



**Meeting Date:** April 23, 2025

**Prepared By:** Marion-Frances Ramos Cabral, Planner

**Submitted by:** Marion-Frances Ramos Cabral, Planner

**Report No:** PLA-25-2025

**Subject:** Application for Zoning By-law Amendment (ZBA-3-2025) for 13206 Ilderton Road; Filed by Ric Knutson on behalf of RBA17 Holdings Inc.

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**Recommendation:**

THAT Report PLA-25-2025 for the purposes of Zoning By-law Amendment application (ZBA-3-2025), filed by Ric Knutson on behalf of RBA17 Holdings Inc., to rezone the lands from 'Urban Residential First Density (UR1)' to a new site-specific 'Village Commercial (C1-x)' zone for the land known municipally as 13206 Ilderton Road, Municipality of Middlesex Centre, be RECEIVED FOR INFORMATION.

**Purpose:**

The purpose of this report is to provide Council with information regarding a rezoning application for the property located at 13206 Ilderton Road (County Road 16) from 'Urban Residential First Density (UR1)' to a new site-specific 'Village Commercial (C1-x)' zone. The rezoning application would permit the construction of a new three-story mixed-use building.

A location map is included as Attachment 1.

**Background:**

The Zoning By-law Amendment application requests to rezone the land to a new site-specific 'Village Commercial (C1-x)' zone to permit a mixed-use building with the following site-specific provisions:

- Minimum lot area: 0.0796 ha whereas the By-law requires 0.15 ha
- Minimum side yard setback (Where the yard abuts any Residential Zone): 3.0 m (9.8 ft) whereas the by-law requires 6.0 m (20 ft)
- Minimum driveway width: 5.3 m whereas the By-law requires 6.0 m

- Maximum density: 59.7 units per hectare

The applicant proposes to remove the existing single detached dwelling and erect a new structure to accommodate the commercial uses and apartment dwelling units. The new building is proposed to be located in approximately the same area as the existing single detached dwelling on the east side of the property. The proposed height of the building is approximately 10.7 m (35 ft). The building proposes 98.5 m<sup>2</sup> (1,060 ft<sup>2</sup>) of commercial space on the first level, 2 residential apartments on the second level with a total of floor area 97 m<sup>2</sup> (1,044 ft<sup>2</sup>), and 2 residential apartments on the third level with a total floor area of 97 m<sup>2</sup> (1,044 ft<sup>2</sup>). Entrances to the commercial spaces are located at the rear and front of the building, while entrances to the residential units are on the side of the building that lead to communal staircases to the second and third floors. The entrances are not clustered and located from the front to the rear.

The property currently has a driveway access to Ilderton Road which will be relocated further west. The driveway extends to the rear of the property to a parking area. Nine parking spaces (inclusive of 1 barrier-free parking space) are provided for residents and the users of the commercial space.

Limited communal amenity space is provided on the east side of the building. No on-site communal or individual garbage and recycling storage is shown on the site plan.

In support of the rezoning application, the applicant submitted a Planning Justification Report (Attachment 2), Site Plan (Attachment 3) and Building Elevations (Attachment 4). The site plan and building elevations are subject to change and will be comprehensively reviewed through a subsequent Site Plan Control application.

The subject land is a 0.0796 ha (0.19 ac) in area and located on the north side of Ilderton Road and west of King Street. The land has been used for residential uses for over 100 years, and abuts low density residential uses located on the east and west, and a commercial/light industrial use located to the north. A mix of commercial and residential uses exist along Ilderton Road in proximity to the subject land.

### **Policy Regulation:**

The subject land is identified as part of the Ilderton 'Settlement Area' in Middlesex County's Official Plan and designated 'Village Centre' within Middlesex Centre's Official Plan. The property is zoned 'Urban Residential First Density (UR1)' pursuant to the Middlesex Centre Comprehensive Zoning By-law. As such, the policies and provisions below are applicable to the land.

### Provincial Planning Statement, 2024:

The *Planning Act* states that all decisions made by planning authorities “shall be consistent with the policy statements issued” under subsection 3. The Provincial Planning Statement, 2024 (PPS) document is comprised of several policy statements and summary of those that are applicable to the proposed development are noted below.

Generally, the PPS promotes healthy, liveable and safe communities by supporting efficient land use patterns that facilitate economic growth, create liveable communities, and protect the environment and public health and safety.

