

**Meeting Date:** December 19, 2022  
**Department:** Building, By-law, Planning and Waste Management  
**Report No.:** BBP-2022-131  
**Submitted by:** Tim Williams, Senior Planner  
**Approved by:** Jennifer Huff, Director of Building & Planning  
Fred Tranquilli, Chief Administrative Officer / Clerk

**SUBJECT:** Application for Rezoning (ZBA 6-2020) and  
Draft Plan of Condominium (39T SC CDM2001)  
430 Head Street - 5004881 Ontario Ltd. c/o Bri

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**RECOMMENDATION: THAT:** a resolution be passed in support of the attached draft plan of condominium for County File No. 39T SC CDM2001, subject to the conditions of draft plan approval included in Attachments of this report; and  
**THAT:** the application for ZBA 6-2020 be approved.

## PURPOSE

The purpose of the subject condominium and zoning by-law amendment application is to facilitate the development of a 21-unit residential plan of condominium.

## SUMMARY HIGHLIGHTS

- The application proposes to permit the construction of a 21-unit residential condominium development with a single private road access off of Head Street North.
- The application proposes to rezone the lands from 'Low Density Residential (R1) zone' to a site-specific 'Medium Density Residential (R2-25) zone' in order to recognize the proposed development standards (lot coverage, and rear yard depth).
- Two virtual Open House meetings were held by the applicant/owner with planning staff in attendance. Neighbouring residents attended and voiced concerns regarding the proposed draft plan of condominium and rezoning relating to traffic impacts, stormwater management, lot size, rear yard setbacks, density, types and styles of dwellings and privacy for the adjacent neighbours.
- The statutory public meeting was held on September 8, 2022. Neighbouring residents attended and voiced concerns regarding the proposed condominium and rezoning relating to traffic impacts, overlook, water runoff, tree preservation, views and density.

## **STRATEGIC PLAN ALIGNMENT**

This matter is in accord with the following strategic priorities:

- 1) *Economic Development*: Strathroy-Caradoc will have a diverse tax base and be a place that offers a variety of economic opportunities to current and prospective residents and businesses.
- 2) *Growth Management*: Strathroy-Caradoc will be an inclusive community where growth is managed to accommodate a range of needs and optimize municipal resources.

## **BACKGROUND:**

The subject lands are approximately 1.1 ha (2.7 ac) in size and are rectangular in shape with a 35.18 m lot frontage along Head Street North and a lot depth of 309.24 m. The subject lands are located on the west side of Head Street North between Abigail Street and Pannell Lane within the Settlement Area of Strathroy (see Location Map #1 and #2).

The lands are currently vacant as the one single detached dwelling that fronted onto Head Street has been removed. The surrounding land uses include predominately residential uses with single and semi-detached dwellings in the immediate area and two townhouse sites to the south along Head Street (366 and 384 Head Street North). The rear property boundary is also the municipal boundary between Adelaide-Metcalf and Strathroy-Caradoc. From a servicing perspective, municipal water and sanitary services are to be extended from Head Street North to service the site. Head Street is a collector road and under the jurisdiction of Strathroy-Caradoc.

Draft plan of condominium and zoning by-law amendment applications were made on January 28, 2020 and deemed complete on February 13, 2020 for the draft plan of condominium application and May 8, 2020 for the zoning by-law amendment application.

In addition to the application forms, the submission included the following support documents:

- Archaeological Assessment Stage 1-2 Timmins Martelle Heritage Consultants Inc.
- Archaeological Assessment Stage 3 Timmins Martelle Heritage Consultants Inc.
- Planning Justification Report, Kirkness Consulting Inc.
- Functional Servicing Report, MTE Consultants Inc.
- Geotechnical Investigation Report, MTE Consultants Inc.
- Original Draft Plan of Condominium, dated December 5, 2019, MTE / OLS Ltd.
- Revised Site Plan, dated June 25, 2020, MTE Ltd.

The initial draft plan of condominium (see attachments - Location Map #2 July 2020 Submission and Site Plan) includes the following elements:

- 20 building units/lots for single-detached dwellings;
- The vacant land condominium units have proposed frontages ranging from 14 m to 18.83 m and lot areas ranging from 368.8 m<sup>2</sup> to 495.6 m<sup>2</sup>

- One private road with a cul-de-sac and;
- One common element block that contains Stormwater Management facilities which includes a pond and overland flow routes.
- One common element block that contains the landscape buffer between the private road and the northerly property line.

Since the original submission, in response to comments received by the public at the Open Houses, the Statutory Public Meeting and by internal staff and external agencies, the plan has been revised (please see attached Location Map 2 and the Site Plan for the revised plan. The main revisions include:

- The private road now includes a “hammerhead” for vehicle turning whereas previously the plan included a cul-de-sac.
- The number of units has increased from 20 to 21.
- At the end of the proposed “hammerhead” three (3) visitor parking spaces are proposed whereas no visitor parking spaces were originally proposed. This is in full compliance with the visitor parking standard in the zoning by-law
- Each unit will have space for 2 parking spaces in the garage and 2 in driveway to provide for each unit to have some visitor parking as well. The zoning by-law requires 3 parking spaces per single detached dwelling.
- The Stormwater Management Pond has been removed and most water is directed to the Head Street storm sewer with only the over land flow route being enclosed in a pipe extension and out letting at the rear yard swales of units 12 to 14.
- The water and sanitary services have been moved to ensure that in the event of a break in the line emergency vehicles will still be able to gain access to the site during the repair.
- The rear yard setback of the single detached dwellings will be 6 metres instead of the original 5 metre setback
- The dwellings will be a single storey in height with a maximum building coverage of 171m<sup>2</sup> (1,840.6 ft<sup>2</sup>).
- A sound barrier fence is being proposed along the first 17.07 m of what was previously standard wood fence.

In support of the draft plan of condominium, a concurrent zone change application has been filed to rezone from ‘Low Density Residential (R1) zone’ to site-specific ‘Medium Density Residential (R2-25) zone’ for the units that will contain dwellings in order to facilitate the development. The applicant is proposing to develop the subject lands in a single phase.

## **POLICY AND REGULATION BACKGROUND**

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement (2020) and the County of Middlesex Official Plan. Locally, the lands are located within the ‘Residential’ designation of the Strathroy-Caradoc Official Plan and ‘Low Density Residential (R1) zone’ of the Strathroy-Caradoc Zoning By-law 43-08.

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

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

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

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

- efficiently use land and resources;
- 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;
- minimize negative impacts to air quality and climate change, and promote energy efficiency;
- prepare for the impacts of a changing climate;
- support active transportation;
- are transit-supportive, where transit is planned, exists or may be developed;

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

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

- The proposal is located within a designated growth area of a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The residential single detached dwellings will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- The property has access to service connections within the Head Street right-of-way which through the application process it was confirmed that services have capacity.
- The proposal provides for additional housing units in a manner that will be an intensification in comparison to the area. Based on the size of the homes and the fact that will be a condominium it has the opportunity to be attainable housing.

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

### *County of Middlesex Official Plan*

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

Section 4.5.3.3 of the County Official Plan encourages development of a settlement area by plan of subdivision, provided such applications meet both County and local Official Plan policies.

Section 2.3 of the County Official Plan contains the County's growth management framework which directs that the majority of growth is to occur in designated settlement areas. The intent of the growth management framework is to make efficient use of existing infrastructure. The goal of the County Plan is that future development within settlement areas proceed on the basis of full municipal services.

The County Official Plan also encourages a wide variety of housing by type, size and tenure achieved in part by way of intensification and redevelopment of vacant or otherwise underutilized lands.

County Council adopted Amendment No. 3 to the County official plan on July 19, 2022. The purpose of the Amendment was to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. While the policies implemented through Amendment No. 3 are not in force and effect until Ministry approval, the updated policies have been considered given they indicate the intent of County Council, but are not determinative for the purposes of this planning application.

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

- As noted above the property is within a *designated growth area* of a *settlement area*, and will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- There will be adequate servicing located within the Head Street right-of-way as noted above.
- The proposal provides for a housing type that is in demand in the community.
- The proposal has been modified over time to address concerns over compatibility with the installation of the fence, changes to the setback and reducing the height to a one storey walkout.

Given the above, it is staff's opinion that the applications conform to the County of Middlesex Official Plan.

#### *Strathroy-Caradoc Official Plan*

The subject lands are located within the Settlement boundaries of Strathroy on Schedule 'A' – Structure Plan to the Strathroy-Caradoc Official Plan. More specifically, Schedule 'B' – Land Use & Transportation Plan Settlement Area of Strathroy identifies the lands as being within the 'Residential' designation of the Strathroy-Caradoc Official Plan. Similar to County Official Plan, the Strathroy Caradoc Official Plan has also been updated through OPA 14 this year however it has not received approval from County. This is on hold until after the Province approves the County Official Plan. The purpose of this Amendment is also to update the Official Plan to ensure that the land use planning policies are current, reflect Provincial legislation and policy, have regard for matters of Provincial interest and any guideline documents, are consistent with the Provincial Policy Statement (PPS), and reflect changing community needs for the next 25-years. The changes in OPA 14 to the residential designation (now neighbourhood) do not materially change the impact of the policies applicable to this application. An additional note relating to each of the policies below has been included to provide detail to some of the changes as a result of OPA 14.

