse and redevelopment of vacant commercial space, a larger resident population is required to sustain economic viability.*

### **8.2.2 When Not Required**

Amendments to the Plan will not be required in order to make minor adjustments to the boundaries of land use designations and the location of roads provided the general intent and spirit of the Plan is maintained. Such adjustments need not be reflected on the schedules.

### **8.2.3 Five Year Review**

The Municipality shall, not less frequently than every five years from the date of adoption of the Plan, convene at least one special meeting of Council, open to the public, in accordance with the Planning Act, for the purpose of determining the need for any amendments or revisions to the Plan.

### **8.2.4 Comprehensive Review**

A comprehensive review will be undertaken towards the end of the planning period unless circumstances warrant an earlier review including settlement boundary adjustments and employment land conversions. Studies in support of such a review may range in complexity based on the proposal and shall be conducted in accordance with the policies of the Provincial Policy Statement 2014.

## **8.3 PLAN OF SUBDIVISION/CONDOMINIUM**

Approval of a plan of subdivision by the Municipality shall be subject to the following criteria being satisfied:

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

- c) whether with the general intent and purpose of the Zoning By-law are maintained;
- d) whether the variance is desirable for the appropriate use and development of the lands and neighbouring lands;
- e) whether compliance with the Zoning By-law would be unreasonable, undesirable or would impose undue hardship;
- f) whether the variance would result in a substantial detriment, hazard or nuisance that would detract from enjoyment, character or use of neighbouring lands.

In granting applications for minor variances, conditions may be imposed where the Committee deems it advisable to ensure the intent of the above-noted criteria are satisfied or will be satisfied.

## **8.9 INTERIM CONTROL**

Where the Municipality has directed that a review or study be undertaken in respect of the land use planning policies for any area in the Township, the Municipality may adopt an interim control by-law to prevent the potentially inappropriate development or use of land pursuant to the Planning Act. The by-law shall specify a time period (not to exceed one year) for prohibiting the use of land, buildings or structures for, or except for, such purposes as are set out in the by-law.

## **8.10 SITE PLAN CONTROL**

### **8.10.1 Scope**

New uses and significant expansion to existing uses, with the exception of low-density residential uses and agricultural uses other than intensive livestock operations, shall be subject to the site plan control provisions of the Planning Act.

### **8.10.2 Requirements**

A site plan, satisfactory to the Municipality, may be required indicating the proposed use, the proposed location of all buildings and structures, proposed ingress and egress, parking areas and loading areas, landscaping, grading and drainage, external lighting, buffering and other measures to protect adjoining lands. The location of any required well site, septic tank and tile field envelope (if applicable) and storm drainage provisions shall accompany every proposal.

**8.10.3 Agreement**

A site plan agreement pursuant to the site plan control provisions of the Planning Act shall be required in most instances. Where development is proposed adjacent to a County Road or Provincial Highway, the Municipality shall request the comments of the County of Middlesex and the Ministry of Transportation, as the case may be, prior to execution of the site plan agreement. The submission of drawings showing plan, elevation and cross-section views shall be required for new development, including residential buildings containing more than three dwelling units.

**8.10.4 Guidelines**

The Municipality may prepare and adopt guidelines to assist developers in preparing site plans for submission and approval by the Municipality.

**8.11 DEVELOPMENT CHARGES**

As a contribution towards the growth-related capital costs incurred or likely to be incurred by the Municipality as a result of new development taking place, the Municipality may levy a development charge or impost fee against such development. The amount of the levy, the type of development it applies to, the method of calculation, and the scheduling of payments shall be prescribed by by-law adopted in accordance with the Development Charges Act. A mechanism may be provided in the by-law which would allow for automatic adjustments in the levy as a result of inflation.

**8.12 PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS**

The Township may prepare and adopt bylaws to ensure minimum standards of property maintenance and occupancy to protect public health, safety and welfare; to eliminate or avoid unsightly conditions and appearances with respect to buildings, lands and neighbourhoods; and to ensure adequate enjoyment of property. These by-laws may take the form of property maintenance and occupancy standards adopted under the Building Code Act or the clearing and cleaning of land adopted under the Municipal Act.