Section 2.1 – Planning for People and Homes directs planning authorities to forecast growth and determine land needs accordingly. Planning authorities should support the achieve of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options, recreation, parks and open space and other uses to meet long-term needs. This also includes improving social equity and overall quality of life for people of all ages, abilities and incomes, and improving the accessibility for people of all ages and abilities by addressing land use barriers.

Section 2.2 – Housing states that planning authorities shall provide for appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area. This can be fulfilled by establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households; and, by permitting and facilitating all housing options and all types of intensification including new housing options within previously developed areas. Planning Authorities shall also promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

Section 2.3.1 – General Policies for Settlement Areas establishes settlement areas shall be the focus of growth and development. Land use patterns within settlement areas should be based on densities and a mix of land uses, including commercial and residential uses, which efficient use land and resources; optimize existing and planning infrastructure and public service facilities; support active transportation; are transit-supportive (as appropriate); and are freight-supportive.

Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities. Additionally, planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

Section 3.6 – Sewage, Water and Stormwater states that forecasted growth should be accommodated in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services. These services should be provided in a manner that can be sustained by water resources, are feasible and financially viable, protects the quality and quantity of water, and aligns with comprehensive municipal planning for these services. Planning authorities should integrate servicing and land use considerations at all stages of the planning process.

Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety.

Middlesex County Official Plan:

The County of Middlesex Official Plan (County Plan) identifies the subject land as within the Ilderton ‘Settlement Area’.

Section 2.3.8 – 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.

Section 2.3.4 – Economic Development of the County Plan identifies economic development as an important component of the growth management strategy. Many of the goals and objectives in the County plan are dependent on economic activity and opportunities for residents to live and work in the County. The County Plan supports a diverse economic base and that a sufficient supply of employment land in accessible locations is available throughout the County.

Additionally, Section 2.3.7 – 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 2.4.2 – Transportation System is a system of roads, highways and railways that provide inter-municipal services to move people and goods. There is an identified need to plan the transportation network and the County Road system to protect the rights-of-way for future improvements. County roads, like Ilderton Road, function as arterial or collector roads and provide for the efficient movement of traffic between provincial freeways and collector roads. As a result, the County shall discourage development that would inhibit traffic movement along the County Road system. The County shall limit direct access to County Roads and review transportation studies if development proposals are likely to generate significant traffic. Further, in this section the County’s OP directs development to provide safe, convenient and visually appealing pedestrian facilities in Settlement Areas.

A general policy also requires that 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.

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.

#### Middlesex Centre Official Plan:

The Middlesex Centre Official Plan (Official Plan) shows the land located within the Ilderton Urban Settlement Area on Schedule A-1 and designated 'Village Centre'.

Section 5.3.1 – Settlement Village Centre Goals include being the gathering place for the settlement and agricultural residents, maintaining unique identities and characteristics of the Village Centre, encouraging and facilitating strategic improvements to the Village Centre that are compatible with adjacent residential, encouraging access through multiple travel options, including pedestrian and cycling traffic and lastly establishing or strengthening linkages between Village Centres, and the tourism industry within the Municipality.

Section 5.3.2 – Settlement Village Centre Policies are include:

- a) Village Centres should be established and maintained in Urban and Community Settlement Areas as the centres of retail and services, community gathering, and community identity in the Municipality.
- b) Village Centres are planned to function as traditional village main streets that provide for daily and weekly convenience and general retail and service needs for the settlement area and the surrounding agricultural community. Such centres will also represent the commercial and social focal points for the settlement area and its surrounding farm communities.
- c) Infilling within Village Centres is encouraged. The physical form of such infilling should be compatible with existing development and the character of the individual Village Centre. Wherever possible, infilling should enhance the existing pattern of buildings, sidewalks and streets.
- d) Mixed use buildings are encouraged within Village Centre areas.

- e) Village Centre areas should remain as compact as possible. Consistency in terms of building massing, scale and setback are encouraged. Building designs that allow for separate access to second and third stories along the street are strongly encouraged.
- f) In the context of new development, the preservation and reuse of buildings with architectural or historical merit is strongly encouraged.
- g) Parking within Village Centres will be provided in the context of new development. Cash in-lieu of parking may be collected by the municipality to facilitate the establishment of appropriately located municipal parking. All parking will be designed and landscaped to de-emphasize its effect on the physical appearance of the Village Centre.
- h) Development shall be subject to the policies in Section 6.0 and in Section 10.5 of this Plan and shall have regard for the Municipality's Site Plan Manual and Urban Design Guidelines.