The Strathroy-Caradoc Official Plan states that development within the 'Residential' designation shall be used for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings (Section 3.3.4.1). OPA 14 policy changed to recognize the need for affordable housing and a diverse needs and preferences.

As per Section 3.3.4.3 of the Official Plan states that low density development (e.g. single unit dwellings, two unit dwellings) shall continue to be the dominant form of residential development. Development proposals shall be encouraged which: a) create a sense of neighbourhood identity; b) result in attractive and distinctive streetscapes; c) incorporate public amenities and safety measures; d) utilize traffic calming measures; e) preserve and enhance natural features; f) provide a mix of housing types; g) ensure appropriate and effective buffering from neighbouring non-residential uses; h) minimize total road length and road surface within practical considerations for snowplowing, surface drainage and on-street parking; i) maximize energy saving criteria such as southern exposure for solar gain and landscaping and to minimize the adverse effects of winds. OPA 14 expanded this policy to include a need to connect to existing or proposed trail networks and consider climate change mitigation and adaption. Along with this promoting integration and accessibility of community uses, including parks and open space.

Section 3.3.4.7 of the Official Plan directs that residential intensification including infilling in existing developed areas is considered desirable to make more efficient use of underutilized lands and infrastructure. Proposals shall be evaluated and conditions imposed as necessary to ensure that any proposed development is in keeping with the established residential character and constitutes an appropriate 'fit' in terms of such elements as height, density, lot fabric, building design, dwelling types and parking. Appropriate services shall be capable of being provided. OPA 14 amended this policy to specifically note 15% of development in urban settlement areas will occur by way of intensification.

### **Comments on Conformity to the Strathroy-Caradoc Official Plan**

- The proposal is located within a settlement area, on lands identified for residential development within the Strathroy-Caradoc Official Plan.
- The proposal will be fully serviced and provides for the efficient use of infrastructure and public service facilities.
- As noted above the proposal provides for housing within the permitted range of housing in the Official Plan and is in demand.
- The proposed layout represents an efficient use of residential lands and represents consideration for the existing residential developments in the area, which will be discussed in greater detail within the comments section, however is also evidenced within the revised site plan attached hereto.
- With respect to the policies of the Official Plan relating to development of residential within Strathroy, the Plan encourages medium density development and the proposed form would be the least dense option (single detached dwellings) for the lands while still achieving an intensification. Further, the site has direct access to Head Street, a major collector road.

- The proposed design is 1 storey in height with a rear walkout basement (2 storeys in the rear). There are number of dwellings in the area that are 2 storeys in height. The proposed dwellings will be no taller than those found within the community. Finally, the dwellings will not exceed the maximum permitted height per the zoning by-law for this property and of the surrounding area. Therefore, based on all of the above, it is staff's opinion that the building will fit into the planned character of the area.
- The applicant has spent just over two years amending the application since the first submission which resulted in seven versions of the plan to get to the current plan. Engineering is supportive of the latest version of the plan as it will be directing the flows 2 and 5 year rain events to Head Street and away from the existing drainage outlet. The development has been designed to adapt to climate change.

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

#### *Strathroy-Caradoc Zoning By-law 43-08*

With respect to the Zoning By-law, the site is within the 'Low Density Residential (R1) Zone' permitting single detached dwellings and secondary suite dwellings. The applicant has submitted a zone amendment application to place the residential lots into a site-specific "Medium Density Residential (R2-25) Zone" which includes lot development provisions that reflect the proposed lot configuration and required building envelopes. The chart below illustrates both the current 'Low Density Residential (R1) Zone' standards, the 'Medium Density Residential (R2) Zone' standards and the proposed site-specific 'Medium Density Residential (R2-#) zone' provisions for single-detached dwellings.

	<b>Single Detached Dwelling Requirements in Low Density Residential (R1) zone</b>	<b>Single Detached Dwelling Requirements in Medium Density Residential (R2) zone</b>	<b>Proposed Single-Detached Condominium (Site Specific R2 zone) (July 2020)</b>
(1) Minimum Lot Area (per unit)	Min 460 m <sup>2</sup>	Min 350 m <sup>2</sup>	Min 362.07 m <sup>2</sup> to 418.56 m <sup>2</sup>
(2) Minimum Lot Frontage	Min 15 m	Min 12 m	Min 14.0 m to 15.83 m
(3) Front Yard Depth / Exterior Side Yard Width	Min 5 m	Min 5 m	Min 5 m Front wall and 6 m to garage <b>Min 3 m Exterior side</b>
(4) Side Yard Width	Min 1.2 m	Min 1.2 m	Min 1.2 m
(5) Rear Yard Depth	Min 8 m	Min 8 m	<b>Min 6 m</b>
(6) Maximum Lot Coverage	40%	40%	<b>Max 46.5% (171m<sup>2</sup>)</b>
(7) Landscaped Open Space	40%	30%	Min 43.9%
(8) Building Height	15m	15m	1 Storey (less than 8m)

(9) Parking (Tenant/Owner)	3 spaces per unit	3 spaces per unit	4 spaces per unit
(10) Parking Visitor	0.1 spaces per unit (2.1 spaces)	0.1 spaces per unit (2.1 spaces)	0.14 spaces per unit (3 spaces)

In light of the foregoing, the zoning by-law amendment will be to allow a rear yard setback of 6 m whereas 8 m is required in the zoning by-law, the second provisions will be to allow a greater lot coverage that what is permitted and the exterior side yard (along Head Street) will be reduced from 6 m to 3m.

- 1) The setback being reduced to 6 m has occurred in other locations within the municipality and the applicant has agreed to limit the building to one storey at the front of dwellings so the rear of the building will be a maximum of 2 storeys (backyard walk outs).
- 2) The increased coverage is based on the wording in the bylaw which does not allow for inclusion of common amenity areas.
- 3) The setback is being reduced by the conveyance of a 3 m road widen that is being conveyed to the municipality.

## CONSULTATION

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

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

### Public Comments

#### Open House

As noted earlier, the applicant hosted two virtual Public Open House sessions on May 20 and 25, 2020. Approximately 20 area residents asked questions and articulated concerns with the proposed condominium at the Open House. Minutes for the two meetings were prepared by the applicant and are included as attachments to this report. The comments were generally as follows:

- Concern that the development has only one access point.
- Concern that the traffic on Head Street as well as Pannell Lane will increase
- Concern for pedestrian safety on Pannell Lane given the increased traffic
- Concern about two-storey height of the new dwellings having an impact on privacy and will result in overlook
- Removal of the existing trees within the rear of the property
- Expression of interest in wood privacy fence, as high as permissible
- Concern about the effect the development will have on property values
- Concern about whether the Stormwater Management Facilities will have capacity for the development
- Concerns over the impact the development will have on the existing drainage in the neighbourhood
- Concerns over the use of retaining walls along the rear yards of the proposed lots will have a negative appearance from the existing neighbourhood



- Concern that the development will not have adequate fire truck access and turn-around capacity
- Concern about the compatibility between the existing neighbourhood and the proposed development
- Concerns of the proposed density and building setbacks especially the side yard to rear yard conditions at the rear of the subject lands
- Concern that the 5 m rear yard setback is not sufficient for the new dwellings
- Concern about the rear units having an 11 metre lot frontage.
- Concern about noise and air pollution from the future residents
- Concern about insufficient parking for visitors
- Concern about insufficient parking for individual units
- Concern about meeting the AODA requirements to provide a sidewalk in the development
- Location of snow storage
- Concern about the use of Zoom for the Open House – technology does not allow full participation for those who are not comfortable / have access to internet and a computer.

In response to the above noted comments the applicant has modified their plan as follows:

- Increased the rear yard setback from 5 to 6 metres;
- Decreased the height of the dwellings to 1 storey in height to reduce concerns of privacy
- Reconfigured the rear units to be in line with units along the south side of the property whereas 3 of the units were previously perpendicular to the remaining units.
- The addition of 3 visitor parking spaces whereas previously there were none
- Removed the cul-de-sac and replaced it with a hammer-head for turning which will continue to meet the requirements of the fire department for truck circulation.
- A 1.8 m wood privacy fence is proposed along the north boundary of the property adjacent to the properties fronting on Abigail Street.
- The storm water management plans have been revised to include a portion of the storm water in-pipe to reduce the size of swales in the proposed backyards.
- Additional lands at the “ends” of the private road have been provided for snow storage.