## Appendix E

### Township of Lucan-Biddulph - Zoning By-law



## 5. GENERAL AGRICULTURAL (A1) ZONE

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### 5.1 GENERAL USE REGULATIONS

#### 5.1.1 Permitted Uses

- agricultural use
- animal kennel
- bed and breakfast establishment
- converted dwelling
- forestry use
- home occupation
- portable asphalt plant
- single unit dwelling
- wayside pit or quarry

5.1.2 Minimum Lot Area 40 ha

5.1.3 Minimum Lot Frontage 150 m

5.1.4 Maximum Lot Coverage 20%

#### 5.1.5 Minimum Setback

- |    |  |      |
|----|--|------|
| a) | County Road No. 7<br>County Road No. 20  | 38 m |
| b) | County Road No. 13<br>County Road No. 47<br>County Road No. 50<br>County Road No. 59 | 33 m |
| c) | Township Road  | 28 m |

#### 5.1.6 Side Yard Width

- |    |  |  |
|----|--|--|
| a) | single unit dwelling   | 3 m  |
| b) | other permitted uses excluding accessory buildings or structures | one-half the building height but not less than 4.5 m |

#### 5.1.7 Rear Yard Depth

- |    |  |     |
|----|--|-----|
| a) | permitted uses excluding accessory buildings or structures | 8 m |
|----|--|-----|

#### 5.1.8 Maximum Height

- |    |                                    |  |
|----|------------------------------------|--|
| a) | permitted uses excluding accessory |  |
|----|------------------------------------|--|

buildings or structures 10.5 m

5.1.9 Minimum Floor Area

a) single unit dwelling 90 m<sup>2</sup>

5.1.10 Minimum Ground Floor Area

a) single unit dwelling 70 m<sup>2</sup>

5.1.11 Maximum Number of Dwellings Per Lot 1

5.1.12 Sight Triangles on Corner Lots

Notwithstanding Section 4.21 of this By-law to the contrary, no building or structure shall be erected, and no driveway shall be located within the triangular space included between the street lines for a distance of forty-five (45) metres from their point of intersection.

**5.2 SPECIAL USE REGULATIONS**

5.2.1 Animal Kennels

The following provisions shall apply to animal kennels:

a) minimum distance from a dwelling located  
on a neighbouring lot 150 m

5.2.2 Building and Structures, and Manure Storage Facilities for Livestock – Minimum Distance Separation

Livestock buildings and structures, and manure storage facilities shall not be altered, erected or used except in accordance with Minimum Distance Separation II (MDS II).

5.2.3 Converted Dwellings

The following provision shall apply to converted dwellings:

a) maximum number of dwellings units 2

5.2.4 Home Occupations

The following provisions shall apply to home occupations:

a) a home occupation shall be permitted within a dwelling or within an accessory building;

- b) outside storage shall be permitted in an interior side yard or a rear yard provided it does not exceed an area of one hundred (100) square metres and provided it is enclosed by a continuous fence with a minimum height of two (2) metres and a maximum height of two and one-half (2.5) metres;
- c) where the home occupation is conducted within the dwelling, the external character of the dwelling as a residence shall not change or a nuisance, particularly in regard to noise, odour, refuse, or parking shall not be created;
- d) where the home occupation is conducted within the dwelling, the total floor area of the dwelling including the basement area used for the home occupation shall not exceed twenty-five (25) percent of the total area of the dwelling or forty (40) square metres, whichever is the lesser;
- e) where the home occupation is conducted within an accessory building, the maximum floor area of the accessory building used for the home occupation shall not exceed two hundred (200) square metres;
- f) no external display or advertisement other than a sign which is a maximum size of one-half (0.5) square metre shall be permitted;
- g) the maximum number of persons engaged in the home occupation but who reside on a lot other than the lot on which the home occupation is conducted shall be limited to three (3).

#### 5.2.5 Portable Asphalt Plants

Portable asphalt plants shall not be erected or used closer than three hundred (300) metres from a dwelling located on a separate lot.

