



Meeting Date: June 21, 2023

Submitted by: Marion-Frances Cabral, Planner

Report No: PLA-45-2023

Subject: Application for Zoning By-law Amendment (ZBA-09-2020) for lands on Dausett Drive; Filed by Zelinka Priamo Ltd. (Katelyn Crowley) on behalf of 756949 Ontario Limited

Recommendation:

THAT Zoning By-law Amendment application (ZBA-09-2020), as amended, filed by Zelinka Priamo Ltd. on behalf of 756949 Ontario Limited, to rezone the land from 'Highway Commercial exception 9 (C2-9)' to a site-specific 'Urban Residential Third Density exception 27 (UR3-27) (h-2) (h-3) (h-7)' zone be APPROVED.

Purpose:

This report is to provide a recommendation for the Zoning By-law Amendment application on the land located off Dausett Drive east of Jeffries Road in Kilworth. The subject land is located south of Glendon Drive. The subject land is legally described as Plan 33M656 Block 60, Municipality of Middlesex Centre.

A location map is included as Attachment 1.

Background:

The Zoning By-law Amendment application requests to rezone the subject lands from 'Highway Commercial exception 9 (C2-9)' to a site-specific 'Urban Residential Third Density exception x (UR3-x)' zone.

The irregularly shaped parcel subject to the application is vacant of buildings and currently contains excess soil. However, existing and planned commercial uses are located on the western portion of the property. These lands contain a building supply outlet, restaurant and commercial buildings. Existing medium density residential units abut directly to the east of the subject land. West of Jefferies Drive contains commercial lands in proximity to Glendon Drive. South, south-west, and east of the subject parcel exists a low-density residential community.

The initial applications (Official Plan Amendment and Zoning By-law Amendment) were received in 2020 and a public meeting was held on June 24, 2020, and at following meetings on August 11, 2021 and January 26, 2022. The application proposed a total of 54-units comprised of 18 townhouses and 36 stacked townhouses units.

Since the public meeting in June 2020, staff and the applicant reviewed the comments provided by the public and Council. Staff advised the applicant that a land use change, such as the one proposed, would generally require a comprehensive review or assessment to convert the employment land and that the applications should be reviewed comprehensively as part of the Municipality's Official Plan Review, which was set to commence in July 2020. The applicant was also advised that they have the ability to revise the application and proposal to include comments made by the public, staff and Council.

At the request of the applicants, Staff presented the applications to the public at a public meeting in August 2021. Noting the Official Plan Review and supporting studies which were underway, staff recommended that the applications be deferred until the comprehensive review was prepared by the Municipality's consultant. In February 2022, the Municipality accepted the final Growth Management Study which informs the employment and residential projected land needs for the Municipality. The applicant reviewed the Growth Management Study and provided their analysis within the revised Planning Justification Report (Attachment 2).

The applicant also submitted a revised concept development plan (Attachment 3). The concept plan is preliminary and can be altered or refined through site plan and condominium review processes. The principle design features of the proposed development include the following:

- A single access and driveway will be off Dausett Drive and will be refined through further development applications (plan of condominium or site plan control). There will be no vehicular access to Glendon Drive.
- A total of sixty-four (64) dwelling units
 - Sixteen (16) townhouse dwelling units proposed along the eastern and southern property boundaries abutting existing residential development. Each townhouse unit is proposed to have a single car garage and driveway for a total of 2 parking spaces per unit
 - Twenty-four (24) stacked, back-to-back townhouse dwellings (apartment dwellings) in a block is located along the Glendon Drive frontage.
 - Twenty-four (24) stacked, back-to-back townhouse dwellings (apartment dwellings) in a block is located in the centre of the development.
- Surface parking spaces are located abutting the townhouse blocks and along the western property boundary abutting existing commercial development
- Amenity area located adjacent to the central townhouse block near the entrance of the development
- Private internal road that loops around the central townhouse block
- Dedicated waste collection area in central location

- Sidewalks are proposed from the entrance of the development to the central amenity area and around the townhouse blocks
- A 1.82 m (5.97 ft) noise wall is proposed at the rear of the units to mitigate traffic noise levels from Glendon Drive
- All proposed units are to be serviced from an existing storm sewer and watermain located on Dausett Drive

In February 2023, Council adopted the associated Official Plan Amendment application (OPA 50) to redesignate the lands and was approved by the County of Middlesex on May 9, 2023.