The Statutory Public Meeting Notice was circulated to residents living within 120 m of the subject application on August 11, 2020 and held on September 8, 2020. Prior to, at, and following the Statutory Public meeting comments were received regarding the application. Written correspondence is attached hereto, the statutory public meeting was recorded and can be viewed under Council agenda's from September 2020. The comments can be summarized as follows with response from staff to follow that.

1) Perimeter Fencing should be privacy fencing

- Staff Response – The applicant is proposing privacy fencing along the northern property line. This fence will transition to a noise barrier fence adjacent to the existing home at 446 Head Street and this will be approximately 17 m in length. The final section of the fencing will wrought iron fencing to increase visibility given it is in the front yard of the home at 446 Head Street.

2) The proposed development will increased traffic.

- Staff Response – this has been noted in other sections but can be confirmed that Head Street is a primary collector and has capacity to accommodate the new traffic. On a related note this section of Head Street is scheduled for design work in 2023 and reconstruction in 2024.

3) Stormwater management flows and drainage from this development

- Staff Response – since the public meeting the applicant's engineers have worked with Strathroy-Caradoc engineers to design a system that proposes the majority of the water flows from this property to be redirected from the existing outlet (mid-block on the south property line) out to Head Street. This will mean that post development flows for normal storm events will be less than the existing/ pre development. The design still has a channel/pipe system to carry water from the development to the north and through the site.

4) Privacy and over look

- Staff Response – for the properties to the north the applicant has revised the plan to reduce the elevation of the height of the road which in turn has reduced the height of the retaining wall and associated fence. For the properties to the south the height of the dwellings have been capped at 1 storey from front of the dwelling.

5) Loss of private trees

- Staff Response – The applicants have provide a tree protection plan for the trees. Where trees may be damaged or die from construction the owner of the subject property shall secure approval or acceptance from the adjacent landowner. 12 trees are proposed to be removed from the subject site. These 12 trees are all boundary trees but their trunks are wholly located on the subject property. The plan shows a black cedar boundary hedge that will be damaged during construction and the applicant has received approval for the removal of the hedge. The proposal is too install tree protection fencing to save the remaining 126 trees which surround the site.

6) That the area residents were told that this property would not develop when they purchased their properties.

- Staff Response – Normally we would not speak to what information was provided by realtors or sales staff on adjacent property in terms of the development potential of a property. However in this case there are two items to raise, any time there is a questions about the future potential for development of a property (either in the near or far timeline) it is appropriate to get in touch with the planning department to discuss the zoning and Official Plan designations of a property. The second item to note is that since the homes in the area were constructed, the provincial direction has changed significantly regarding housing with new Provincial Policy Statements in 2014 and 2020 but also recently (November 28, 2022) Bill 23, a bill that amends the Planning Act. The context in which this application is being evaluated under is very different than earlier this year, and different than 5 years and 12 years ago.

- 7) The need for a sidewalk for accessibility reasons and to separate the vehicle and pedestrian traffic within the proposed development.
- Applicant's response: Given the low number of vehicle trips anticipated to be generated from the site, as well as the proposed speed limit of 20km/h on the private road, it is their opinion that pedestrians will be able to traverse the private road safely.  
Staff Response: A review of the accessibility legislation confirms that it would not apply to the subject lands. As part of engineering development standards, changes have been made to affect future application however, the standards are not retroactive.
- 8) The number of parking spaces for each unit is too low.
- Staff Response: The applicant is proposing 3 parking spaces for visitors and 4 parking spaces on each lots (two in the garage and two in the driveway).
- 9) Concerns garbage collection and fire truck access.
- Staff Response: Staff have confirmed with both waste management services as well as the Fire Services that the trucks will be able to turn around in the proposed hammerhead turn around.
- 10) Concerns about the proximity the driveway to the adjacent property line.
- Staff Response: The proposed setback on the property is 2 metres. The closest home to this driveway was examined in detail with the applicant hiring a noise consultant to review the conditions. It was determined in the report that no additional noise attenuation would be required, however the developer has proposed a noise attenuation fence as an offer to resolve the concern. Staff finds this to be an acceptable solution.

Department and Agency Comments:

The Director of Engineering and Public Works advised that there are no concerns from a traffic perspective. Specifically the Development Charge Study by Hemson Consulting Ltd. targets Head Street for improvements starting in 2023 (design work in 2023 and construction in 2024). Normally, the applicant would be required to reconstruct the street frontage of their property during the development construction, however, given the impending Head Street construction, engineering is recommending condition in the draft approval requiring a cash in lieu amount be paid so that the work can be completed with the larger Head Street project. As per the Official Plan the property with located on a primary collector which requires a 26 m right of way width as such engineering is requesting a condition be added to the draft plan approval to address this road widening requirement.

Further, the proposal does not itself trigger the need of the road works on Head Street. In addition, the municipal third party review of general engineering matters resulted in comments. The comments ranged from revisions to the engineering plans to confirming sanitary sewer outlet capacity and existing watermain pressure and flow rates, to providing additional details for road construction and culverts.

The applicant has address these matters over the last 2 years and engineering no longer has any comments.

The Director of Building, By-law and Planning advised of no concerns with the rezoning as this represents intensification that is directed by the province and included in the Official Plan. Further, the Director noted support of the draft plan of condominium subject to the attached draft plan conditions.

The County Engineer advised that there is no objection to the Plan of Condominium subject to the conditions of approval requiring no underground utilities located under the travelled portion of the private road. The County Engineer has no objection to the rezoning application.

The Strathroy-Caradoc Fire Chief has no objection to the revised draft plan of condominium or the rezoning.

The St. Clair Region Conservation Authority advised that SCRCA has no comments on the condominium or rezoning applications.

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

Canada Post advised that they will provide mail delivery service to this development through centralized Community Mail Boxes (CMBs) and that it will need to meet Canada Post's standard specifications.

## **SUMMARY**

Based on the above analysis staff are supportive of the proposed condominium and the rezoning as they are considered to be consistent with the Provincial Policy Statement, in conformity with the County of Middlesex Official Plan, Strathroy Caradoc Official Plan and represents good planning.

A zoning by-law amendment has been prepared for Council's consideration.