#### 5.2.6 Single Unit Dwellings – Minimum Distance Separation

Single unit dwellings shall not be erected or used except in accordance with Minimum Distance Separation I (MDS I). The foregoing shall not apply to the alteration of existing dwellings or the replacement of an existing dwelling with a new dwelling provided the new dwelling is situated no closer to a livestock building or structure or manure storage facility than the dwelling being replaced.

#### 5.2.7 Wayside Pit or Quarry

A wayside pit or quarry shall not be established within sixty (60) metres of a Residential First Density (R2) Zone, a Residential Second Density (R2) Zone, a Residential Third Density (R3) Zone, a Hamlet Residential (HR) Zone or a Rural Residential (RR) Zone.

#### 5.2.8 Accessory Buildings and Structures

Accessory buildings or structures shall not:

- a) be used for human habitation;

- b) be erected in the front yard or, in the case of a corner lot, in the exterior side yard;
- c) be located closer than three (3) metres from a side lot line and a rear lot line;
- d) exceed a height of four (4) metres.

### 5.3 **EXCEPTIONS**

#### 5.3.1 a) Defined Area (*Farmgate Market*)

A1-1 as shown on Schedule “A”, Map 9 to this By-law

#### b) Permitted Uses

market garden in addition to all other permitted uses of the A1 zone

#### 5.3.2 a) Defined Area (*D. Maguire*)

A1-2 as shown on Schedule “A”, Map 14 to this By-law

#### b) Permitted Uses

custom grain handling facility  
general industrial use in an existing shop for customized truck components  
all other permitted uses of the A1 zone

#### c) Maximum Floor Area

existing shop 600 m<sup>2</sup>

#### 5.3.3 a) Defined Area (*General Airspray Ltd.*)

A1-3 as shown on Schedule “A”, Map 20 to this By-law

#### b) Permitted Uses

landing strip in addition to all other permitted uses of the A1 zone

#### 5.3.4 a) Defined Area (*R. DeBrouwer*)

A1-4 as shown on Schedule “A”, Map No. 27 to this By-law.

#### b) Permitted Uses

woodworking as a general industrial use in addition to  
all other permitted uses of the A1 zone.

#### c) Maximum Floor Area of Buildings Devoted to Woodworking

main building	150 m <sup>2</sup>
accessory building	240 m <sup>2</sup>

5.3.5 a) Defined Area (*Frank Van Bussell & Sons Ltd.*)

A1-5 as shown on Schedule "A", Map 38 to this By-law

b) Permitted Uses

contractor's yard or shop in addition to all other permitted uses of the A1 zone

5.3.6 a) Defined Area (*M. O'Shea*)

A1-6 as shown on Schedule "A", Map 45 to this By-law

b) Permitted Uses

market garden in addition to all other permitted uses of the A1 zone

5.3.7 a) Defined Area (*Scott Farms/Kress et al*)

A1-7 as shown on Schedule "A", Map 8 and Schedule "B", Map 5, Map 6 and Map 12 to this By-law.

b) Buildings and Structures, and Manure Storage Facilities for Livestock-Minimum Distance Separation

Notwithstanding Section 5.2.2 of this By-law to the contrary, MDS II shall not apply in the case of:

- i) a manure storage facility for a 40-head heifer livestock operation on part of Lot 31, Concession II and zoned A1-7;
- ii) a bedded pack beef barn for a 500-head beef feeder livestock operation on part of Lot 30, Concession III, part of Lot 3, S.L.R. and part of Lot 4, S.L.R and zoned A1-7.

and a single unit dwelling on lands being part of Lot 31, Concession III and Part 1, R.P. 33-R-12030

~~5.3.8 a) Defined Area (*Frans Livestock Inc.*) Deleted by by-law #132-2008~~

~~A1-8 as shown on Schedule "A", Map 29 to this By-law.~~

~~b) Minimum Lot Area 19.5 ha~~

5.3.9 a) Defined Area (*Susan Waugh*)

A1-9 as shown on Schedule "A", Map 61 to this By-law.

b) Minimum Lot Area 30 ha

5.3.10 a) Defined Area (*Cliff Knip Farms Ltd. & A. Triebner*)

A1-10 as shown on Schedule "A", Map 4 to this By-law.

