

Planning Justification Report

10125 Oxbow Drive, Komoka

Municipality of Middlesex Centre

Draft Plan of Subdivision
Zoning By-law Amendment

July 2020



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1. Introduction

1.1 Background

GSP Group Inc. was retained by 2270942 Ontario Ltd. (the “Owner”) to prepare a Planning Justification Report in support of applications for a residential Draft Plan of Subdivision and a Zoning By-law Amendment for 10125 Oxbow Drive in Komoka (the “Site”). The Draft Plan of Subdivision and Zoning By-law Amendment was discussed with Municipal and County Staff at a Pre-application Consultation meeting in April 2018 and a second meeting in October 2019. Prior to this current applications, three residential lots along Oxbow Drive were severed from the larger property by the Owner in 2018 (Consent applications B-15-18, B-16-18, and B-17-18) and were rezoned in 2019 (ZBA-06-2019). These lots are in the process of sale leading to construction.

1.2 Proposed Applications

The Owner is proposing a Draft Plan of Subdivision to create the lot and street fabric and a corresponding Zoning By-law Amendment to rezone the lands from the Extractive Industrial (M4) Zone. The proposed Draft Plan would create two new internal streets with a possible extension to the east to accommodate future development. In total, 58 residential units are proposed, comprised of 8 street townhomes and 50 single detached dwellings. The proposed Zoning By-law Amendment divides the Site into five zones, including those for detached lots, street townhouse dwellings, and open spaces.

1.3 Report Content and Structure

This Report provides a planning justification for the applications and development, including:

- A description of the Site’s existing conditions and its context within Komoka-Kilworth and the immediately surrounding neighbourhood (Section 2);
- An outline of the proposed planning applications (Section 3);
- A summary of the findings of the technical studies and reports prepared in support of the applications (Section 4);
- An overview and analysis of the relevant Provincial, County, and Municipal planning policy and regulatory context relevant to the proposed applications (Section 5); and,
- A planning justification and opinion supporting the proposed applications based on site suitability and land use policy and regulatory considerations (Section 6).

2. Site Description and Context

2.1 Site Location and Description

The Site is located in north eastern Komoka, south of Oxbow Drive and north of the FireRock Golf Club and Komoka Park (**Figure 1**). The entire Site is 7.7 hectares in size with 210 metres of frontage on Oxbow Drive. The Draft Plan of Subdivision applies to a 5.24-hectare portion of the Site, excluding the remaining 2.46-hectare parcel in the Site's southeast corner, which is to be retained by the owner as an open space and potential residential building lot. The Zoning By-law Amendment applies to the entirety of the Site.

The Site is a former gravel pit and is currently vacant. The portion of the land to be retained by the owner often floods, making it unsuitable for intensified residential development. The owner is proposing to construct a single detached dwelling on the parcel if an appropriate location can be identified.

2.2 Surrounding Land Uses

The Site is surrounded by recreational activities to the south, residential to the west and north, and vacant lands within the floodplain to the north and east (**Figure 2**). Institutional uses are close to the Site, including the Parkview Public School 500 metres to the west (less than a 10-minute walk) and the Omni Healthcare Country Terrace 120 metres north of the Site (approximately a 3-minute walk). A cemetery is northeast of the Site.

Both the CP and CN railways bisect Komoka. The Site is in between both lines, with the CP Rail corridor to the north and the CN rail corridor to the south; however the Site does not directly abut either corridor.

While there is a significant flood hazard associated with Oxbow Creek to the north and east, the Site is not identified as being within hazard lands on either Schedule A-2 to the Middlesex Official Plan (**Figure 6**) or on the Upper Thames River Conservation Authority mapping.



Property Location
Source: Google Aerial Imagery (2018)

Figure
1



Property Context
 Source: Google Aerial Imagery (2018)

Figure
2

3. Proposed Development and Applications

3.1 Draft Plan of Subdivision

The Owner is proposing a residential Draft Plan of Subdivision for 5.24 hectares of the Site, excluding a portion in the southeast of the Site which is to be retained due to development constraints (see **Figure 5**). Details of the proposed subdivision are provided below.