Policy Regulation:

When reviewing the application the following planning instruments are applicable to guide development within settlement areas. The Provincial Policy Statement provides planning direction for growth and a variety of uses within settlement areas and contains specific policies to ensure development is appropriate. The property is identified as part of the Kilworth ‘Settlement Area’ in Middlesex County’s Official Plan and designated as ‘Medium Density Residential’ and identified within ‘Community Gateway’ within Middlesex Centre’s Official Plan. The property is zoned ‘Highway Commercial exception 9 (C2-9)’ by Middlesex Centre’s Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

Provincial Policy Statement, 2020:

The Planning Act states that all decisions made by planning authorities “shall be consistent with the policy statements issued” under subsection 3. The Provincial Policy Statement, 2020 (PPS) document is comprised of several policy statements and those that are applicable to the proposed development are noted below.

Section 1.0 – Building Strong Healthy Communities establishes policies that support long-term prosperity, environmental health and social well-being within communities.

Section 1.1 of the PPS identifies that healthy communities are sustained by accommodating an appropriate range and mix of uses, avoiding development patterns that cause environmental concerns, and promoting cost-effective development patterns that optimize the use of planned and future infrastructure.

Section 1.1.2 requires municipalities to accommodate an appropriate range and mix of land uses to meet projected land needs for a time horizon of up to 25 years. Within settlement areas land is to be made available through intensification and redevelopment.

Section 1.1.3 – Settlement Areas establishes that settlement areas can vary in size, population, and diversity and intensity of land uses. The PPS directs growth and development to settlement areas where new development varies in densities and land uses, and there are opportunities for intensification, redevelopment, and the efficient use of land. New development patterns are based on the efficient use of land that minimize negative impacts to the environment, support active transportation and are appropriate for the infrastructure and public service facilities.

Sections 1.1.3.4 and 1.1.3.6 promote intensification, compact development, varying uses and densities where it avoids or mitigates risks to public health and safety and is adjacent to the existing built-up area. Section 1.1.3.5 also allows municipalities to establish a minimum target for intensification within built-up areas subject to local conditions.

Further, at the time of an Official Plan review, municipalities can review employment areas to ensure that the designations are appropriate. Municipalities may permit the conversion of lands within employment areas to non-employment uses, such as residential, through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long-term and that there is a need for the conversion.

Section 1.4 – Housing speaks to the provision of housing within a municipality. The PPS promotes an appropriate range and mix of housing types and densities and directs development of new housing towards areas where there is an appropriate level of infrastructure. Municipalities are to provide opportunities for all forms of housing and intensification to meet the social, health and well-being needs of the current and future community.

Sections 1.6 – Infrastructure and Public Service Facilities directs that infrastructure and be provided in an efficient manner that also prepares for the impacts of a changing climate. Section 1.6.2 directs municipalities to promote green infrastructure to complement existing infrastructure such as permeable surfaces, green roofs, and street trees.

Section 1.6.6 – Sewage, Water and Stormwater directs future growth and development to efficiently use and optimize existing services such as municipal sewage and water services, when available, and promote water conservation and water use efficiency. Servicing and land use considerations shall be integrated at all stages of the planning process. Further, municipal sewage and water services are the preferred form of servicing for settlement areas.

Section 1.6.6.7 promotes planning for stormwater management that is integrated with planning for sewage and water services and ensures that systems are optimized, feasible and financially viable over the long term; minimizes or prevents an increase in negative impacts on the environment and water system; does not increase risks to human health and safety and property damage; maximizes the extend and function of vegetative and pervious surfaces; and promotes stormwater management best practices such as low impact development, water conservation and stormwater attenuation.

Middlesex County's Official Plan:

The County of Middlesex Official Plan (County Plan) identifies the subject land within the Kilworth 'Settlement Area'.

Section 2.3.4 – Growth Management-Economic Development maintains a County goal to support economic activity and opportunities for residents to live and work within the County. The County Plan seeks to ensure there is a sufficient supply of employment land available throughout the County especially in areas where there is access to major arterial roads.

The County Plan also encourages municipalities to provide a balanced mix of housing and employment uses to ensure a sufficient labour force and to reduce the need for commuting.

Section 2.3.8 – Growth Management-Settlement Areas of the County Plan recognizes that Settlement Areas will be the focus for future growth including commercial, industrial and residential uses. These areas are intended to have the highest concentration and a wide range of land uses and full municipal servicing in conjunction with 2.4.5 of the County Plan.