b) Minimum Lot Area 35 ha

5.3.11 a) Defined Area (*F. Hardy*)

A1-11 as shown on Schedule "B", Map 3 to this By-law.

b) Minimum Lot Area 20 ha

5.3.12 a) Defined Area (*J. Hardy*)

A1-12 as shown on Schedule "A", Map No. 11 to this By-law.

b) Minimum Lot Area 20 ha

## **7. RESIDENTIAL FIRST DENSITY (R1) ZONE**

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### **7.1 GENERAL USE REGULATIONS**

#### **7.1.1 Permitted Uses**

- home occupation
- single unit dwelling

7.1.2 Minimum Lot Area 460 m<sup>2</sup>

7.1.3 Minimum Lot Frontage 15 m

7.1.4 Maximum Lot Coverage 40%

7.1.5 Front Yard Depth 6 m

#### **7.1.6 Side Yard Width**

- a) on an interior lot, the side yard width shall be 1.2 metres on both sides of a single unit dwelling;
- b) on a corner lot, the side yard width shall be 3.5 metres on the side abutting the street and 1.2 metres on the other side of a single unit dwelling.

#### **7.1.7 Rear Yard Depth**

- a) single unit dwelling 7 m

#### **7.1.8 Maximum Height**

- a) single unit dwelling 10 m

#### **7.1.9 Minimum Floor Area**

- a) single unit dwelling 90 m<sup>2</sup>

7.1.10 Maximum Number of Dwellings Per Lot 1

#### **7.1.11 Minimum Number of Parking Spaces**

- a) single unit dwelling 2
- b) home occupation 1

#### **7.1.12 Municipal Services**

No dwelling shall be erected, used, or altered unless such dwelling is connected to a public water supply system and a public sanitary sewage system.

## 7.2 SPECIAL USE REGULATIONS

### 7.2.1 Accessory Buildings And Structures

Accessory buildings or structures shall not:

- a) be used for human habitation;
- b) be erected in the front yard or, in the case of a corner lot, in the exterior side yard;
- c) be located closer than one (1) metre from a side lot line and a rear lot line;
- d) exceed a height of four (4) metres;
- e) exceed five (5) percent lot coverage.

### 7.2.2 Home Occupations

The following provisions shall apply to home occupations:

- a) a home occupation shall be restricted to entirely within the dwelling;
- b) no outside storage shall be permitted;
- c) the external character of the dwelling as a residence shall not change or a nuisance, particularly in regard to noise, odour, refuse, or parking shall not be created;
- d) the total floor area of the dwelling including the basement area used for the home occupation shall not exceed twenty-five (25) percent of the total area of the dwelling or forty (40) square metres, whichever is the lesser;
- e) no external display or advertisement other than a sign which is a maximum size of one-half (0.5) square metre shall be permitted.

## 7.3 EXCEPTIONS

### 7.3.1 a) Defined Area (Munro)

R1-1 as shown on Schedule "B", Map No. 15 to this By-law.

### b) Minimum Floor Area

one storey dwelling	150 m <sup>2</sup>
two storey dwelling	185 m <sup>2</sup>

### c) Front Yard Depth 30 m

### d) Number of Garage Bays 2



- 7.3.2 a) Defined Area (*Lucan Veterinary Clinic*)  
R1-2 as shown on Schedule “B”, Map No. 16 to this By-law.
- b) Permitted Uses  
animal clinic  
animal kennel  
one dwelling unit as an accessory use
- 7.3.3 a) Defined Area (*Loyens Subdivision*)  
R1-3 as shown on Schedule “B”, Map No. 3 and Map No. 7 to this By-law.
- b) Minimum Lot Frontage 13 m
- 7.3.4 a) Defined Area (*Francis Street, Lucan*)  
R1-4 as shown on Schedule “B”, Map No. 10 to this By-law.
- b) Front Yard Depth 4.5 m
- 7.3.5 a) Defined Area (*C. & C. Haskett*)  
R1-5 as shown on Schedule ‘B’, Map No. 9 to this By-law.
- b) Minimum Lot Frontage 7.5 m
- 7.3.6 a) Defined Area (*Jones*)  
R1-6 as shown on Schedule ‘B’, Map No. 8 to this By-law.
- b) Front Yard Depth 15 m
- c) Municipal Drain Setback  
Notwithstanding Section 4.13 of this By-law, no buildings or structures shall be erected within 17 m of the top-of- bank of a municipal drain.
- 7.3.7 a) Defined Area (*Ridge Crossing*)  
R1-7 as shown on Schedule ‘B’, Map No. 3 and Schedule “B”, Map No. 7 to this By-law.
- b) Minimum Lot Frontage 14 m

