



Zelinka Priamo Ltd.

LAND USE PLANNERS

Date: October 19, 2021

To: Municipality of Middlesex Centre
Marion-Frances Cabral, Senior Planner

From: Zelinka Priamo Ltd.
Ben McCauley, Planner

Subject: Official Plan Review (21594 Highbury Avenue North)

Zelinka Priamo Ltd., on behalf of Doug and Shirley Troupe, has prepared this letter as it relates to the property located at 21594 Highbury Avenue North ("the subject lands") and the Municipality of Middlesex Centre's Official Plan Review.

The front portion of the subject lands, which contains a single detached dwelling, is within the "*Hamlet*" land use designation in the Ballymote Hamlet Area (as per Schedule 'A-5' of the Municipality of Middlesex Centre Official Plan). The rear portion of the subject lands, which contains manicured lawns, a man-made pond, and a portion of a larger wooded area, are within the "*Agriculture*" land use designation (as per Schedule 'A' of the Municipality of Middlesex Centre Official Plan). A portion of the wooded area to the north is located on the subject lands, which is designated "*Significant Woodlands*" (as per Schedule 'B' of the Municipality of Middlesex Centre Official Plan). A portion of the rear of the subject lands is also designated "*Hazard Lands (Steep Slopes/Fill Lines)*" (as per Schedule 'C' of the Municipality of Middlesex Centre Official Plan).

It is proposed that the entirety of 21594 Highbury Avenue North, including the rear portion of the subject lands, be designated the "*Hamlet*" land use designation in the Ballymote Hamlet Area (as per Schedule A-5 of the Municipality of Middlesex Centre Official Plan). It is noted that any areas on the subject lands that are identified as "*Significant Woodlands*" and "*Hazard Lands (Steep Slopes/Fill Lines)*" would warrant further investigation through detailed environmental and/or geotechnical/hydrogeological studies to demonstrate to the Municipality of Middlesex Centre that these lands do in fact have development potential for low density residential uses. The type and extent of these reports/studies would need to be further scoped with Municipal Staff, and other studies/reports may be identified as requirements to demonstrate the appropriateness of the proposed land use change.

According to Section 5.2 Redline Version 1.0 (prepared October 7, 2021) of the updated Municipality of Middlesex Centre Official Plan, expansion of established settlement areas may occur at the time of a local Official Plan Review. Given there is an active Official Plan Review in progress, the purpose of this letter is to demonstrate that proposal noted above is consistent with the following policies:

- 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;*

A limited amount of land is available along Highbury Avenue North and Medway Road for intensification opportunities to accommodate low density residential development with direct frontage onto the higher-order roads. There is demand to accommodate

additional low density residential development off of a new public or private road that would occupy a portion of the rear of the subject lands, and lead to several new interior lots that are buffered from vehicular noise and traffic. There is no land within the Ballymote Hamlet Area that would accommodate such lot patterns and locations, ultimately providing improved livability for future residents.

- 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;*

It is understood that the Ballymote Hamlet Area is serviced by municipal water. Any new residential uses on the rear portion of the subject lands are intended to at least be partially municipally serviced, and although we recognize that municipal sewage services do not currently exist, we are requesting as part of this letter that given the proximity of these lands to the boundary with the City of London that both municipal water *and* sewage may be possible within the life of this updated Official Plan.

- 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;*

The subject lands do not comprise a special crop area. The property has not been used for agricultural purposes for several decades.

Existing undeveloped lands contemplated for low density residential development in the Ballymote Hamlet Area are located on existing agricultural lands that remain in production. The rear portion of the subject lands are not existing agricultural lands in production, and as such, do not remove any agricultural lands from existing use. As such, the development of the rear portion of the subject lands could be considered more appropriate than strip development along Highbury Avenue North and Medway Road on existing farmland.

- d) *the new or expanding settlement area is in compliance with the minimum distance separation formulae; and;*

It is assumed that the existing Ballymote Hamlet Area is compliant with MDS requirements, and as such, including the rear portion of the subject lands in this boundary would not change these conditions. There are no livestock facilities to the north or east of the rear portion of the subject lands, and as such, there no MDS concerns. It is anticipated that the expansion of the settlement area boundary will comply with MDS requirements.

- 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. Each request for lands to be added to a settlement area must be assessed in accordance with the criteria set out in the Provincial Policy Statement and considered in the context of other policies that relate to development within settlement areas. This includes the servicing hierarchy established in Section 1.6.6 as discussed in section 9.3 of this report.*

The policies within the Provincial Policy Statement have been considered in our request for the expansion of the existing Ballymote Hamlet Area boundary, and the proposed is consistent with general intent of the document. The property owner is open to a servicing solution that is appropriate for both the Municipality and future residents of the property, as per the servicing hierarchy noted in the updated Official Plan.

We look forward to Staff's response to the above-noted matter.

We will continue to monitor the Official Plan Review process in more detail and may provide additional comments as required.

If you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



Ben McCauley, M.PL.
Planner