

June 5, 2020

Marion-Frances Cabral, Planner  
Municipality of Middlesex Centre  
10227 Ilderton Road  
Ilderton, ON N0M 2A0

Dear Ms. Cabral:

**RE: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law  
Amendment Applications  
Part of Lot 8, Concession 8 (Geographic Township of Lobo), Poplar-Hill Coldstream  
Valleyview Developments Inc.  
OUR FILE 2018'B'**

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On behalf of Valleyview Developments Inc., MHBC is pleased to submit Draft Plan of Subdivision (Draft Plan), Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications to support a residential development planned for the above-referenced lands.

The subject lands (the 'Site') are located on the south side of the Ilderton Road (County of Middlesex Road 16) corridor, approximately 205 m west of the Coldstream Road intersection. The Site, which is generally described as Part of Lot 8, Concession 8 (geographic Township of Lobo), measures approximately 4.87 ha in area and has approximately 27.5 m of frontage on Ilderton Road. With the exception of a small shed located on the southern parcel, the subject lands are vacant of buildings or structures.

The Site was the subject of a Draft Plan of Condominium and Zoning By-law Amendment applications submitted in September 2012. The intent of these applications was to permit development of these lands for five condominium units intended for single detached dwellings and serviced by a private access road, individual on-site wells and individual sewage disposal systems (septic systems). Approval of the Draft Plan of Condominium (File No. 39T-MC-CDM1201) was granted on January 22, 2013 by the County of Middlesex, with the associated rezoning application approved by the Municipality of Middlesex on February 27, 2013 (By-law 2013-023).

To more efficiently utilize the property for low density residential development, VDI is advancing a Draft Plan application to permit 13 single detached lots on the subject lands. The proposed subdivision layout integrates lots with a minimum lot area of 2,250 m<sup>2</sup> and a minimum lot frontage of 24.5 m. These lots are to be serviced by a new municipal street, a stormwater management block integrating a dry pond facility, individual wells and individual septic systems.

## ENCLOSED MATERIALS

The following materials are submitted digitally herewith:

- Draft Plan application;
- OPA application;
- ZBA application;
- Functional Servicing Report;
- Septic System Feasibility Report; and
- Hydrogeological Assessment (supplemental report).

Please note that the hard copies of the aforementioned materials can be provided if required at this time. Also, please note the application fees will be delivered to the Middlesex Centre office.

The following discussion provides an overview of the OPA and ZBA applications proposed to accommodate the subdivision plan intended for these lands.

## PLANNING CONSIDERATIONS

The proposed Draft Plan was evaluated in the context of the existing framework of applicable planning policies and development regulations. The enclosed Planning Justification Report (PJR) provides an analysis of the proposal relative to the direction set out in the Provincial Policy Statement (PPS), the County of Middlesex Official Plan, the Municipality of Middlesex Centre Official Plan and the Middlesex Centre Zoning By-law.

As an outcome of this analysis, it is our opinion that the proposal is consistent with the principles, planning framework and policy objectives of the PPS, the Middlesex County Official Plan, and the Middlesex Centre Official Plan. In light of the applicable development permissions discussed in the PJR, in our opinion an OPA to the Middlesex Centre Official Plan and a ZBA are required to permit the intended uses.

### Official Plan Amendment

The subject lands are predominately designated Hamlet Area on Schedule 'A-8' of the Middlesex Centre Official Plan (Poplar Hill–Coldstream Hamlet Area). Section 5.1.3 of this Official Plan that lands within this designation are not separated into specific land use categories. Rather, it is prescribed that the Hamlet designation permits:

“...residential uses (subject to the policies in section 5.2 of this Plan), commercial or industrial uses of a scale compatible with the character and size of the Hamlet Areas, institutional uses, and parks and recreation uses.”

Section 5.1.3 of this Official Plan also defines the key elements of the growth management strategy for Hamlet Areas:

“Hamlet Areas within the Municipality are expected to accommodate only limited future development, through infilling within the existing Hamlet settlement boundaries. **New lots shall generally be created through the consent process, however plans of subdivision will be**

**utilized where vacant lands exist within Hamlets, between the existing built up area and the existing settlement boundary. ...**

New development within Hamlet Areas must be serviced by acceptable servicing standards. Where partial municipal services are considered, supporting studies must address all applicable servicing options and establish that the development may proceed appropriately on partial municipal services. **Significant or major new development, such as the development of more than three new lots through plan(s) of subdivision, will require provision of full municipal services.**" (emphasis added)

In our opinion, the proposed development is in keeping with the structure and objectives of the settlement area hierarchy, as it would provide an infilling opportunity and would facilitate the creation of a limited number of lots through a plan of subdivision on lands within the existing settlement boundary.