## **FINANCIAL IMPLICATIONS**

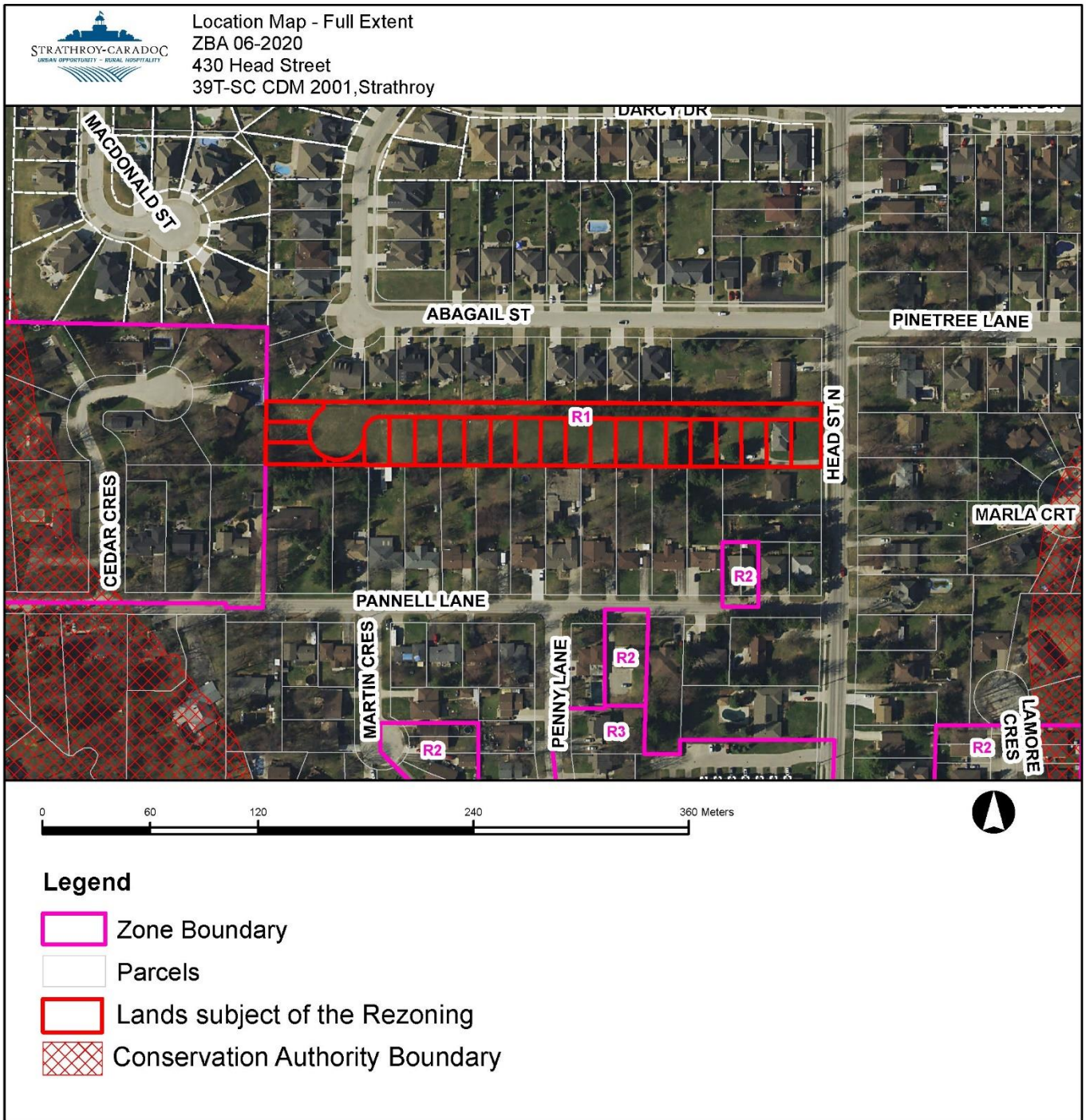
None

## **ATTACHMENTS**

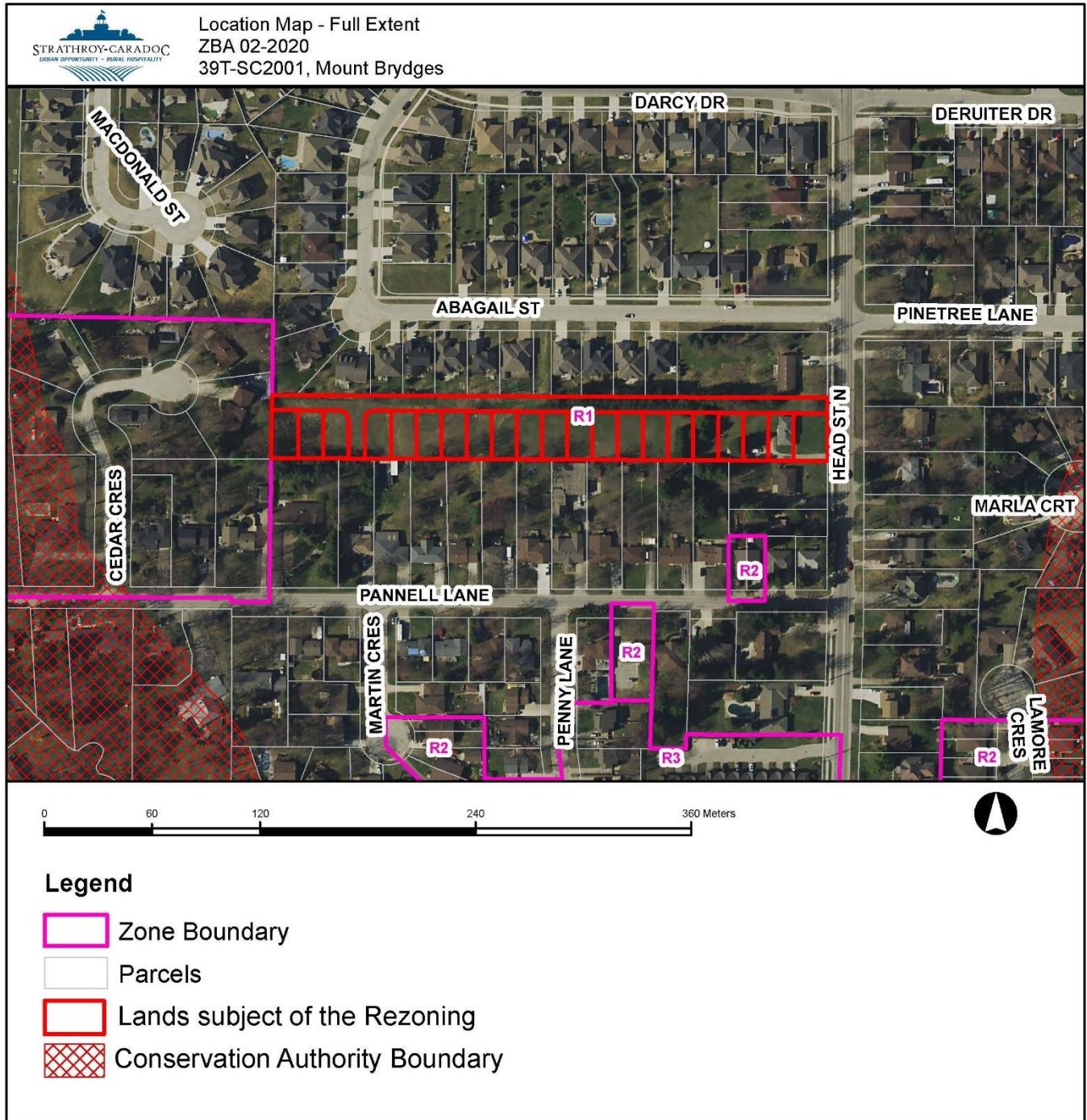
- Location Map #1 (Original Submission)
- Location Map #2 (July 2020, Current Submission)
- Draft Plan of Condominium, dated June 25, 2020
- Draft Plan Conditions
- Email from Ken Whatmough dated June 12, 2020
- Letter from K. Michael Grogan dated July 28, 2020
- Open House Meeting Minutes May 20 and 25, 2020
- Email from Ken Whatmough dated November 30, 2022



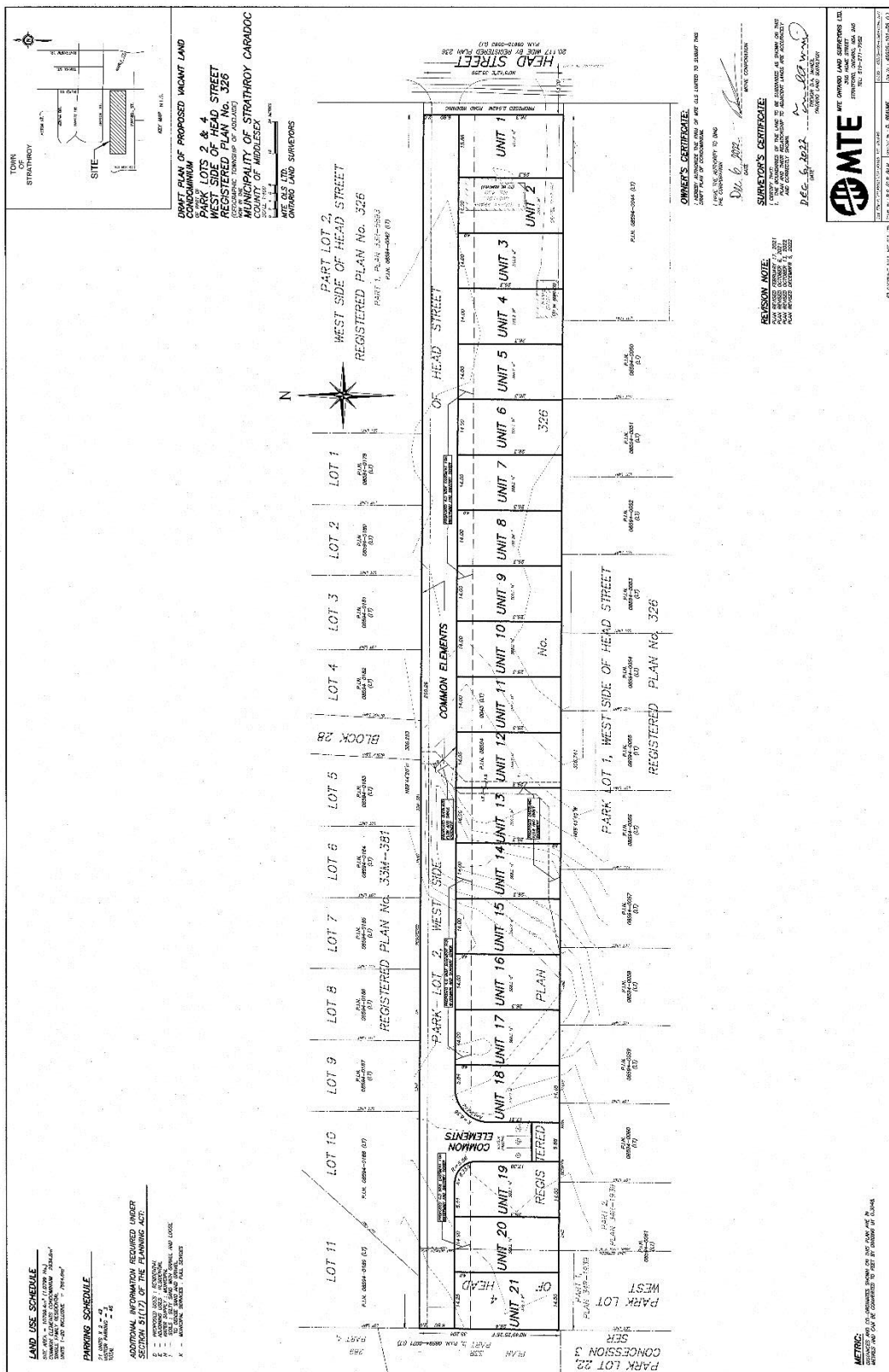
# Location Map #1 (Original Submission)