Additionally, section 2.3.7 – Growth Management-Housing Policies encourages a wide variety of housing types, sizes and tenure to meet market requirements and demand for current and future residents. Municipalities are responsible to determine and encourage a range of housing types, densities and options through local official plans that meet current and future needs. This can also include intensification and redevelopment in appropriate locations.

Section 3.2 – Settlement Areas provides additional development policies for lands within Settlement Areas. The County Plan further supports that Settlement Areas are developed in a manner that is phased and compact, and preserves the historic character of Settlement Areas and complements the positive elements of the existing built-form. The County Plan defers to the municipality to provide detailed direction on a variety of areas including addressing land supply and policies for land uses within urban areas including residential and commercial.

With regard to municipal sanitary sewers and water services, Section 2.4.5 – Sanitary Sewers and Water of the County Plan promotes efficient and environmentally responsible development that can be supported by full municipal systems servicing.

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 are included in this report for

informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

Adopted Section 2.4.2.2 – General Policies states that the layout of all new residential developments shall provide a minimum of two access points to the existing road network. Exceptions to this policy shall be considered if the proposed street pattern is approved by the local Municipality, emergency service provider(s) and the County Engineer, where applicable.

Middlesex Centre's Official Plan:

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Komoka-Kilworth Urban Settlement Area and Secondary Plan on Schedule A-2 and designated 'Medium Density Residential'. The land is also within the Community Gateway overlay on Schedule A-2 which provides additional guidance for specific areas within the Komoka-Kilworth area.

Section 5.7.1 – Komoka-Kilworth Secondary Plan Goals establish the need to find a balance between a mix of land uses that serve key functions of a complete and vibrant community. Land uses include housing with different densities, local businesses, employment, institutions and recreation.

Section 5.7.4 – Komoka-Kilworth Residential Area Policies summarized below apply to lands designated 'Medium Density Residential'.

- The 'Medium Density Residential' designation has a housing mix target of 40% which refers to the intended balance between low density and medium density residential development in Komoka-Kilworth. Medium density development is intended to have a net density of 20 to 50 units per hectare.
- Development proposals shall provide for a diverse mix of multi-unit housing forms and choices of accommodate the needs and lifestyles of people at different stages throughout their life; and for the development along Glendon Drive, provide building orientation, façade and landscape treatments that create an attractive streetscape. Back-lotting of units will be strongly discouraged along Glendon Drive. Improvements to Glendon Drive may include upgrades to hard infrastructure (e.g. stormwater system, bike lanes, sidewalks) and may be a required as a condition of development.
- All new development must ensure appropriate orientation and massing of residential buildings to provide adequate private and public open spaces, and to facilitate the penetration of sunlight to these spaces.
- In addition to compliance with the urban design guidelines, private garages for residential development shall not project into the front yard than the habitable portion of the building or porch on the main floor in order to limit visual and streetscape impacts of garages.

Entrance features to new residential neighbourhood development shall be encouraged where features are landscape related and require minimal maintenance. Section 5.7.8 – Komoka-Kilworth Community Gateway Policies for Komoka-Kilworth are intended to promote a strong visual and signal of entry into the community. As such, these areas are intended to have landmark features such as signage and special landscape treatments that have visual prominence, and be considered when there are proposals for new development.

Section 6.3 – Design Policies-Site Plans and Infill Developments provide additional direction to guide infill development to ensure there is compatibility with existing residences and neighbourhoods. High quality site design and architectural design is encouraged for new medium density residential development. Setbacks, massing, location of parking, architecture and other design elements will be carefully reviewed to ensure new development is in keeping with the character of the neighbourhood.

Middlesex Centre Council adopted Amendment No. 59 on May 18, 2022. While the policies implemented through Amendment No. 59 are not in force and effect until County approval, the updated policies are included in this report for informative purposes indicating the intent of County Council, but are not determinative for the purposes of this planning application.

Adopted Section 5.3.1 – General Residential Policy was revised to ensure the Municipality has at least a fifteen year supply of designated land available at all times to meet projected new housing needs of the Municipality, and that 20% of development in Urban Settlement Areas like Kilworth occur by way of intensification.

The Municipality shall encourage that 20% of new housing is accessible to lower and moderate income households in accordance with the County Official Plan. In the case of ownership, the least expensive housing is where the purchase price is at least 10% below the average purchase price of a comparable resale unit in the regional market area for the previous year.

Adopted Section 5.8.4 – Komoka-Kilworth Residential Area Policies was revised to state the targeted housing mix within the Medium Density Residential designation has a Gross Density (units per hectare) of 20 to 50.