Description	Lots/Blocks	Units	Area (Ha)
Single Detached Residential	1 – 49	49	2.76
Street Townhomes	50	8	0.23
Open Space / Residential	51	1	0.08
Trail	52		0.06
Stormwater Management	53		0.43
Turning Circle / Residential Lot Addition	54 – 58		0.12
Residential Lot Addition	59 – 64		0.18
Roads			1.38
Total		58	5.24

The proposed Draft Plan of Subdivision's layout allows for a street connection to the properties to the east, which are also within Komoka's urban boundary. For demonstration purposes, two neighbourhood concepts illustrate different scenarios for the proposed subdivision's development: the first demonstrates how the neighbourhood functions without integration to the east (**Figure 3**); the second demonstrates how the neighbourhood functions with a future connection to the east (**Figure 4**) as part of the future development of those lands. The proposed Draft Plan (**Figure 5**) allows either development concept through a temporary turning circle that could be made permanent or by being parted out to allow the street extensions and lotting.

Access to the subdivision is provided via two new local municipal streets: Street A, which connects to Oxbow Drive in two locations, and the aforementioned Street B, which runs parallel to Oxbow Drive within the Site. Both streets have an 18 metre right-of-way.

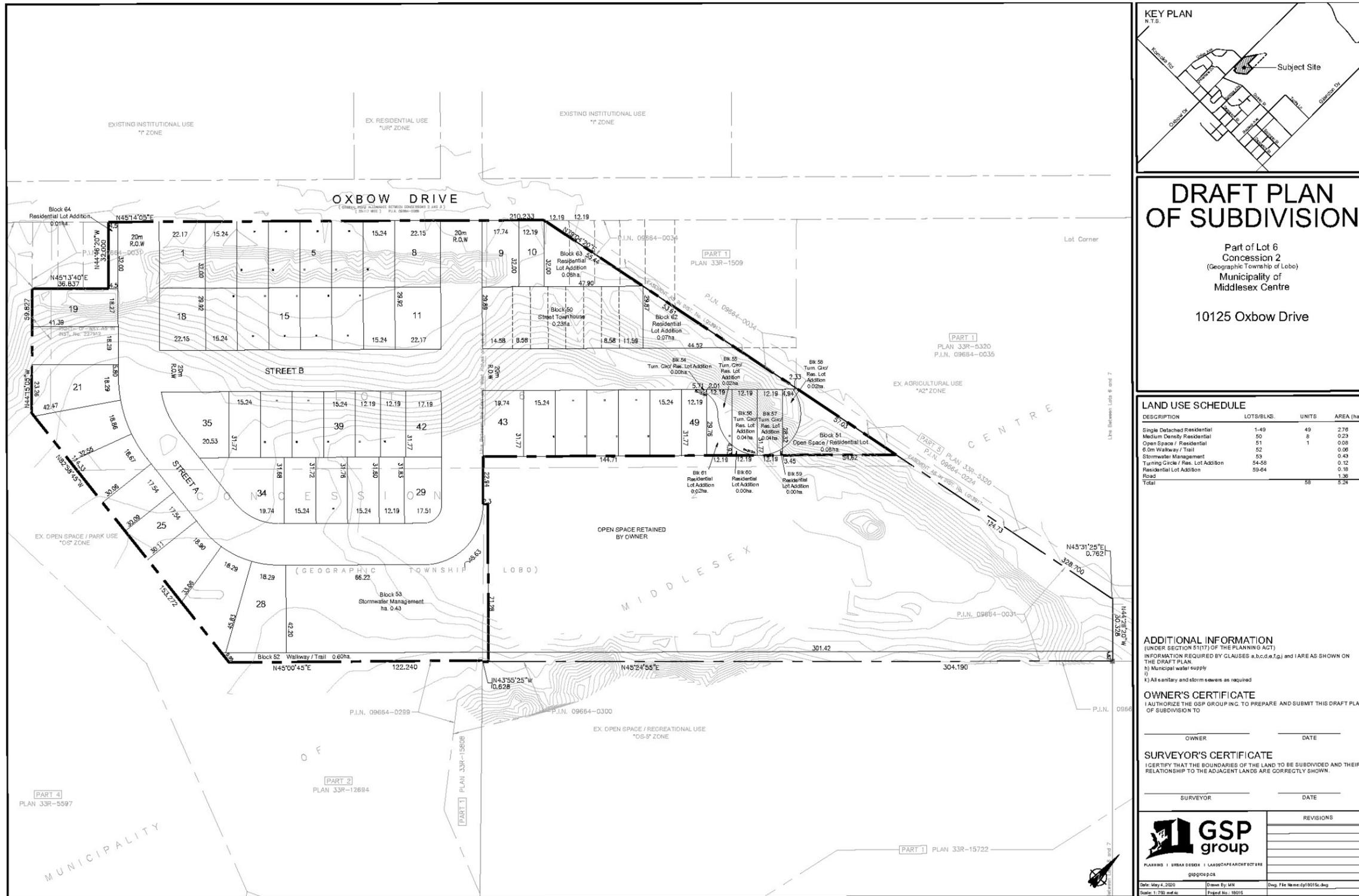
In total, the Draft Plan of Subdivision proposes 50 single detached lots and 8 street fronting townhomes. Further to these, additional lots can be created through arrangements with the