# Location Map #2 (July 2020 –Current Submission)



# Draft Plan of Condominium, dated June 25, 2020





## Draft Conditions of Condominium Approval

Applicant: Ontario Inc. c/o Brian Linker  
File No.: 39T-SC-CDM2001  
Municipality: Strathroy-Caradoc  
Subject Lands: 430 Head Street

The draft conditions and amendments to final plan of approval for registration of this Condominium are as follows:

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### No. Conditions

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1. That this approval applies to the draft plan of condominium, prepared by MTE dated October 13, 2022 which shows 21 single-detached residential lots/units (Units 1 to 21 inclusive) and common element features.
2. That prior to final approval, the condominium units be addressed to the satisfaction of the Municipality in consultation with the County of Middlesex.
3. That prior to final approval, the Owner enter into an agreement with the appropriate service providers for the installation of underground utility services for these lands to enable, at a minimum, the effective delivery of broadband internet services and communication / telecommunication services for 911 Emergency Services.
4. That prior to final approval, the Owner enter into an agreement with Canada Post Corporation for the installation of community mailboxes.
5. That prior to final approval, arrangements be made to the satisfaction of the Municipality for the relocation of any utilities that may be required as a result of the development of the subject lands and that such relocation be undertaken at the expense of the Owner.
6. That prior to final approval, the Owner shall provide to the Municipality confirmation from an Ontario Land Surveyor retained by the Owner at no cost to the Municipality that the unit (lot) areas and unit (lot) frontages conform to the Zoning By-law requirements of the Municipality.
7. That prior to final approval, the Approval Authority is to be advised by the Municipality that appropriate zoning is in effect for this proposed condominium.
8. That prior to final approval, the Owner provide a cash-in-lieu of parkland dedication to the Municipality pursuant to Section 51.1 of the Planning Act, equal to 5% of the appraised value of the land for residential purposes.

9. That prior to final approval, the Owner and the Municipality enter into a Condominium Agreement pursuant to Section 51(26) of the Planning Act to be registered on title of the lands to which it applies prior to the plan of condominium being registered. Further that the Condominium Agreement shall include provisions that it will also be registered against the lands to which it applies once the plan of condominium has been registered.
10. That the Condominium Agreement between the Owner and the Municipality satisfy all requirements of the Municipality related to financial, legal, planning and engineering matters including but not limited to the provision of roads, temporary roads and turning circles, pedestrian walkways, snow storage areas, private fire hydrants and turning radius capable of accommodating emergency service vehicles; grading and drainage, planting of trees, landscaping, fencing, buffering, street lighting and other amenities; full municipal water and sanitary services, future maintenance of the stormwater management facilities, the installation of underground electrical services, and other matters of the Municipality respecting the development of these lands including the payment of development charges in accordance with the Municipality's Development Charges By-laws.
11. That the Condominium Agreement between the Owner and Municipality, include a provision for the installation and maintenance of a permanent board on board wood fence wholly on the subject lands and at the common boundary between the subject lands and the properties at 18 Cedar Crescent and 146 to 180 Abigail Street to the satisfaction of the Municipality. The fence will have a height of 1.8 m (6 feet).
12. That the Condominium Agreement between the Owner and Municipality, include a provision for the installation of an acoustical wood board fence for noise mitigation as per the plans on file with the Municipality at the common boundary between the subject lands and the property at 446 Head Street to the satisfaction of the Municipality. The fence will have a height of 1.8 m (6 feet) and constructed as per the plans on file with the municipality. For clarity, a wrought iron fence is to be located in front of the main wall of the house as per the Environmental Noise Assessment Opinion Letter dated November 3, 2022.
13. That the Condominium Agreement between the Owner and Municipality ensure that the persons who first purchase the subdivided land after the final approval of the plan of condominium are informed, at the time the land is transferred, of all the development charges related to the development, pursuant to Section 59(4) of the Development Charges Act.
14. That the Condominium Agreement between the Owner and Municipality, include a provision, that the Owner shall follow the tree preservation, planting and landscaping plans (Ron Koudys Landscape Architect Inc. October 2022) for the site. The plan includes removal tree, tree protection areas and replanting provisions.

16. That the Condominium Agreement between the Owner and Municipality include a provision the Owner shall construct services (including sanitary, storm services as well as water service) as per the plans and reports on file. For greater clarity this will mean that the Owner is required to submit for the review and approval of the Municipality, a final servicing plan, stormwater management plan and sediment and erosion control plan. These detailed plans will be accompanied with a report(s) in support of the plans. The plans will incorporate necessary measures to enhance the quality of stormwater discharges and to control erosion and sedimentation during and after construction. The final stormwater management plan and sediment and erosion control plan, and final detailed servicing and grading plans shall identify drainage and sediment and erosion control strategies.
17. That any environmental protection measures recommended in the stormwater management plan required by Condition 16 above, that are not capable of being addressed under the Ontario Water Resources Act, be implemented through the Condominium Agreement.
18. That prior to final approval, the Owner provide, in favour of the Municipality, an easement(s) for access to servicing, and drainage purposes. This shall include but is not limited to the ensuring no encroachment or encumbrance over the servicing easements located on Units 12 to 15 as well as the common element.
19. That the Condominium Agreement between the Owner and Municipality, include a provision, that the Owner shall maintain the drainage works within the property as per the engineering plans and that the Municipality will have access to inspect the drain. The agreement will also provide information regarding the owner's performance responsibilities including, inspection, maintenance and repair. The Owner shall register on title of the land and include in all purchase and sale or lease agreements, information to the purchasers regarding the overland flow route including the expectations and their responsibilities for maintenance of the drainage works.
20. That the Condominium Agreement shall contain a clause that requires that the final grading design will ensure that the underside of house footing foundations will be a minimum of 100 mm above the highest water table surface, as inferred from water levels in all available on-site monitoring wells, measured over a period of no less than 18 months that includes two full spring seasons of data results and considers all current data if more is available over multiple years to the satisfaction of the Municipality.
21. That prior to grading or site alteration activities and prior to final plan approval, the detailed servicing, grading and stormwater management plans and report(s) in support of the draft plan of condominium shall be prepared and approved to the satisfaction of the municipality.

22. That prior to final approval and prior to grading or site alteration activities, if required, the Owner shall submit a dewatering plan for review and to the satisfaction of the Municipality, prior to submission to Ministry of Environment, Conservation and Parks. This plan will confirm that the works to be performed on the property will not adversely affect the functionality of the area sand points and wells.
23. That prior to final approval, a Licensed Archaeologist shall provide a letter to the Municipality and the County indicating that there are no concerns for impacts to archaeological sites on the subject lands. This is to be accompanied by a Ministry of Tourism, Culture & Sport letter indicating that the licensee has met the Terms and Conditions for Archaeological Licensing and that the report(s) have been entered into the Ontario Public Register of Archaeological Reports.
24. That prior to final approval the owner convey the road widening block to the Strathroy-Caradoc to bring the Head Street width to 13 metres from the centerline of the road.
25. That prior to final approval the Owner provide a cash-in-lieu of road improvements to the Municipality for the cost of the improvements across the frontage of the property.
26. That prior to final approval, the County of Middlesex is to be advised in writing by the Municipality how conditions 1 through 25 have been satisfied.

## **NOTES TO DRAFT APPROVAL**

1. Draft approval for this plan of condominium is for a period of three years from the date of decision. Any request made by the Owners to the Approval Authority to extend the lapsing date must be made 60 days prior to the lapsing date and include a written confirmation from the municipality endorsing the extension.
2. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the approval authority, quoting the file number.
3. It is suggested that the applicant be aware of:
  - a) subsection 144 (1) of The Land Titles Act, which requires all new plans be registered in a land titles system;
  - b) subsection 144 (2) - allows certain exceptions.
4. It is the applicant's responsibility to obtain any necessary permits from the Conservation Authority in accordance with Ontario Regulation 171/06 made pursuant to Section 28 of the Conservation Authorities Act, where applicable.

