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March 13, 2024

Planning and Development Services Department
Municipality of Middlesex Centre
10277 Ilderton Road, RR2
Ilderton, ON N0M 2A0
Attn: Marion-Frances Cabral

**Re: Timberwalk Plan of Subdivision, Plan 33M-836 Block 56 – Minor Variance Application:
Supplementary Cover Letter (Revised Submission #2)**

Dear Ms. Cabral,

As follow up to our revised submission and supplementary cover letter dated February 29, 2024, as well as comments received from the Municipality dated March 8, we are pleased to provide a further revised submission and supplementary cover letter with respect to File A-2/2024, Minor Variance Application, applicable to Block 56, Plan 33M-836, within Phase 5 of Timberwalk subdivision.

The original application for Minor Variance was filed on January 25, 2024 where 41 variances to the UR3 and UR3-12 zoning were identified to be required to accommodate the proposed 50-unit, two story townhouse development. A public hearing was held on February 21, 2024 where it was recommended by Staff with a motion carried by Committee/Council that the application be deferred to the March 20, 2024 meeting of Committee/Council, pending a revised application is submitted by the applicant demonstrating a reduction to the number of variances required to accommodate the proposed development.

A revised submission and supplementary cover letter were provided on February 29, 2024 where 11 variances to the UR3 and UR3-12 zoning were identified. The Municipality provided comments in response to the revised submission via email correspondence dated March 8, 2024.

As part of a further revised submission, and in response to comments dated March 8, 2024, Sifton Properties Limited (“**Sifton**”) is requesting relief from the following provisions of the UR3 and UR3-12 zoning, respectively. Our request is to apply the variances to the entirety of Block 56, however, recognizing that only certain units require relief from the below noted provisions.



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1. Minimum Exterior Side Yard Setback to a Public Road – 3.0 meters (Unit 1)
2. Maximum Density – 37 UPH

A total of 2 variances are required to the UR3 and UR3-12 zoning to accommodate the proposed development, representing a significant reduction from the original application where 41 variances were identified. A supplemental planning analysis has been provided with regard for the four tests per Section 45 (1) of the Planning Act.

1. Is the request minor in nature?
2. Is the request desirable for the appropriate development or use of the lands?
3. Does the request align with the general intent of the official plan?
4. Does the request align with the general intent of the zoning by-law (ZBL)?

It is to be noted that the following is to be read in conjunction with the covering letters dated January 24, 2024 (“January covering letter”) and February 29, 2024 (“February covering letter”) submitted along with the original and revised applications, respectively.

1. Minor in Nature

As noted in the January and February covering letters, a reduction to a 3 m exterior side yard setback to the public road impacts one of fifty units, inclusive of Unit 1. A 3.5 m setback is shown at the rear of Unit 1 due to previously established limits of the block and orientation of the townhouse dwelling units. A larger setback of 4.3 m is able to be maintained at the front of the unit to the exterior side lot line. It is to be noted that Sifton continues to request a 3 m reduction to the minimum exterior side yard setback to a public road to provide for flexibility in building placement. As noted in the February covering letter, the requested reduction is consistent with similar developments in Clear Skies subdivision. Further, the requested reduction is generally consistent with minimum exterior side yard setbacks implemented for single detached units in previous phases of Timberwalk subdivision development (Phases 1 and 2) and minimum exterior side yard setbacks to be implemented for single detached units to be constructed as part of future development to the south (Phase 5). Please see the Comments Response Matrix provided in support of the revised submission for additional justification with respect to the above.

As noted in the February covering letter, the increase in maximum density to 37 UPH is generally consistent with previously approved two story townhouse block developments within Timberwalk Subdivision and Clear Skies Subdivision within the Ilderton settlement area.



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Further, the requested increase in density does not render Sifton unable to provide necessary components of the development inclusive of an appropriate number of visitor/ accessible parking spaces, private amenity space and sufficient turning radius for both emergency and waste collection vehicles. Additionally, the requested increase in density does not render Sifton unable to comply with remaining provisions of the existing UR3 and UR3-12 zoning, with the exception of the requested reduction to the exterior side yard to a public road applicable to Unit 1.

The requested relief from the aforementioned provisions of the ZBL are minor in nature as they would not cause adverse impacts to the proposed development and/or existing low density residential to the north, west and east.

2. Desirable for the Development & Use of the Land

As noted in the February covering letter, the requested relief to provisions of the ZBL makes efficient use of land and infrastructure and represents an example of gentle intensification, while ensuring compatibility with adjacent existing low density residential.

The requested relief from the aforementioned provisions to the ZBL is desirable for the development and use of the lands.

3. Official Plan

Policy 10.9 provides a framework for minor variance applications, where a minor variance may be granted provided that the following has been demonstrated:

- i) The proposal is compatible with the surrounding neighborhood;
- ii) The proposal is in keeping with the general intent and purpose of the comprehensive zoning by-law;
- iii) The proposal is in keeping with the general intent and purpose of the Official Plan;
- iv) The proposal is an appropriate and desirable use of the land; and
- v) The variance is generally minor in nature.
- vi) There are valid reasons as to why the by-law cannot or should not be complied with, and that reasonable alternatives that comply with the by-law have been considered.