Adopted Section 6.2 – Design Policies Plan of Subdivision states that this section shall apply to subdivisions, condominiums and site plan applications or cluster development. New development shall include sidewalks, other active transportation infrastructure and traffic calming measures as deemed appropriate by the municipality. Rear-lotting or reverse lotting on Municipal roads is discouraged. Wherever possible, new residences will be oriented towards street or parks. Developments shall be required to comply with the Municipality's current infrastructure design standards as may be amended from time to time.

Adopted Section 6. 4 – Design Policies – Streetscapes and Public or Semi-Public Realm provides direction of streetscaping to complement the existing built form of the neighbourhood. Accessible sidewalks and low impact development standards should be incorporated to minimize the impacts of climate change and reduce stormwater management costs. Surface parking shall be located behind buildings and away from the street to provide a continuous streetscape. Appropriate design treatments and buffering is encourage to screen parking areas from the public realm.

Middlesex Centre Zoning By-law:

The subject land is currently zoned site-specific ‘Highway Commercial exception 9 (C2-9)’ and permits all uses within the ‘Highway Commercial (C2)’ zone, *open storage as an accessory use to a Building Supply Establishment* and a *clinic*. The ‘Highway Commercial (C2)’ zone permits uses such as, but are not limited to, financial institutions, hotels, offices, restaurants, and retail and convenience stores. Additional site-specific zoning standards apply to the subject land such as maximum lot coverage, minimum front yard setback minimum exterior side yard setback and open storage exceptions.

The requested amendment would rezone the property to a site specific ‘Urban Residential Third Density exception x (UR3-x)’ zone to reflect the proposed 64-unit medium density development that consists of townhouses and stacked townhouses (apartment dwelling).

The proposed site-specific zone would address standards such as permitted uses, setbacks, maximum density, and lot coverage. The standards shown below are based on the proposed site plan (Attachment 3) and have been reviewed by staff in consultation with the applicant.

	UR3 Zone	Proposed Site Specific UR3-x
Permitted Uses	Accessory Use Apartment Dwelling Multiple Unit Dwelling Street Townhouse Dwelling Townhouse Dwelling	Accessory Use Apartment Dwelling Multiple Unit Dwelling Street Townhouse Dwelling Townhouse Dwelling
Minimum Lot Area	250.0 m ² (2,691 ft ²) for each of the first four (4) dwelling units and 100.0 m ² (1,076 ft ²) for each additional dwelling thereafter for Apartment Dwelling Units and Multiple Unit Dwellings	1.0 ha (2.47 ac)

	UR3 Zone	Proposed Site Specific UR3-x
	250.0 m ² (2, 691 ft ²) per dwelling unit for Townhouse Dwelling Units	
Minimum Lot Frontage	30.0 m (98 ft)	9.8 m (32.15 ft)
Minimum Side Yard Setback	3.0 m (10 ft) on an interior lot, and 6.0 m (20 ft) on the side abutting a street and 3.0 m (10 ft) on the other side on a corner lot; provided that no side yard shall be required between the common wall dividing individual dwelling units for Street Townhouse Dwelling Units and Townhouse Dwelling Units 10.0 m (33 ft) for Apartment Dwelling Units and Multiple Unit Dwellings	8m (26.2 ft) when abutting a shared lot line with existing residential units; 6.0 m (19.7 ft) when abutting a lot line with no existing residential units; no side yard shall be required along a common wall that divides individual dwelling units.
Minimum Side Yard Setback Abutting Commercial Zone	-	5.8 m (19.0 ft) from the exterior wall of an end dwelling unit to the lot line; 8.0 m (26. 2 ft) from the rear of a dwelling unit to the lot line
Minimum Rear Yard Setback	8.0 m (26 ft)	8 m (26.2 ft); no rear yard shall be required along a common wall that divides individual dwellings units
Maximum Density	30 units per hectare	60 Units per hectare (gross)
Maximum Height	20.0 m (65.6 ft)	14.0 m (45.9 ft)
Visitor Parking	-	0.1 parking spaces per dwelling unit shall be provided on-site for visitors in addition of the parking rate requirements in Section 4.24 of this By-law.

	UR3 Zone	Proposed Site Specific UR3-x
Definition of a Lot	LOT means a parcel or tract of land which: (e) is a vacant land condominium unit on a registered vacant land condominium plan	Notwithstanding the definition of “LOT”, the entire area zoned UR3-27 is considered a “Lot”, and despite any future severance, partition, or division of the lot within a condominium plan, the provisions of this By-law shall apply to the whole of the zone as if no severance, partition or division had occurred.

