



Meeting Date: October 16, 2024

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Report No: PLA-50-2024

Subject: Major Redline Revision Draft Plan of Condominium (39T-MC-CDM2002); Filed by 10919 Longwoods Road Inc.

Recommendation:

THAT the County of Middlesex be advised that Middlesex Centre recommends the changes to draft plan approval for the land known legally as Concession 1 Part Lot 6 RP 33R17432 Part 9, former Township of Delaware, Middlesex Centre, County File: 39T-MC-CDM2002, subject to the draft plan conditions appended to the Middlesex Centre report PLA-50-2024, and subject to a three (3) year lapse period.

Purpose:

The purpose of this report is to provide Council and the public with information and a recommendation for a major redline revision to a draft approved plan of condominium (vacant land condominium) for the property known municipally as 10915, 10929 and 11157 Longwoods Road and legally described as Concession 1 Part Lot 6 RP 33R17432 Part 9 in Delaware.

A location map is included as Attachment 1 and proposed plan of condominium as Attachment 2.

Background:

The subject property is located within the Delaware Community Settlement Area is located on the south side of Longwoods Road (County Road 2) east of Martin Road and west of Carriage Road.

The subject property is irregularly shaped and is 6.64 ha (16.4 ac) in area. There is an existing metal shed that will be removed and the remnant of the parcel is actively farmed. Previously, residential uses were present on the property. The subject property is surrounded by actively farmed land to the east, west and south. Residential uses exist immediately to the west and to the east along Carriage Road, and industrial, commercial and residential uses exist on the north side of Longwoods Road.

The subject property is designated 'Settlement Employment' and within "Special Policy Area # 5" within the Delaware Community Settlement Area. The property is zoned 'Light Industrial exception 2 with Hold (M1-2)(h-3)'.

The plan of condominium was draft approved by Middlesex County on November 26, 2021 subject to 33 conditions. The draft approved plan of proposed to create 15 units for light industrial uses on partial servicing, and a block for stormwater management. The units are proposed to front onto private roadway and range in size from 0.3 ha (0.74 ac) to 0.46 ha (1.13 ac).

Proposal Summary:

In December 2023 the owner submitted a new condominium plan to the County. Due to the substantial changes proposed, the condominium plan represents a major redline revision.

The purpose of the redline revision to the condominium is to facilitate the creation of 18 lots for light industrial uses on partial servicing and a block for a stormwater management pond. The proposed private road (common element) will continue to have a single access to Longwoods Road (County Road 2) east of Martin Road, however, it will loop around the property which changes the lotting pattern.

The lots range in size from 0.30 ha (0.74 ac) to 0.32 ha (0.79 ac) and have direct access to the private internal road. A stormwater management pond is proposed on the southeast of the condominium plan. A copy of the condominium plan is attached to this staff report as Attachment 2.

In addition to the condominium plan, the owner submitted the following supporting documents which are attached to this staff report:

- Stormwater Servicing Brief (Attachment 4)
- Geotechnical Investigation and Hydrogeological Assessment (Attachment 5)
- Noise Feasibility Study (Attachment 6)
- Nitrate Impact Assessment (Attachment 7)
- Preliminary Design Drawings (Attachment 8)

In accordance with the Planning Act, a notice for the revised application was circulated to area residents since a public meeting was not held. The Municipality and County accepted written comments from members of the public and stakeholders between February 5, 2024 and February 26, 2024. A summary of comment received is provided below.

Policy Regulation:

The Section 51 (45) of the *Planning Act, 1990* identifies that the Approval Authority (County of Middlesex) can change the conditions of a draft approval at any time before final approval. The County may make the decision after considering all available information that supports the change.

The Middlesex County Official Plan identifies Delaware as a settlement area and defers to municipal official plans to delineate the boundaries of the settlement area. The subject property is within the Delaware Community Settlement Area and is designated as 'Settlement Employment' within Middlesex Centre's Official Plan. Additionally, the property is subject to Special Policy Area (SPA) #5. The subject property is currently zoned 'Light Industrial exception 2 with Hold (M1-2)(h-3)' within the Middlesex Centre's Comprehensive Zoning By-law.

Consultation:

Notice of the application has been circulated to agencies, as well as property owners in accordance with the *Planning Act* and Ontario Regulation 544/06.

Public Comments:

Notice of the application was circulated to area residents in February 2024. The following comments were received, and a separate comment letter is attached to the staff report as Attachment 8:

- The SWM block is smaller than the previous draft plan (0.32 ha compared to 0.51 ha previously). With smaller lots and more roadway, it would be expected that more stormwater runoff will be generated compared to the previous draft plan, which would typically increase the pond size in order to maintain the pre-development stormwater runoff rates.
- Originally, the SWM pond was designed for infiltration only. Is the current design contemplating a drain? If so, is that contemplated to be draining into the municipal drain to the south?
- It is understood that there is still ongoing work in process regarding a petition for drainage.
- The newly proposed internal roadway along their southern property line may help to create more buffer between most of the industrial lots and undeveloped land to the south, which should be positive.

Agency Comments:

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

The Municipality's Public Works and Engineering Department has provided ongoing review of the submitted materials and has worked with the applicant to address technical matters as a result of the proposed changes such as stormwater management and drainage. Staff are satisfied that the existing conditions of draft approval can address all outstanding matters.

The Lower Thames Valley Conservation Authority (LTVCA) has not provided comments at the time of writing this report.

The Upper Thames River Conservation Authority (UTRCA) provided comments that are attached to this staff report as Attachment 10.

UTRCA acknowledges that while the lands are located within watershed jurisdiction of both the UTRCA and LTVCA, UTRCA would be the lead reviewer for stormwater management for the condominium as part of detailed design review.

UTRCA has no objection to the proposed revisions to the draft approved plan of condominium, and recommends that a condition be included requiring the applicant to subject for the review and approval of the Conservation Authority a final stormwater management plan.

Analysis:

The plan of condominium is generally supported by the PPS, County Official Plan, and Middlesex Centre Official Plan.

While the proposed redline revision results in a substantive change in the development plan, a majority of the issues related to servicing the site and development of the lands were addressed through the initial draft approval in 2021. As such, no revisions to the conditions were made.

Staff have identified that stormwater and drainage affecting external lands will need to be further reviewed, however, the details of the proposed stormwater plan will be refined through detailed design. Staff acknowledge that this may result in another redline revision (minor or major) in the future and that the existing draft plan conditions account for Municipal review of the proposed plan.

As a result of the revision to the condominium plan, Planning Staff recommends updating the draft plan conditions to reflect the additional units. However, no further revisions or additions were made. A copy of the preliminary draft plan conditions are attached to this staff report as Attachment 3.

Given the above and review by the public, agencies and council, planning staff is satisfied that the subject application is consistent with the PPS, 2020, and in conformity with both the County of Middlesex and Middlesex Centre Official Plans and comprehensive zoning by-law. As such, it is appropriate that Middlesex Centre recommend draft plan approval subject to the attached draft plan conditions.

Financial Implications:

None.

Strategic Plan:

This matter aligns with following strategic priorities:

- Balanced Growth

Attachments:

Attachment 1 – Location Map

Attachment 2 – Proposed Plan of Condominium

Attachment 3 – Revised Draft Plan Conditions

Attachment 4 – Stormwater Servicing Brief

Attachment 5 – Geotechnical Investigation and Hydrogeological Assessment

Attachment 6 – Noise Feasibility Study

Attachment 7 – Nitrate Impact Assessment

Attachment 8 – Preliminary Design Drawings

Attachment 9 – Comments from area landowner

Attachment 10 – Comments from UTRCA, dated March 13, 2024