It is noted that the adopted Official Plan amendment (OPA 59, adopted May 18, 2022), as modified and approved by the County of Middlesex (approved September 26, 2023) is not in-effect. However, the update also encourages medium to high residential density development within Village Centres in relation to subsection e) noted above.

Section 5.3.3 – Settlement Village Centre Permitted Uses include the following:

- a) Commercial uses, including general and convenience retail, personal services, and office uses.
- b) Restaurants, hotels, compatibly scaled entertainment / recreational facilities, and open space or parkland.
- c) Residential uses, so long as they do not negatively disrupt the compact nature, and commercial and service use focus, of Village Centres. Residential uses above ground floor commercial uses are encouraged.
- d) Institutional and civic uses such as municipal offices and functions, post offices, schools and libraries.

Section 6.3 – Design Policies-Site Plans and Infill Developments provides 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. Parking areas should be de-emphasized through appropriate placement and through well designed landscaping.

Section 9.3.1 – Settlement Area Municipal Services requires full municipal services for all land use and development proposals within the urban settlement area. Services and utilities shall be provided in an orderly and coordinated manner.

Middlesex Centre Zoning By-law:

The subject land is zoned ‘Urban Residential First Density (UR1)’ which permits a single detached dwelling, home occupation, and accessory use.

The request to rezone to a new site-specific ‘Village Commercial (C1)’ zone will permit commercial uses and 4 dwelling units within a mixed-use building. A summary of the requested changes to the ‘Village Commercial (C1)’ zone are shown in the table below:

	<b>Current UR1 Zone</b>	<b>C1 Zone</b>	<b>Proposed Development</b>
Permitted Uses	accessory use home occupation single detached dwelling	accessory use animal clinic bed and breakfast establishment boarding house, rooming house, or tourist home car wash clinic club, private day nursery dwelling units connected to and forming an integral part of a main building and located above the first storey to a maximum of two storeys and/or located below the first storey in a basement financial institution garage, public gas bar hotel, motel or tavern motor vehicle sales establishment	accessory use animal clinic bed and breakfast establishment boarding house, rooming house, or tourist home car wash clinic club, private day nursery dwelling units connected to and forming an integral part of a main building and located above the first storey to a maximum of two storeys and/or located below the first storey in a basement financial institution garage, public gas bar hotel, motel or tavern motor vehicle sales establishment motor vehicle service establishment

	<b>Current UR1 Zone</b>	<b>C1 Zone</b>	<b>Proposed Development</b>
		motor vehicle service establishment office, general or professional parking lot personal service establishment place of entertainment restaurant restaurant, drive-thru or take-out service shop store, convenience store, retail studio	office, general or professional parking lot personal service establishment place of entertainment restaurant restaurant, drive-thru or take-out service shop store, convenience store, retail studio
Minimum Lot Area	450.0 m <sup>2</sup> (4, 844 ft <sup>2</sup> )	1,500.0 m <sup>2</sup> (0.4 ha)	796.78 m <sup>2</sup> (0.19 ac)
Minimum Lot Frontage	6.0 m (20 ft)	20.0 m (98 ft)	20.117 m (66 ft)
Minimum Front Yard Setback	6.0 m (20 ft)	In accordance with Section 4.16 of the Zoning By-law  All other roads - 0.0 m	0.0 m
Minimum Side Yard Setback	1.5 m (5 ft) on one side and 2.5 m (8 ft) on the other side	6.0 m (20 ft) where the yard abuts any Residential Zone	8.31 m (27.26 ft) on the west side abutting a Residential Zone\  3.0 m (9.8 ft) on the east side
Minimum Rear Yard Setback	8.0 m (26 ft)	10.0 m (33 ft)	19.35 m (63.49 ft)
Minimum Floor Area	90.0 m <sup>2</sup> (969 ft <sup>2</sup> ) per single	-	-



	<b>Current UR1 Zone</b>	<b>C1 Zone</b>	<b>Proposed Development</b>
	detached dwelling		
Maximum Height	12.0 m (39.4 ft)	12.0 m (39 ft)	10.7 m (35.1 ft)
Minimum Outdoor Amenity Area	-	-	-
Maximum Density	One single detached dwelling per lot	-	59.7 units per hectare
Maximum Lot Coverage	Main building – 35%  All buildings including accessory buildings subject to Section 4.1 a) – 38%	40%	16.85%
Parking Spaces	2 spaces per unit	Total required spaces: 11 including 1 barrier-free parking space as calculated below:  1.5 spaces per apartment dwelling for a total of 6 parking spaces  1 space per 40 m <sup>2</sup> for office, general or processional for a total of 2 parking spaces  1 space per 20 m <sup>2</sup> for personal service	9 parking spaces including 1 barrier-free parking space