Development Concept (Connected)
Source: GSP Group (June 2020)

Figure
4



abutting property to the east. Block 63 along Oxbow Drive could provide four additional lots when merged with respective portions of the abutting property, alternatively would simply be a lot addition to the width (Lot 10) or depth (Block 50) of abutting Draft Plan lots/blocks. If Street B were extended to the east and the turning circle removed, an additional three single detached lots could be created for development on the south side of Street B through merger of temporary turning circle parts (Block 55 & 61; Block 56 & 60; and Block 57 & 59). Block 62 on the north side of Street could either be a custom detached lot or merged with the abutting property to create three detached lots.

The existing “borrow pit” is being retained by the owner outside of the Draft Plan of Subdivision, largely given this portion of the site is constrained by filling of water and associated ecological conditions identified in this area. The Owner seeks to allow the possibility construction of a single detached dwelling on this retained parcel in the future. Block 51 on the Draft Plan would be retained by the owner together with the larger parcel held outside of the Draft Plan boundaries. Under the “stand-alone” scenario of Figure 3, Block 51 provides an access driveway to the retained parcel outside of the Draft Plan boundaries, which would be an open space block with the potential for a single dwelling for the owner. Under the “connected” scenario of Figure 4, Block 51 could still provide an access driveway to the retained parcel outside of the Draft Plan boundaries with the remainder of the block merged with portions of the abutting property to the east to create up to four additional detached lots between the two properties.

A stormwater management pond is proposed in Block 53 at the south of the Site. A public trail (Block 52) is proposed abutting the south side of the pond and running along the Site’s southern boundary. Within the Draft Plan boundaries, the trail is approximately 4 metres wide and is 0.06 hectares in area. The owner’s intent is that this trail corridor extend eastward into the retained portion outside the Draft Plan, a corridor of 0.14 hectares in area, would also be dedicated to the Municipality through a separate reference plan as a Draft Plan Condition. In total, parkland dedication for the property of 0.385 hectares is required based on the overall property area of 7.7 hectares. The land dedication of trail area of 0.20 hectares in total plus construction of the trail to capture (the remaining 0.185 owed) will satisfy the minimum parkland dedication.

Conceptual phasing for the Draft Plan of Subdivision has four phases (**Figure 9**). It would begin with Phase 1 with the lots along Oxbow Drive. Phase 2 would be along the western and southern edge of the property, including the stormwater management pond and most of the street network with Street A’s construction. Phases 3 and 4 would contain the interior portions of the Site and complete the street network with Street B’s constructin.