With respect to servicing considerations, the servicing reviews conducted for this proposal demonstrate that private water supply and sewage disposal systems are appropriate to adequately service the 13 development lots planned for the Site. Notwithstanding the aforementioned servicing policy limiting new lot creation on private services to three lots, the PPS was amended in 2014 to remove the 'cap' respecting development on private services. Pursuant to the 2005 PPS, Policy 1.6.4.4 placed a five lot limit for development on private servicing where site conditions were deemed suitable for the long-term provision of municipal services. This policy was subsequently amended and renumbered Policy 1.6.6.4 in the 2014 PPS, and further amended in the 2020 PPS. This revised policy provides direction for development utilizing private services without prescribing a unit cap:

"Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned for feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development."

As stated in this Report, in our opinion the proposed Draft Plan represents appropriate infilling given the Poplar Hill-Coldstream development context. Moreover, the servicing reviews completed for this project demonstrate that the site conditions of the subject lands are suitable for the provision of private water supply and sewage disposal systems. In light of these considerations, in our opinion the proposal is consistent with the 2020 PPS and aligns with the intent of the Section 5.1.3 of the Middlesex Centre Official Plan to ensure new development is appropriately serviced.

The proposed amendment to the Middlesex Centre Official Plan would add a Special Policy Area (SPA) to Section 11.0 permitting 13 residential lots on the Site created by way of a Plan of Subdivision and serviced by private water supply and sewage disposal systems. The SPA also would be identified on Schedule A-8 of this Official Plan.

The following is a proposed SPA to accommodate the planned development:

**"SPA #()**

The land identified as Special Policy Area #(), as shown on Poplar Hill & Coldstream Hamlet Area (Schedule A-8), shall be subject to the following policy:

Notwithstanding Section 5.1.3 of this Plan, 13 residential lots can be developed through a plan of subdivision and serviced by private water supply and sewage disposal systems.”

With the benefit of an SPA to this effect, in our opinion the proposal would conform to this Official Plan.

### **Zoning By-law Amendment**

The majority of the Site is zoned Hamlet Residential First Density (HR1-1 (h-4)) by the Middlesex Centre Comprehensive Zoning By-Law No. 2005-005 (Zoning By-law), with the southeastern quadrant of the property zoned HR1 (h-1). Section 13.1 of the Zoning By-law prescribes the permitted uses in the HR1 Zone as follows:

- accessory use;
- bed and breakfast establishment;
- converted dwelling;
- home occupation; and
- single detached dwelling.

Specific elements of the existing zoning regulations are discussed in Section 4.4 of the PJR. In summary, the site layout of the proposed Draft Plan does not satisfy all development regulations of the existing HR1 Zone variations (particularly the 30 m minimum lot frontage requirement of the HR1-1 Zone). A Zoning By-law Amendment is therefore required to facilitate the proposed development.

To accommodate the proposed Draft Plan described in Section 3.0 of this Report within the context of the Poplar Hill-Coldstream Hamlet Area, it is proposed that the HR1 Zone applying to the southeastern quadrant of the subject lands be expanded to the entire Site. Based on our review, the size of the lots proposed for the Draft Plan exceed the minimum lot area and lot frontage regulations for the HR1 Zone where municipal services are unavailable (2,000 m<sup>2</sup> and 20 m, respectively). In this respect, collectively the servicing reviews prepared in support of this application conclude that the parcels to be created through the Draft Plan would have sufficient space to accommodate individual well supplies and septic systems.

### **SUMMATION**

In summary, it is our opinion that the proposed Draft Plan is appropriate for the Site, compatible with the existing development context and aligns with applicable planning policies. As described in the PJR, it is also our opinion that the proposal complies with the goals, objectives and policy direction of the County Official Plan and the Municipality of Middlesex Centre Official Plan, and the design direction of the Middlesex Centre Settlement Area Urban Design Guidelines.

In summary, it is our opinion that the proposed Draft Plan is appropriate for the Site, compatible with the existing development context and aligns with applicable planning policies. As described in the PJR, it is also our opinion that the proposal complies with the goals, objectives and policy direction of the County Official Plan and the Municipality of Middlesex Centre Official Plan, and the design direction of the Middlesex Centre Settlement Area Urban Design Guidelines.

We look forward to working with staff on the review of this proposal. Should you have any questions pertaining to the submission, please do not hesitate to contact the undersigned.

Yours truly,

**MHBC**

A handwritten signature in black ink, appearing to read "Scott Allen", written in a cursive style.

Scott Allen, MA, RPP  
Partner

cc. *R. Sanderson; Valleyview Developments Inc.*  
*D. Wade, AGM Engineering*