7.3.8 a) Defined Area

R1-8 as shown on Schedule 'B', Map No. 11 to this By-law.

b) Minimum Lot Frontage 14.5 m

## **9. RESIDENTIAL THIRD DENSITY (R3) ZONE**

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### **9.1 GENERAL USE REGULATIONS**

#### **9.1.1 Permitted Uses**

- apartment dwelling
- multiple-unit dwelling
- senior citizen home
- townhouse dwelling

9.1.2 Minimum Lot Area 1,500 m<sup>2</sup>

9.1.3 Minimum Lot Frontage 30 m

9.1.4 Maximum Lot Coverage 40%

9.1.5 Front Yard Depth 8 m

#### **9.1.6 Side Yard Width**

- a) interior lot 3 m
- b) corner lot 8 m on the side abutting the street and 3 m on the other side

9.1.7 Rear Yard Depth 10 m

9.1.8 Maximum Height 10 m

9.1.9 Minimum Number of Parking Spaces 1.5 per dwelling unit

9.1.10 Minimum Outdoor Amenity Area 35% of the area of the lot

#### **9.1.11 Municipal Services**

No dwelling shall be erected, used, or altered unless such dwelling is connected to a public water supply system and a public sanitary sewage system.

### **9.2 SPECIAL USE REGULATIONS**

#### **9.2.1 Accessory Buildings And Structures**

Accessory buildings or structures shall not:

- a) be used for human habitation;
- b) be erected in the front yard or, in the case of a corner lot, in the exterior side yard;
- c) be located closer than one (1) metre from a side lot line and a rear lot line;
- d) exceed a height of four (4) metres;
- e) exceed five (5) percent lot coverage.

### 9.3 EXCEPTIONS

### 9.3.1 a) Defined Area

R3-1 as shown on Schedule "B", Map 8 to this By-law.

b) Side Yard Width

3 m on one side and 1.5 m on the other side

c)	<u>Maximum Number Of Dwelling Units</u>	4
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9.3.2 a) Defined Area (6311 William Street)

R3-2 as shown on Schedule "B", Map 10 to this By-law.

## b) Permitted Uses

one dwelling unit  
personal care establishment

9.3.3 a) Defined Area (Radcliffe Subdivision)

R3-3 as shown on Schedule "B", Map 15 to this By-law.

### b) Permitted Uses

multiple-unit dwelling  
townhouse dwelling

c)	Minimum Lot Area	250 m <sup>2</sup>
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d)	<u>Minimum Lot Frontage</u>	10 m
----	-----------------------------	------

e)	Front Yard Depth	6 m
----	------------------	-----

f) Side Yard Width

- |    |              |  |
|----|--------------|--|
| a) | interior lot | 0 m  |
| b) | corner lot   | 5 m on the side abutting the street<br>and 0 m on the other side |

g) Rear Yard Depth 7 m

9.3.4 a) Defined Area (*Nelson-Wolfe Developments Inc.*)

R3-4 as shown on Schedule "B", Map No. 7 to this By-law.

## b) Permitted Uses

townhouse dwelling

9.3.5 a) Defined Area (*Lucan MacNeil Subdivision*)

R3-5-H as shown on Schedule “B”, Map No. 11 to this By-law.

b) Permitted Uses

townhouse dwelling  
single unit dwelling

c) Single Unit Dwellings

The erection or alteration of single unit dwellings or the erection or alteration of buildings accessory thereto shall be permitted in accordance with the regulations of the Residential First Density (R1) Zone.