3.3 Zoning By-law Amendment

The Site is zoned Extractive Industrial (M4) in the Municipality of Middlesex Centre Comprehensive Zoning By-law 2005-005 (**Figure 7**). The M4 Zone does not permit residential development, thus, a Zoning By-law Amendment is required to permit the proposed development and bring the Site's zoning into conformity with the Official Plan. The proposed Zoning By-law Amendment will rezone the Site into five zones, illustrated on **Figure 8** and outlined in Section 5.6 of the report below and the draft by-law in **Appendix 1**. The proposed Amendment is as follows:

- **Area 1:** the proposed single detached lots fronting on Oxbow Drive to a Site-specific Urban Residential First Density (UR1-XX) zone., with the site-specific regulations permitting a reduced minimum lot area, reduced minimum lot frontage for lots fronting on Oxbow Drive, reduced minimum front yard setback, and increased maximum lot coverage for main buildings and accessory buildings;
- **Area 2:** the remainder of proposed single detached lots internal to the subdivision to a site-specific Urban Residential First Density (UR1-XX) zone, with the site-specific regulations permitting a reduced minimum lot area, reduced minimum lot frontage for lots fronting on Oxbow Drive, reduced minimum front yard setback, and increased maximum lot coverage for main buildings and accessory buildings.
- **Area 3:** the proposed townhouses block rezoned to a site-specific Urban Residential Third Density (UR3-XX) zone, the regulation permitting a reduced minimum lot depth and increased maximum lot coverage for main buildings and accessory buildings.
- **Area 4:** the Open Space retained by the Owner, and not subject to the Draft Plan of Subdivision, rezoned to the Urban Residential First Density (UR1) zone.
- **Area 5:** the trail and stormwater management pond area rezoned to the Open Space (OS) zone.

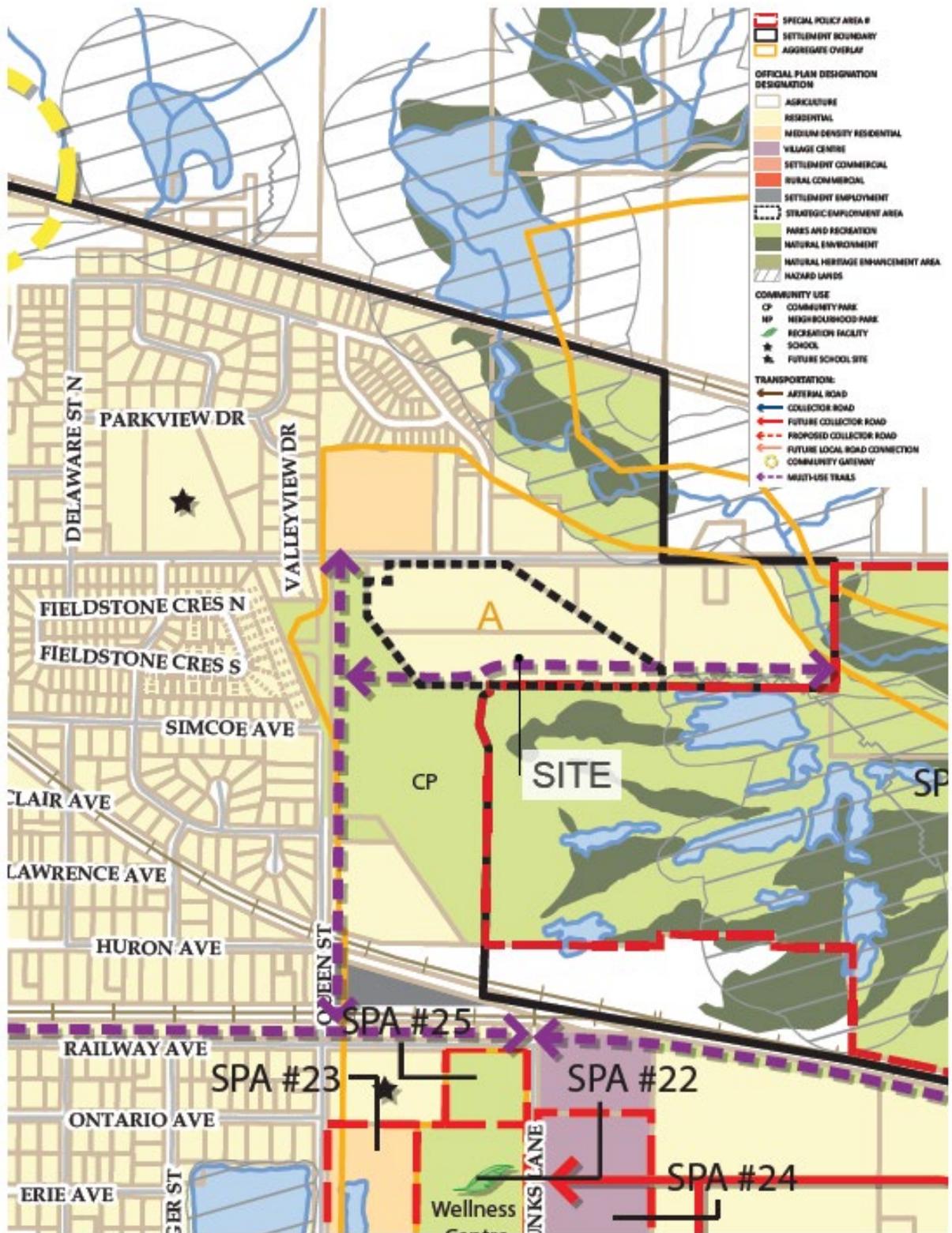
Compliance assessment of the Proposed Zoning By-law Amendment to the Urban Residential First Density (UR1) zone and Urban Residential Third Density (UR3) Zones that is proposed to apply to the detached dwelling lots and street townhouse dwelling los, respectively, is outlined on the following page.