Consultation:

Notice of the application was posted on the property and circulated to agencies, and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06 ahead of the public meeting in June 2020 and August 2021. Additionally, residents who requested to be notified about decisions related to these applications were notified of this meeting.

Public Comments:

Prior to or at the public meeting in August 2021 and February 2023, staff received the comments from area residents. The summary is included as Attachment 4 and Attachment 5, respectively.

Agency Comments:

Prior to the public meeting in June 2020, staff received the following comments. No additional comments were received at the time of writing this report.

The Municipality’s Chief Building Official reviewed the requested amendments and has no concerns with the development at this time. Additional detailed comments will be provided during review of a detailed site plan.

The Municipality’s Public Works and Engineering Department have reviewed the requested amendments and provided the following comments:

- A noise study will be required to review the application due to proximity of the sensitive land uses to Glendon Drive.
- A buffer will be required between the proposed residential use and existing commercial use to the west.

- The entrance to the site is crowded and not ideal given the proposed width (9.8 m/32.1 ft), however, staff can work with the applicant to find an appropriate solution.
- Due to the single entrance to the site, all services should be located outside of the roadway so that if there is future maintenance of the services, emergency services would still be able to access the development.
- The applicant will need to provide a storm water management report and servicing brief.
- Additional detailed comments will be provided during review of the site plan

The Municipality's Director of Emergency Services – Fire Chief reviewed the requested amendments and previous site plan, and provides the following comments:

- Complex streets must meet the minimum width and turning requirements of the Ontario Building Code for firefighting apparatus
- The applicant should address on-street parking. If on-street parking is allowed additional distances and street widths must be factored in
- The applicant will need to identify the location of the proposed hydrants and how many there are. It is understood that a 250mm water supply will be available.
- Additional detailed comments will be provide during review of the site plan.

The County Engineer reviewed the requested amendments and has no concerns with the proposed uses. However, land dedication for proposed road widening may be necessary as prescribed in the Environmental Assessment for Glendon Drive, and no direct access would be permitted to Glendon Drive. Setbacks for proposed buildings need to comply with County standards as stated within the County Official Plan.

The Upper Thames River Conservation Authority (UTRCA) has no objections to the applications.

Analysis:

To consider the appropriateness of the requested Zoning By-law Amendment it must conform to the Official Plan and maintain the intent of its policies. The Official Plan encourages a variety of housing types and tenures that meet the needs of current and future residents. The 'Medium Density Residential' designation supports a wide variety of medium to higher density residential uses and supporting public uses like institutional and recreational facilities. The requested rezoning conforms of the Official Plan policies of the 'Medium Density Residential' designation. The Official Plan also contemplates that future development within settlement areas are serviced by full municipal services. The proposed development will need to connect to full municipal services prior to development of the lands.

Further, the requested zoning by-law amendment is generally supported by residential intensification and diversification policies of the PPS, 2020 and County Plan where there is support for infill development, utilization of underutilized lands, a mixture of residential types and tenures, and housing options for different demographics.

The proposed multiple unit development is within the Kilworth-Komoka Secondary Plan area, and the policies from Section 5.2.3 apply to ensure the proposal can be supported and is appropriate for the site.

Section 5.2.3 – Policies for Multiple Dwellings in Residential Areas provides direction when considering medium density development and are addressed below:

- a) Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.**

The lands subject to the Zoning By-law Amendment are located within a residential transition area near the intersection of Glendon Drive and Jefferies Road. Commercial uses exist immediately to the west of the subject lands. Further, the lands are in proximity to the Village Centre near the Komoka Community Centre and Komoka Wellness Centre, and the Village Centre of Komoka is located along Komoka Road and Glendon Drive.

- b) Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas.**

The requested Zoning By-law Amendment on the subject land addresses some zoning standards to accommodate the proposed development. The proposed density is generally higher than the surrounding low and medium density area due to its proximity to the Glendon Drive corridor and commercial uses.

- c) For apartment dwellings, locations should be in close proximity to a major roadway, or roadway suitable for carrying higher than average volume of traffic.**

The proposed development does not contain apartment dwelling units though it is permitted through the UR3 zone. The subject lands are within proximity to Glendon Drive which is a County Road suitable for carrying higher than average volumes of traffic.