5. Inauguration, or extension of a piped water supply, a communal sewage system or a storm water management system, is subject to the approval of the Ministry of Environment, Conservation and Parks under Section 52 and Section 53 of the Ontario Water Resources Act.
6. That the removal of trees should take place outside of the core breeding period for migratory birds (April 6 to August 16), as identified by the Canadian Wildlife Service to ensure compliance with the *Migratory Birds Convention Act*.
7. That the trees to be removed shall be removed outside of the bat active season (April 1 to October 1) to prevent harm to the species in order to meet Ministry of Natural Resources and Forestry requirements.
8. That the Construction activities should only take place in accordance with noise by-law. All lighting equipment should be turned off outside of operational hours.
9. The Ministry of Environment, Conservation and Park must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of condominium.
10. A copy of the condominium agreement must be provided to the County of Middlesex (Director of Planning) prior to final plan approval.
11. When the zoning by-law amendment required in the conditions is being prepared, reference to this condominium application file number should be included in the explanatory note. This will expedite the County of Middlesex and other agencies' consideration of the by-law.
12. Clearance is required from the following agencies:  
Municipality of Strathroy-Caradoc | 52 Frank Street, Strathroy, ON N7G 2R4
13. All measurements in condominium final plans must be presented in metric units.
14. The final plan approved by the County of Middlesex must include the following paragraph on all copies (3 Mylars and 4 paper) for signature purposes:

*"Approval Authority Certificate*

*Parts \_\_\_ & \_\_\_ approved and Part \_\_\_ exempted under Section 9 of the Condominium Act and Section 51 of the Planning Act on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.*

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*Director of Planning  
County of Middlesex"*

15. The final plan must be submitted digitally in AutoCAD (DWG) and **Portable Document Format (PDF) with the appropriate citation from the Planning Act used. The AutoCAD (DWG) file must be consistent with the following standards:**

- Georeferenced to the NAD83 UTM Zone 17N coordinate system.

- All classes of features must be separated into different layers.
  - Each layer should be given a descriptive name so that the class of feature it contains is recognizable.
16. The final plan approved by the County of Middlesex must be registered within 30 days or the County may withdraw its approval under Subsection 51(59) of the Planning Act.

## Email from Ken Whatmough dated June 12, 2020

**From:** [Ken Whatmough](#)  
**To:** [Tim Williams](#)  
**Subject:** Wagstaff Place proposal  
**Date:** Friday, June 12, 2020 1:33:34 PM

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

Hi Tim,

I hope you are well. I am the son-in-law of the residents Mr & Mrs Wolf at 446 Head St N in Strathroy. I am contacting you on their behalf due to some language and technology barriers. This is in regards to the proposed condominium complex known as Wagstaff Place which is directly adjacent to their property.

First, can you please confirm that they will be notified of any upcoming meetings or hearings regarding the proposal, and also add me on the list to be notified? My email and mailing addresses are below.

Also, what is the best way to ask questions and express concerns?

Meanwhile, here are a few of their concerns at the moment:

1. In the Wagstaff Place proposal, the eastern-most lot is very close to Head Street, and in fact lies entirely ahead of the line formed by the fronts of the existing houses on Head Street. I.e., that whole first lot is actually in front of the existing setbacks. This raises several concerns including:
  - a. **Safety:** This proposal, with the proximity to Head Street, will restrict safe passage of pedestrians including school children along an already busy traffic corridor. In the event of an emergency, it will also restrict the safe egress of residents at 446 Head Street since #446 is already bounded on the north side by Abigail Street. The proposed fence will block the visibility for vehicles backing out of the driveway at #446 which is already challenging due to the intersections of Head Street, Abigail Street, and Pinetree Lane.
  - b. **Drainage:** The boulevard in front of 446 Head Street already suffers from improper drainage and freezes-over in the winter causing an obstacle to pedestrians and school children, something that has been reported numerous times to the Town without resolution. The proposed laneway would introduce a grading that would further aggravate the flooding due to its proximity to #446.
  - c. **Aesthetics:** The fact that the first lot lies in front of the existing setbacks will be an eyesore, affecting neighbouring property values and the ability of residents to enjoy their own properties. The addition of the fence will just make this worse.
2. The density of the Wagstaff Place proposal (20 lots) is too high. This raises many concerns including:

- a. **Safety:** Wagstaff Place residents in the deeper lots would be trapped with no escape in the event of a fire mid-way along the laneway.
- b. **Garbage Collection:** Will there be a single point of collection on Head Street for all 20 units, or will a large truck be stopping at each of the 20 units on the narrow laneway? Both options are undesirable which indicates that the density is too high.
- c. **Traffic:** With Abigail Street and Head Street, #446 is already bounded by busy streets on 2 sides. Now there will be a fence and a busy laneway on the only side that remains free, effectively turning #446 into an island. The master bedroom in #446 is at the south end of the house which would be just feet away from the proposed laneway.

Thanks,

Ken Whatmough



Planner for the Municipality of Strathroy-Caradoc  
52 Frank Street,  
Strathroy, Ontario N7G 2R4

K. Michael Grogan  
156 Abigail Street,  
Strathroy, Ontario N7G 4H4

July 28, 2020

Attention: Planning Department  
Re: Proposed Zoning Bylaw Amendment (ZBA 6-2020)  
430 Head St- Plan 326 Part Lot 2 and 4

There have been two community Zoom meetings regarding this proposed development of twenty single-family homes to be built on a 35.76 m (117.32 ft.) wide strip of land. Various concerns have been raised by many of the residents of the twenty-five properties that border the site and ten proximate properties also in the catchment area.

The density of the proposed plan has caused concerns ranging from issues of privacy loss, noise and air quality (cars and lawn machinery), drainage, traffic and parking, to name a few. For members of Council, given direction from the Province encouraging densification of municipal development, these might be dismissed as NIMBY concerns that are not consistent with the best interests of the community at large.

Given this background, the glaring inadequacies of the plan being proposed by the developers and their team have escaped close scrutiny.

The plans under consideration would see 20 houses serviced by a single road that would be the width of an average residential driveway. When I contacted Project Consultant, Laverne Kirkness, he advised “there are no sidewalks planned for” and “this is normal practice for a development of this scale”. He further informed me that residents will use the roadway as a shared space between autos and pedestrians.

This is unacceptable.

Abigail Street, one block to the north, has 21 homes on a two-lane street of normal width with a sidewalk, consistent with contemporary development standards. The years-older Pannell Lane, one block to the south, is much narrower than Abigail Street and has no sidewalks, presenting hazards to both car and pedestrian traffic. Pannell Lane in its current configuration would never be approved if proposed today, but even in its current inadequacy would be superior to the tiny, multi-purpose access road proposed in this development.

Safe accessibility for disabled persons is a human right. The provincial government strongly supports this, “The Accessibility for Ontarians with Disabilities Act (AODA) is a law that sets out a process for

developing and enforcing accessibility standards. ... Implementing and enforcing these standards will help us reach our goal of an accessible Ontario by 2025.”

As a person with progressive multiple sclerosis and a retired Ontario Disability Support Program Caseworker who worked in town for over 30 years, I know Strathroy-Caradoc as being proactive in implementing and enforcing accessibility standards ranging from curb cuts to access ramps.

Given my mobility challenges, I could not consider purchasing a home in the proposed development. It could potentially be a long way to the safety of a sidewalk depending on how far along the narrow, one-way driveway/street/sidewalk that one's house was located. This would not be a safely walkable neighbourhood. It would not be child-friendly, age-friendly or family-friendly

In an online document posted by the Ministry of Municipal Affairs and Housing titled *Infosheet-Planning for Intensification*, there is a section that addresses planning and design features that support intensification. Included in the list of these features are;

- wide sidewalks for pedestrian comfort
- Mobility-friendly curb cuts
- human-scale designs that create active streets and promote physical activity

This development would satisfy none of these.

Modern, contemporary development standards should not be sacrificed in the interests of densification. This flawed, substandard development, if approved and built as proposed, would outlive us all. It is important that council gets this right.

Sincerely,

K. Michael Grogan



**VIRTUAL COMMUNITY  
INFORMATON MEETING  
MINUTES**

PROJECT NAME: Residential Development 430 Head Street North, Strathroy	PROJECT NUMBER: 45525-101
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DATE: Wednesday May 20, 2020	TIME: 4:00 to 5:15 pm	LOCATION: Zoom Platform
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**PRESENTORS:**

Laverne Kirkness BES.RPP.MCIP.	Kirkness Consulting Inc.
Montana Wilson, M.Eng, P.Eng, PMP	MTE Consultants Inc.
Brian Linker	Owner
Ken Peters	Owner

**INVITEES:**

Tim Williams	Municipality of Strathroy-Caradoc
Jennifer Huff	Municipality of Strathroy-Caradoc
Erin Besch	Municipality of Adelaide Metcalfe
John Brennan	Member of Council
Frank Kennes	Member of Council

Rick Jansen - 18 Cedar Crescent.  
 Avril Hickson - 180 Abigail Street  
 Tom Hunt – ....176 Abigail Street  
 Mary Margaret Grout – 8 Cedar Crescent  
 Rick and Fran Shulist – 173 Abigail Street  
 Greg and Debbie Sladics – 152 Abigail Street  
 Steve Rich – 146 Abigail Street  
 Nancy and Mark Walter – 169 Abigail street  
 Jen Best – 18 Cedar Crescent  
 TOTAL of NINE HOUSEHOLDS – 3 from Cedar Crescent and 6 from Abigail Crescent.