UR1 ZONE				
Section	Provision	Required	Provided	Comply
8.1.2	MIN Lot Area	450 m ²	Smallest @ 387 m ²	*
8.1.3	MIN Lot Frontage	15.0 m	Narrowest @ 12.19 m	*
8.1.4	MIN Front Yard Setback	6.0 m	4.5 m (porch or habitable portion) 6.0 metres (attached garage) 8.0 m (Oxbow)	* * *
8.1.5	MIN Side Yard Setback (a) Interior Lot	1.5 m one side 2.5 m other side	1.2 m	*
	(c) Rear yard adjacent to rear yard of abutting lot	4.0 m abutting street 1.5 m on the other side	2.5 m (except attached garages) 6 m (attached garages)	* *
8.1.6	MIN Rear Yard Setback	8.0 m	8.0 m	✓
8.1.7	MAX Lot Coverage (a) Main (b) All	35% 38%	48% 51%	* *
8.1.8	MIN Floor Area	90 m ²	> 90 m ²	✓
8.1.9	MAX Height	12.0 m	<12.0 m	✓
8.1.10	MAX Dwellings per Lot	One single detached	One single detached	✓

UR3 ZONE (STREET TOWNHOUSE PROVISIONS)				
Section Number	Provision	Required	Provided	Comply
10.1.2(a)	MIN Lot Area	250 m ² per dwelling unit	>250 m ²	✓
10.1.3(a)	MIN Lot Frontage	6.0 m for each dwelling unit	8.58 m	✓
10.1.4	MIN Lot Depth	35.0 m	29.87 m	*
10.1.5	MIN Front Yard Setback	6.0 m	6.0 m	✓
10.1.6	MIN Side Yard Setback	3.0 m for interior lot 6.0 m abutting a street	1.2 m 2.5 m (except attached garages) 6 m (attached garages)	* * *
10.1.7	MIN Rear Yard Setback	8.0 m	8.0 m	✓
10.1.8	MIN Floor Area	65.0 m ² per dwelling unit	>65.0 m ²	✓
10.1.9	MAX Height	20.0 m	<20 m	✓
10.1.10	MAX Density	35 units per hectare	35 units per hectare	*
10.1.11	MIN Outdoor Amenity Area	45.0 m ² per dwelling unit	>45.0 m ²	✓
10.1.12	MAX Lot Coverage (a) Main (b) All	35% 38%	55% 58%	* *