9.3.6 a) Defined Area (*Ridge Crossing*)

R3-6 as shown on Schedule ‘B’, Map No. 3 to this By-law.

b) Permitted Uses

townhouse dwelling

c) Front Yard Depth 6 m

d) Side Yard Width

i) On an interior lot, 1.5 m 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.

ii) On a corner lot, 3.5 m from the street line and 1.5 m on the other side.

e) Rear Yard Depth 7 m

9.3.7 a) Defined Area (*Ridge Crossing*)

R3-7 as shown on Schedule ‘B’, Map No. 3 to this By-law.

b) Permitted Uses

apartment dwelling

c) Maximum Lot Coverage

dwelling	35%
accessory buildings and structures	10%

Notwithstanding Subsection 2.74, uncovered decks and porches shall not be included in lot coverage.

9.3.9 a) Defined Area (2381414 Ontario Ltd.)

R3-9 as shown on Schedule 'B', Map No. 3 to this By-law.

- |    |   |                                |
|----|---|--------------------------------|
| b) | <u>Front Yard Depth</u>                 | 5 m                            |
| c) | <u>Rear Yard Depth</u>                  | 9 m                            |
| d) | <u>Maximum Height</u>                   | 12 m to a maximum of 3-storeys |
| e) | <u>Minimum Number of Parking Spaces</u> |                                |
|    | apartment dwelling                      | 1.25 spaces per dwelling unit  |

## **13. FUTURE RESIDENTIAL (FR) ZONE**

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### **13.1 GENERAL USE REGULATIONS**

#### **13.1.1 Permitted Uses**

- existing single unit dwelling
- home occupation

13.1.2 Minimum Lot Area existing

13.1.3 Minimum Lot Frontage existing

13.1.4 Minimum Lot Depth existing

13.1.5 Permitted Buildings and Structures existing

#### **13.1.6 Accessory Buildings and Structures**

- a) Maximum Lot Coverage 10% or 75 m<sup>2</sup> whichever is the lesser
- b) Maximum Height one (1) storey or 5 m in height whichever is the lesser
- c) Maximum Height of an Exterior Wall 3 m

### **13.2 SPECIAL USE REGULATIONS**

#### **13.2.1 Existing Single Unit Dwellings**

The alteration of existing single unit dwellings or the erection or alteration of buildings accessory thereto shall be permitted in accordance with the regulations of the Residential First Density (R1) Zone.

### **13.3 EXCEPTIONS**

#### **13.3.1 a) Defined Area (*R. Pitt*)**

FR-1 as shown on Schedule "B", Map 11 to this By-law

#### **b) Permitted Uses**

market garden  
existing drive-in or take-out restaurant  
all permitted uses of the A1 zone

13.3.2 a) Defined Area (1659875 Ontario Ltd. – M. Radcliffe)

FR-2 as shown on Schedule “B”, Map 3 to this By-law

b) Minimum Lot Area 16 ha

c) Minimum Lot Frontage 200 m

13.3.3 a) Defined Area (Jones)

FR-3 as shown on Schedule “B”, Map 3 to this By-law

b) Minimum Lot Area 1.15 ha

c) Minimum Lot Frontage 33.27 m

13.3.4 a) Defined Area (Hodgins)

FR-4 as shown on Schedule “B”, Map 4 to this By-law

b) Minimum Lot Area 7.6 ha

c) Minimum Lot Frontage 325 m

13.3.5 a) Defined Area (Cabral)

FR-5 as shown on Schedule “B”, Map 8 to this By-law

b) Special Provision

Notwithstanding Sections 7.1.12 and 13.2.1 of this By-law, there is no requirement for a single unit dwelling to be connected to the public sanitary sewage system.



## Dan FitzGerald

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**To:** Cathy Burghardt-Jesson; Ron Reymer; Tina Merner  
**Cc:** Pat Ryan  
**Subject:** RE: Timber Ridge Development

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

To Mayor Cathy, Dave, Peter, Alex and Dan,

This is an open letter concerning the proposed Timber Ridge Development as well as future development in our community.