	<b>Current UR1 Zone</b>	<b>C1 Zone</b>	<b>Proposed Development</b>
		<p>establishment for a total of 3 spaces</p> <p>1 barrier-free parking space for non-residential uses</p>	
Parking Regulation – Yard Where Permitted	In any Residential Zone, a driveway shall not exceed fifteen percent (15%) of the total area of the lot.	<p>Parking aisles shall have a minimum unobstructed width of 6.0 metres (19.7 ft) where two-way traffic is permitted.</p> <p>Except as otherwise provided herein, uncovered surface parking areas and driveways shall be permitted in any part of any yard, provided that any part of a parking area located within a required yard shall be separated from any lot lines adjacent to such required yard by a planting strip not less than 1.0 metre (3.3 ft) in width.</p>	Parking aisles shall have a minimum unobstructed width of 5.3 metres (17.3 ft) where two-way traffic is permitted.

### **Consultation:**

Notice of the revised application was posted and circulated to agencies and property owners in accordance with the *Planning Act* and Ontario Regulation 545/06.

### **Public Comments:**

At the time of writing the subject report Planning Staff did not receive comments from members of the public.

## **Agency Comments:**

The Municipality's Chief Building Official did not provide comments at the time of writing this report. However, detailed comments will be provided during review of the site plan application.

The Municipality's Public Works and Engineering Department reviewed the rezoning application and would prefer to see a 6m driving aisle width both for emergency vehicle access and 2-way traffic, and the plan should be revised to accommodate the 6m width (e.g. reduced size of the building). The proponent will need to look at the location of the existing driveway and elevations on the existing lots to ensure they are not disrupting drainage patterns. Full stormwater controls will be required on-site. Existing sanitary and water service may need to be replaced. Further comments will be provided during review of the site plan application.

The County of Middlesex Engineer noted that land dedication may be necessary to accommodate for future road widening and that the location will be required to be setback from the County Road in compliance with the zoning by-law. It is preferred to have a 1 m setback for any structure on the property. A setback less than 1 m may be considered but a 0 m setback is challenging.

Planning Staff pre-consulted with the applicant and noted the intent of the Village Centre designation is to support economic development, tourism, and commercial development. Staff requested that the front or main floor of the building be dedicated to provide some commercial use (e.g. professional office) in adherence with the Village Centre goals and are pleased to see that the first floor will be used for commercial uses. Staff continue to support the position to accommodate commercial uses in conformity with the Official Plan. However, it is recognized that residential uses are permitted so long as they do not negatively disrupt the compact nature and commercial and service use focus of Village Centres. Staff will need to further evaluate the impacts of the proposed development on abutting low-density residential uses, however, the intensification of the site and compact development is generally supported.

Planning Staff reviewed the details of the requested zone and have concerns with the proposed 5.3 m width of the driving aisle. A similar driving aisle width was approved by the Municipality in the past, however, on-site conditions were different than the subject lands, and in this case may not be appropriate at this location.

Further, Planning Staff note that the proposed parking spaces do not meet the requirements of the Zoning By-law. The applicant will need to accommodate 2 more parking spaces on-site for a total of 11 spaces. This will also provide flexibility should the commercial uses change business and require additional spaces, and account for visitor parking for the residential uses. Staff will review the proposed parking as it is acknowledged that on-street parking is available in front of the subject land and that there is a municipal parking lot is within proximity.

Garbage and recycling storage areas for the commercial and residential uses are not shown on the site plan. The storage area may result in the loss of landscaped space or parking spaces. Storage should be handled on-site and will be reviewed by Bluewater Recycling Association.

The Village Centre zone does not typically address required amenity space for the residential units. Limited amenity space is provided on the east side of the building where some landscaping is provided. Planning Staff will need to review if this is sufficient and appropriate given the size of the site and its location relative to community spaces and parks.

### **Next Steps**

Planning Staff will continue to work with the applicant on the concerns identified above, before bringing recommendations forward to Council at a future meeting.

### **Financial Implications:**

None.

### **Strategic Plan:**

This matter aligns with following strategic priorities:

- Balanced Growth

### **Attachments:**

Attachment 1 – Location Map

Attachment 2 – Site Plan

Attachment 3 – Planning Justification Report

Attachment 4 – Elevation Drawings