**Absent : (residents that asked for email invitation but did not attend)**

Orval Allen – 148 Abigail Street  
 Pauline De Jeu – 183 Abigail Street  
 Robert Thuss – 33 Pannell lane



## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

### Discussion Items

#### 1. Project overview

Reference to the powerpoint presentation provided. Laverne introduced development team, municipal and council staff in attendance and conveyed this is a community information session. It was noted this development is a Draft Plan on Condominium for proposed 20 single detached residential units with one to two storey houses, and with single or double car garages. The required studies were listed, as well as the process for zoning, and various steps to be shovel ready.

#### 2. Open Forum for Questions or Comments (summarized below)

##### Abigail Street

169 Abigail Street – Nancy and Mark Walters

- Concern with second exit point in the development in case of emergency
- Comment on traffic with regards to Head Street and ability to increase traffic given there are no curbs.
- Also asked how many lots could be accommodated on the property without a zoning amendment. LK stated that he estimates 15 - 18 lots, but would confirm.
- LK also stated that he could have further work done to determine if the development would cause traffic concerns on Head Street.

180 Abigail Street - Avril Hickson

- Told the land behind her was land-locked when purchased her property in 2000
- Concerns over two storey height and privacy near her garden (Laverne commented there would be opportunity to see cross sections)
- Concerned about the once beautiful property now looking badly because trees have been cut and it has been left in bad state
- Avril noted that she was offered some of the lands behind her property many years ago.

176 Abigail Street – Tom Hunt

- Concerns with regard to two storey homes
- He had previous discussion with Brian Linker and would like a 6 ft wooden privacy fence

152 Abigail Street – Greg and Debbie Sladics

- In general has disagreement with any development
- Moved to Abigail because it had restrictions to maintain quality of development such as no clothes lines, certain building materials required, limited signage
- Concerned about loss of property value with proposed development
- Will be in attendance at public meeting
- Concerns with online public process rather than in person
- Requested larger drawing of site plan (LK - Committed to providing the plan. *LK did send plan out to all participants and will do so again with the circulation of the SUMMARIES*)
- Doubted storm drainage would work



## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

- Asked if turn around big enough for fire trucks and asked if fire department had provided comments on it. LK stated the fire department had not yet provided comments on the proposal. *Subsequent to the meeting Staff provided information that the Fire Department had commented and that the turn-around as shown is sufficient for fire fighting vehicles.*

### 146 Abigail Street – Steve Rich

- Was previously assured the land in question was land locked
- Opposes R2 zone on the grounds of compatibility
- Concerns about density, closeness of homes and questions any development of the lands.
- Concerns with his rear year being against future side yards
- Feels that 5m is not enough rear yard setback for the new dwellings.
- Concern with noise from people
- Concern will cause decrease in home value
- Asked about catchbasin in rear yard of 148 Abigail Street ( MTE commented that town drawings show it out-letting to Abigail Street)
- MTE verified proposed stormwater management pond is a dry pond
- Asked when it would go to Council. LK stated that was unknown due to COVID.

### Cedar Crescent

#### 18 Cedar Crescent – Rick Jansen/ Jen Best

- 100 % against any development of the lands
- Owners knew the zoning when they bought it
- Concern with three houses backing onto his rear yard
- Concerns with number of trees that are already cleared and the existing state of the property
- Opposed to any public information centre online
- Privacy concerns near existing pool
- Concerns with safety because of traffic on Pannell Lane, as there are no sidewalks
- Concern with Chickens they have and septic bed that is near the property line
- Concern will cause decrease in home value
- Noted Rogers cable line runs through the proposed development lands (Brian Linker confirmed there is no easement for this and Rogers did not know of the cable being installed on private property – LOCATES had been requested.)
- Question regarding attempt to spearhead this development during COVID. Councilor John Brennan assured him this was not the case - agents put on the community meeting to gather information as part of making a final proposal. Residents can email, call or mail concerns.
- Rick requested by-law document – was told it is on town website

#### Mary Margaret Grout at 8 Cedar Crescent

- Concerns for pedestrian traffic on Pannell Lane with no sidewalks
- Concern with traffic increase on Head Street



## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

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The owner at 148 Abigail asked about the existing catchbasins - where do they drain and would any of the water from 430 Head be directed to it.

Montana - indicated that it would be directed to the existing subdivision storm water system and that none of the water from the project would be directed to the existing catch basin.

Pannell Lane – no residents from this section in attendance

Councilor Brennan arranged with Staff to provide Laverne with a link to Zoning Bylaw on line so it could be sent to the attending residents.

Residents asked for a Site Plan to be emailed as the mailed one is difficult to read. Laverne agreed to send Plan with the I Link in previous paragraph. Laverne asked that residents to email request to ask to attend Monday's (May 25<sup>th</sup>) virtual meeting. Laverne also thanked each resident for spending the 1 ¼ hours at the meeting such that local resident engagement could be sought.

Meeting ended at 5:15 p.m.

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## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

PROJECT NAME: Residential Development 430 Head Street North, Strathroy	PROJECT NUMBER: 45525-101
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DATE: Monday May 25, 2020	TIME: 7:00 to 8:25 pm	LOCATION: Zoom Platform
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**PRESENTORS:**

Laverne Kirkness BES.RPP.MCIP. Montana Wilson, M.Eng, P.Eng, PMP Brian Linker Ken Peters	Kirkness Consulting Inc. MTE Consultants Inc. Owner Owner
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**INVITEES:**

Tim Williams Jennifer Huff Councilor John Brennan Councilor Sandi Hipple Mayor Joanne Vanderheyden Rick Jansen - 18 Cedar Crescent. Jen Best – 18 Cedar Crescent Avril Hickson - 180 Abigail Street Mary Margaret Grout – 8 Cedar Crescent Rick and Fran Shulist – 173 Abigail Street Greg and Debbie Sladics – 152 Abigail Street Nancy and Mark Walter – 169 Abigail street Katie Dortmans – not on mailing list and do not have her address Melissa Simpson and Andy Oomen- 39 Pannell Lane Bridget and Kurtis Smith- 29 Pannell Lane Marco Peeters- 11 Pannell Lane Magda Rizov – (daughter, Sophia) – 164 Abigail Street Mike Grogan – 156 Abigail Street Robert Thuss – 33 Pannell Lane Pauline DeJeu- 183 Abigail Street Kelly?	Municipality of Strathroy-Caradoc Municipality of Strathroy-Caradoc Member of Council Member of Council Member of Council
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(24 Participants recorded on zoom)

Absent : (residents that asked for email invitation but did not attend)

Orval Allen – 148 Abigail Street (*Laverne emailed him to ask for a phone conversation as invitation is not reaching him*)

Gary Lowe – 150 Abigail Street



## VIRTUAL COMMUNITY INFORMATION MEETING MINUTES

### Discussion Items

#### 1. Project overview

Reference to the powerpoint presentation provided. Laverne introduced development team, municipal and council staff in attendance and conveyed this is a community information session. It was noted this development is a Draft Plan on Condominium for proposed 20 single detached units with one to two storey house with single or double car garages. The previous studies were lists as well as the process for zoning and various steps to be shovel ready.

#### 2. Open Forum for Questions or Comments (summarized below)

##### Abigail Street

Pauline DeJeu

- Concerned there is insufficient parking for visitors
- Pointed out that there is no overflow capacity on Head Street and Abigail Street
- Laverne pointed out that there would be 1 or 2 car garages and driveways that could accommodate 2 vehicles – for a total of 3 to 4 vehicles, but will consider further.

Michael Grogan

- pointed out that the average household has 1.5 vehicles and believed parking to be a problem
- raised concerns about noise and air pollution from development

Sophia- daughter of one owner - Magda Rizov)

- Would like an 8ft fence instead of 6ft fence along north side for added security and privacy for her Mom

169 Abigail Street – Nancy and Mark Walters

- How does the Plan accommodate Snow storage?
- Laverne commented that it would be in boulevard and cul de sac centre or if too much or excessive, then would be trucked off site.

180 Abigail Street - Avril Hickson

- Is there a by-law to how early and late they can work on the property – there is currently a truck there now for container (8:05 pm)
- Sent pictures to Laverne of before or after, Laverne acknowledged and sent them to owners but not the residents as she had asked. It was agreed that she would use the Zoom list to circulate photos on her own.
- Councilor Brennan advised that workers can start at 7 a.m. and work thru to 7 p.m. Monday thru Friday and 7 a.m. to noon on Saturdays.
- Owners stated they are working to clear site very soon, and will look into the above 8 p.m. working activity.





## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

### 152 Abagail Street – Greg and Debbie Sladics

- Provincial Policy Statement question – has the study done that supports intensification? Laverne reply's that town looks on a case by case basis.
- Greg asked Brian/Ken if he has ever done this type of housing before. Brian responds it will be a vacant land condo, single detached. Bryan says not done a home before like this as condo 20 units
- Very concerned about decrease in existing property values.
- Laverne says there is not intent to decrease property values
- Greg Invited Councilors to walk property.
- He also asked about the sizes of the homes.

### Cedar Crescent

#### 18 Cedar Crescent – Rick Jansen/ Jen Best

- Concern with three houses backing onto his rear yard
- Raised concern over the 11 m frontage for each of the lots.
- Concerns with number of trees that are already cleared
- Opposed to any public information centre online- such is the Zoom meeting
- Privacy concerns near his existing pool with two storey homes and 5 m rear yard setbacks
- Concerns with traffic on Pannell Lane as there are no sidewalks
- Concern with future residents complaining about their Chickens
- Concerned about their sewage system being compromised with development
- Proposed development will cause decrease in home value
- Rick questions about Archeological dig – Brian explained “garbage” artifacts were removed to be stored in vault in London. Artifacts were from Pioneer era – not Native era.
- Rick had spoken to lawyer and encouraged everyone to not speak to third party consultants and they are biased in favour of owners only. He claimed Laverne Kirkness was an employee of the Owners. Laverne tried to distinguish between employee and consultant role.
- Rick spoke to Councilors and Mayor about no support for project
- Concerns about level of density, would be OK with one house being built.
- Knows of no one in the area that is supportive of the project.

#### Mary Margaret Grout

- Concerns for pedestrian traffic on Pannell Lane which is hilly and has no sidewalks
- Concern with traffic increase on Head Street

### Pannell Lane

#### Marcos Peters

- no comment

#### Curtis and Bridget Smith



## VIRTUAL COMMUNITY INFORMATON MEETING MINUTES

- No comments at this time

### 33 Pannell Lane - Robert Thuss

- Lowest one of the lots and concerns over drainage and looking at retaining wall/walkout basements as part of future development
- Question to Montana over grades shown on the plan - Montana response that we have legal obligation to meet grade at property lines
- Also concerned with work on early Saturday mornings at 7am - Brian commented at the stumps are being removed and site cleaned up
- Councilor John Brennan was asked if knew and was friends with developers – he answered No. He did state that he asked the Owners if he could tour the site and did so on Saturday morning.
- Laverne agreed that a visit can be made to Robert to see the site from his yard – Covid protocols to be respected.

### 39 Pannell Lane – Melissa Simpson and Andy Oomen

- Stated he was speaking for Mr. Gomes and Mr. Book on each side at 35 and 41 Pannell Lane – both who do not have technology or language to participate in this matter via Zoom. Laverne pointed out that there were three other ways to participate, mail, email and phone.
- Concerns with drainage and houses in rear yard
- Does not like 5 m and asked if there was flexibility in in being a little more or less etc. Laverne explained 5 m would be minimum
- Will the concerns be looked at to modify the design – Laverne says all comments will be considered included from agencies as well.
- Bought property under condition that was landlocked

The Mayor JV and staff, Jennifer Huff explained public process and meetings with requirement to have a public meeting before Council (virtual or otherwise) and residents would get about 2 weeks notice staff say a minimum of 20 days) , then return to staff for recommendation and report to be considered at subsequent Council meeting that is open to the public, but not a participation meeting.

Laverne thanked participants for attendance and input and advised that a full summary would be completed and circulated to residents and if they had concerns about the way their input was described they could supplement with email to him and SC staff. Meeting ends 8:25 p.m.

## Email from Ken Whatmough dated November 30, 2022

### Tim Williams

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**From:** Ken Whatmough <kwhatmough@outlook.com>  
**Sent:** Wednesday, November 30, 2022 6:03 PM  
**To:** Tim Williams  
**Subject:** Re: 430 Head Street

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

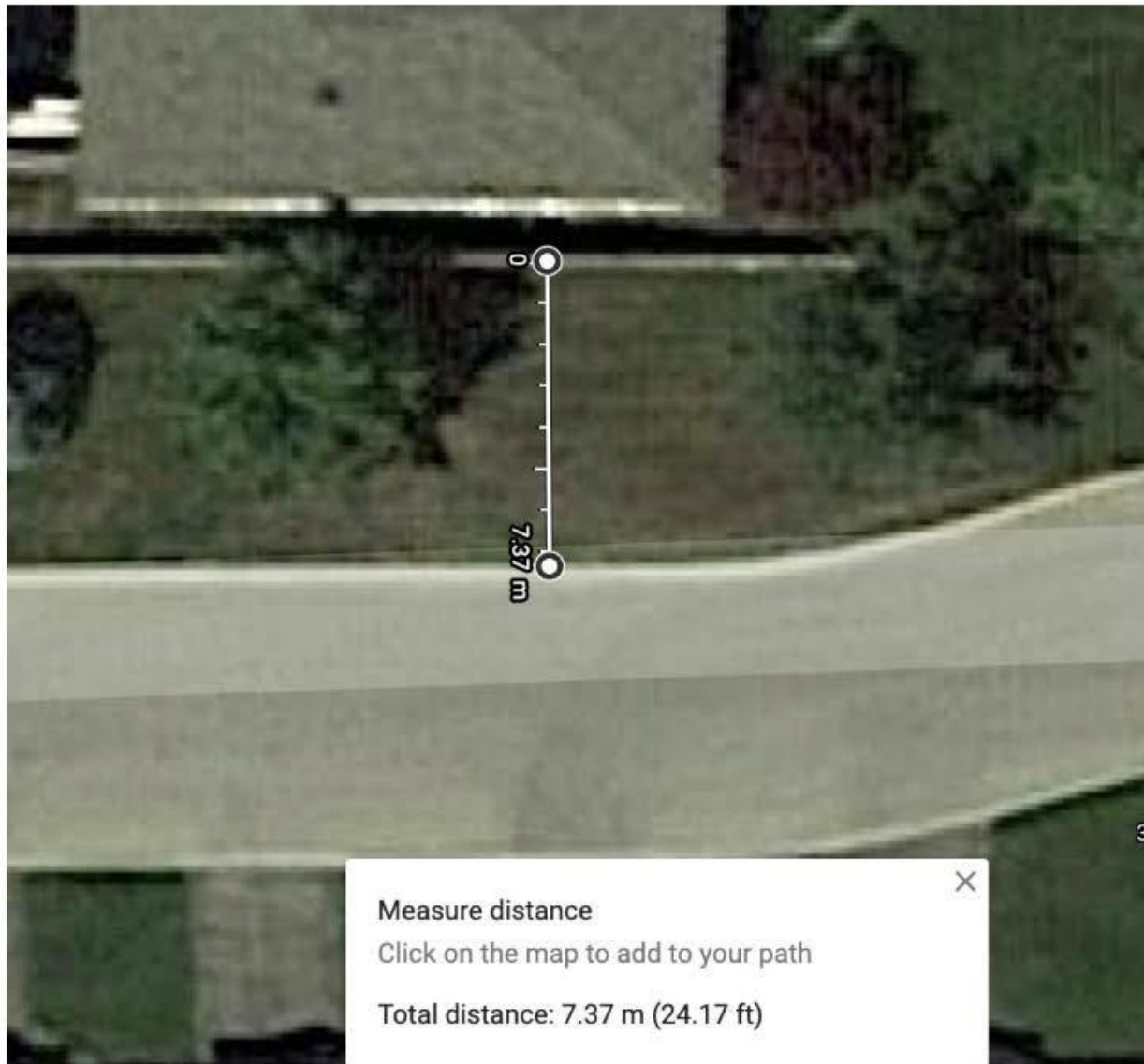
Hi Tim,

I reviewed the information in detail with Mr. and Mrs. Balint. They made the following things very clear to me:

1. Regarding switching the entrance to the south: The fact that the developer themselves said that they "would then have a similar issue with the neighbour to the south" seems to prove our point that the plan is unacceptable to anyone, let alone Mr. and Mrs. Wolf, and that the developer is actually aware of this fact. If the developer is aware of this issue, then we believe that they should fix it.
2. Specifically, we maintain that the same distances seen at 384 Head St should apply here. I will forward you the email that I originally sent you on May 13, 2021 when you had asked us how much setback we were asking for. I am also including a copy below. We are asking for 24' as shown.

Hi Tim,

Thanks for asking. I've been talking with Balint Wolf about this. We are seeking a setback of 24 feet. This is consistent with the existing setback at 384 Head St N, as you can see in this image:



Regards,

Ken Whatmough  
on behalf of Balint and Maria Wolf  
446 Head St N  
Strathroy, ON

Regards,  
Ken