- d) The excessive clustering of multiple dwellings shall be avoided, and a general integration and distribution of such uses at appropriate locations within neighbourhoods or settlements is encouraged.**

The subject land is located within an existing community and surrounded by lower-density development. There are few infill development proposals within proximity to these lands and larger developments are located on arterial roads. As such, clustering of multiple dwelling developments are avoided.

- e) **Notwithstanding Subsection d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.**

The subject lands are within proximity to the Village Centre designation and within proximity to institutional uses and commercial businesses within Kilworth and Komoka.

- f) **Townhouses and apartments shall be subject to the site plan approval requirements of Section 41 of the Planning Act, and Section 10.5 of this Plan and having regard for the Municipality’s Site plan Manual and Urban Design Guidelines.**

The proposed development is subject to site plan approval in accordance with Section 10.5 – Site Plan Control of the Official Plan, and will have regard to the site plan manual, municipal standards, and urban design guidelines.

Staff considered feedback from the public meetings, and those who wrote in before or after the public meetings. The recommended zoning standards placed on the property will assist mitigating impacts on the surrounding residential uses and address noted concerns. Staff will continue to work with the applicant to address site plan matters raised by both staff and the public.

Given the above, staff recommend to amend the requested rezoning and establish the following site-specific zone standards within the new ‘Urban Residential Third Density exception 27 (UR3-27)’ zone to accommodate the proposed development.

- Minimum Lot Area 1.0 ha (2.47 ac)
- Minimum Lot Frontage 9.8 m (32.1 ft)
- Maximum Height 14 m (46 ft)
- Minimum Side Yard Setback 8m (26.2 ft) when abutting a shared lot line with existing residential units; 6.0 m (19.7 ft) when abutting a lot line with no existing residential units; no side yard shall be required along a common wall that divides individual dwelling units.

- Minimum Side Yard Setback Abutting Commercial Zone
5.8 m (19.0 ft) from the exterior wall of an end dwelling unit to the lot line; 8.0 m (26. 2 ft) from the rear of a dwelling unit to the lot line
- Minimum Rear Yard Setback
8 m (26.2 ft); no rear yard shall be required along a common wall that divides individual dwellings units
- Visitor Parking Spaces
A minimum of 0.1 parking spaces per dwelling unit shall be providing on-site for visitors in addition to the parking rate requirements in Section 4.24 of this By-law.
- Maximum Density
60 units per hectare
- Attached Garages
Garages attached to dwelling dwelling units cannot be located closer to any lot line than the habitable portion of the dwelling it is attached to.
- Notwithstanding the definition of “LOT”, the entire area zoned UR3-27 is considered a “Lot”, and the regulations applicable to the subject lands apply to the zoned lands as a whole and not to any individual dwelling unit on a registered condominium plan.
- Holding Symbol (h-2)
The precondition for the removal of the “(h-2)” holding symbol shall be that a site plan agreement, including but not necessarily limited to the requirement for the development to be connected to a public water supply system and a public sanitary sewer system, has been entered into with the

Corporation for the affected lands.

- Holding Symbol (h-3)

The precondition for the removal of the “(h-3)” holding symbol shall be that a Noise Impact Analysis be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lands to which the holding symbol applies and that any recommendations for noise mitigation arising from the Noise Impact Analysis have been incorporated into the site plan such that the proposed development will meet the Ministry of Environment (MOE) noise criteria.

- Holding Symbol (h-7)

The precondition for the removal of the (h-7) holding symbol shall be that an urban design brief be prepared by a qualified professional in association with the site plan approval process for any proposed development on the lot to which the holding symbol applies and that the urban design brief shall require the approval of the Municipality.

Planning staff determined that the Zoning By-law Amendment, as amended, is consistent with the Provincial Policy Statement, 2020, the County of Middlesex Official Plan, Middlesex Centre's Official Plan, and Middlesex Centre's Zoning By-law.

This opinion has been provided with the benefit of receiving comments from agencies, the public and Council. Should new information arise regarding this proposal prior to or at the meeting, Council is advised to take such information into account when considering the applications.

Financial Implications:

None.

Strategic Plan:

This matter aligns with following strategic priorities:

- Balanced Growth

Attachments:

Attachment 1 – Location Map

Attachment 2 – Planning Justification Report

Attachment 3 – Concept Plan

Attachment 4 – Public Comments from previous Public Meeting (August 2021)

Attachment 5 – Public Comments from previous Public Meeting (February 2023)