First off, I'm not opposed to the Timber Ridge Development and I'm certainly in favour of continued growth in our community. I do however feel that it's very important to consider what impact today's decisions may have fifteen to twenty years into the future. Unlike commercial property which can evolve, be reshaped and repurposed, residential developments are neighborhoods that will be part of our community for generations.

### **Housing Diversity**

The proposed development plan and the subsequent application for a zoning bylaw amendment are all within the county's residential first density guidelines. But just because it conforms and is allowed, is it really the *best* for our community? The first phase of the development is currently proposing 177 single family homes, if the requested bylaw amendment is approved all will be built on 12-meter lots. Currently there are approximately 110 homes with the same frontage and lot size in the recently completed Ridge Crossing development. I get it, this type of home currently is in demand and the developer wants to put as many basements in the ground as possible. But looking at it from a community long range perspective should there not be more diversity in home and lot size in these developments?

We currently have apartments and townhouses planned and under construction. Does it not make sense to have lots available for homes with 15 to 16-meter frontage as well? With housing diversity, potential as well as current residents would be able to find a home or apartment that suits their needs within our community without looking elsewhere. I feel this diversity should in some way be steered and controlled by council and not be dictated by developers and/or market trends.

### **Green Space**

At the recent virtual open house, I asked Jason Johnson from Dillon Consulting about the absence of green space in the proposed plan. Jason stated that none was planned but possibly could be incorporated in future development. He mentioned a walkway around a retention pond similar to Ridge Crossing. To me, it's a stretch to call a retention pond with a path useable green space. A neighborhood green space should be a place where kids can kick a ball, families and friends can gather, events held etc. A perfect example of this is the small park on Spencer Ave. If both phases of Timber Ridge are completed as proposed,

there would be approximately 253 households. That means at least, 600-800 residents—more than enough to merit a small park. Green space is not wasted space. It adds to a feeling of community and is a place to enjoy for generations to come.

As a long-time resident, I take great pride in our community and I want to see it grow and prosper. Please reach out if you have any comments or would like to discuss further.

Take care, stay safe.

Pat Ryan

## **Dan FitzGerald**

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**To:** Tina Merner; Jeff Little; Ron Reymmer  
**Subject:** RE: Timber Ridge Public Open House

Hi Tina,

The session wasn't recorded but please find below the notes taken from the meeting.

Please find below a list of attendees and discussion topics:

### **Attendees**

- Pat Ryan (Resident)
- Gord and Joanny Hardy (Resident)
- Vito and Mike Frijia (Developer - Southside Group)
- Karen Hardy (Resident)
- Dan Fitzgerald (Middlesex County)
- Jason Johnson (Dillon)
- Melanie Muir (Dillon)
- Brendan Petersen (Dillon)

### **Discussion Topics**

- Dillon Consulting provided a high-level overview of the proposed development:
  - 177 single detached dwellings & a medium-density townhouse block consisting of 78 units
  - There are two proposed SWM ponds, the first will be a shared pond with the Southside group on a piece of land, south of the development that the Township owns. The second pond will be an interim pond located on lots 1-10, with the full build-out of this pond occurring once the urban growth boundary is expanded and the developer moves forward with developing the remaining property.
- Pat Ryan requested that a wood fence be placed along the rear of lots 114-130. Dillon advised that this is a detailed design component and that the intent is for a fence to be constructed in this area.
- Pat Ryan noted he would like to see green space incorporated into the proposed development. Dillon noted that in the full build-out scenario a parkette is proposed for use by this and future phases of the development.
- Dillon noted that they expect a Transportation Impact Study to be a draft plan condition. This study would note potential upgrades required along Saintsbury Line to accommodate the additional traffic resulting from the proposed development.
- Dillon noted that there is limited capacity at the sewage treatment plant and that the Township is currently undertaking a review of their services including the sewage treatment plant.
- Frank Hardy noted that he has access to his property until January 2024. As a result, the earliest the developer could begin construction in this area is after this time.
  - - Vito Frijia requested that there be a meeting between the developers of this land and the Southside group to discuss the two developments and the shared SWM Pond.

The public meeting is currently scheduled for December 15, 2020, @ 6 pm.

Thanks,

Jason



**Jason Johnson**  
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