Policy 10.9 ii) is addressed through Section 4, policies 10.9 i) and iii) are addressed through Sections 1 and 3, policy 10.9 iv) is addressed through Section 2, and policy 10.9 v) is addressed through Section 1 of this letter.



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Policy 10.9 vi) speaks to valid reasoning behind why the by-law cannot or should not be complied with and further, that reasonable alternatives that comply with the by-law have been considered.

- A reduction to the minimum exterior side yard setback to a public road of 3 m is reasonable, as it is limited to Unit 1 and mitigates potential sight line issues for existing development to the north due to the angled nature and orientation of the dwelling. Further, the reduction is consistent with other developments similar in nature within the Ilderton settlement area (i.e. Clear Skies subdivision) and is generally consistent with minimum exterior setbacks provided for through previous phases of development in Timberwalk subdivision (Phases 1 and 2) as well as future phases of development (Phase 5).
- An increase in maximum density to 37 UPH is reasonable, understanding that the proposed development makes efficient use of land and infrastructure to reduce the cost to the end user. Per the January and February covering letters, compliance with the provision under the current ZBL could result in expanding the size of the units to make efficient use of the land which would increase the total cost to the end user, thereby potentially placing these townhomes out of reach for some future homeowners.

The requested relief from the aforementioned provisions of the ZBL aligns with the general intent of the Middlesex Centre Official Plan.

4. Zoning By-law

As aforementioned, the requested increase to maximum density makes efficient use of land and infrastructure to provide for gentle intensification that will not cause adverse impacts to the proposed development or existing residential uses. Minimum front yard, rear yard and interior side yard setbacks are upheld in accordance with the ZBL across the site. The above provides for buffering to existing residential and mitigative measures (i.e. fencing) along the perimeter of the block to limit potential impact. Lastly, the requested increase to maximum density is consistent with previously approved, comparable townhouse block developments in the Ilderton settlement area as well as generally consistent with previous phases of development within Timberwalk subdivision.

The requested relief from the aforementioned provisions of the ZBL aligns with the general intent of the Middlesex Centre ZBL No. 2005-005.



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Response to Comments – February 21, 2024 Public Hearing and Written Correspondence

The following will serve as a revised formal response to comments received from members of the public and members of Committee/Council as part of the February 21, 2024 Public Hearing.

Comment/Concern	Response
1. Density and Height	<p>As noted, the requested increase to maximum density is consistent with comparable, previously approved developments in the Ilderton settlement area as well as generally consistent with previous (Phase 1 and 2) and future (Phase 5) phases of development within Timberwalk subdivision. The proposal does not prevent Sifton from providing necessary components inclusive of visitor and accessible parking, private amenity space and a sufficient road fabric to support emergency and waste collection vehicle access.</p> <p>The height of the townhouse dwellings is proposed at two stories which is consistent with the built form to the north, west and east of the development.</p>
2. Minimum Front Yard Setback to the Garage	<p>The previously requested reduction to the minimum front yard setback to the garage from the required 6 m has been eliminated through the February 29 revised submission.</p>
3. Road Fabric	<p>Per the February covering letter, the proposed road pattern complies with Section 3.2.5.6 (Access Route Design) of the OBC.</p>



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4. Buffering to Existing Residential	Per the February covering letter, the site plan contemplates a 1.8m high wooden privacy fence along the perimeter of the block where it abuts existing residential development to the north, east and west. Further, the required minimum rear yard setback, per existing UR3-12 zoning applicable to the site, of 6 m is maintained and/or exceeded throughout the site. It is noted that a deck may project up to 1.5m into the rear yard. The proposed rear decks comply with applicable provisions per the Middlesex Centre ZBL.
5. Parking	Per the February covering letter, the proposed development provides parking in accordance with applicable sections of the ZBL. A total of 2 spaces per townhouse unit are provided (above the required 1.5 spaces) as well as visitor and accessible parking in accordance with the ZBL.
6. Amenity Space	Per the February covering letter, private amenity space has been included as part of the proposed development. Further, a neighbourhood park is to be constructed as part of Phase 5 of subdivision development, thereby providing amenity space to serve existing and future residents. Amenities to be incorporated into the neighbourhood park is at the discretion of the municipality.

Please find enclosed the following materials for a complete digital submission:

- One (1) copy of the **Site Plan** prepared by Sifton Properties Limited dated March 12, 2024;
- One (1) copy of the **VLC Concept Plan** prepared by Sifton Properties Limited dated March 12, 2024;
- One (1) copy of the **Site Data Table** prepared by Sifton Properties Limited dated March 12, 2024; and



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- One (1) copy of the **Comments Response Matrix** prepared by Sifton Properties Limited dated March, 2024.

We trust the above is satisfactory. If you have any questions, please don't hesitate to contact our office by email at alex.haasen@sifton.com or by phone at (226) 448-1006.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Haasen", written over a light blue horizontal line.

Alexandra Haasen, HBA
Project Manager – Planning & Development
Sifton Properties Limited