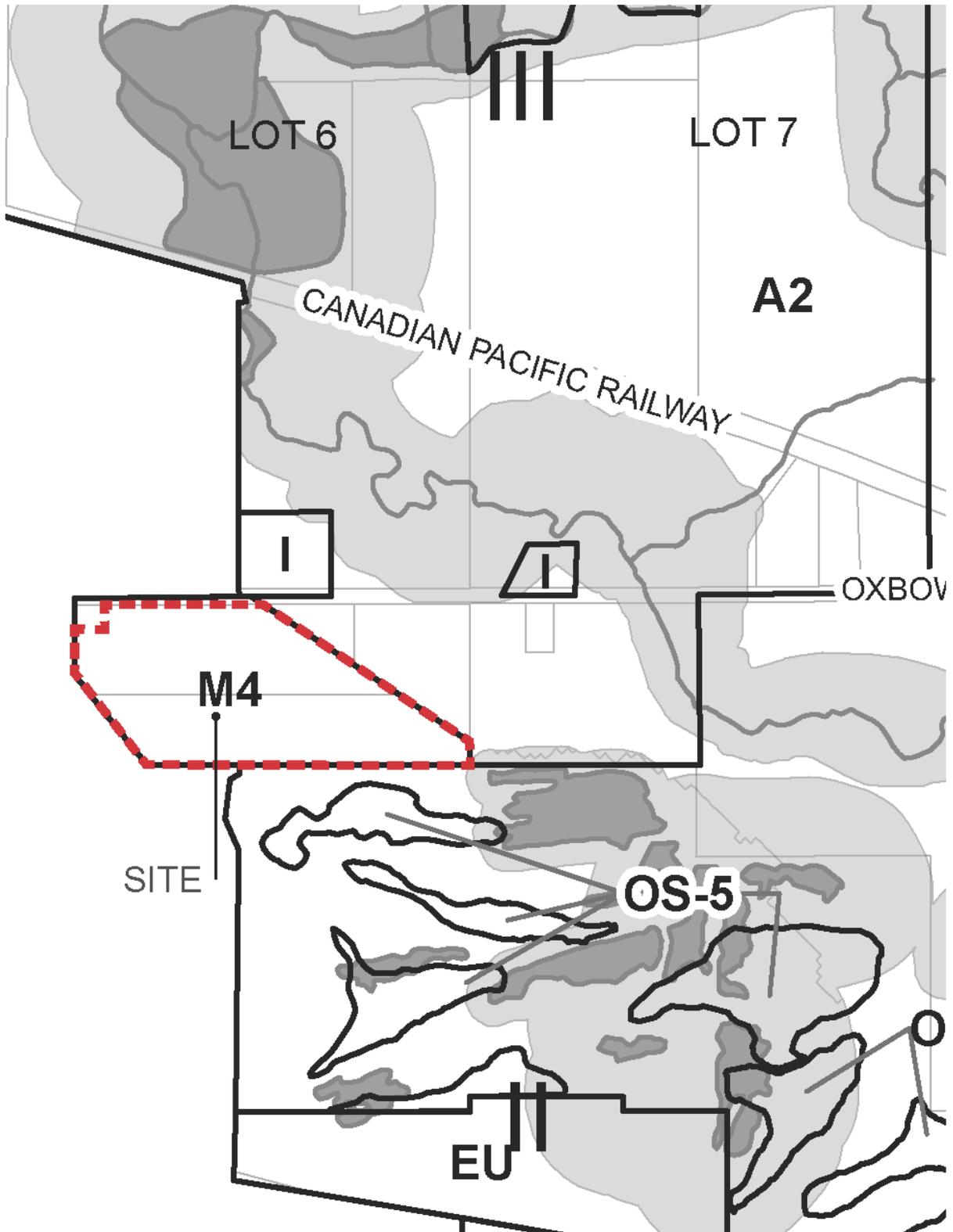
✓ Complies

* Site-Specific Regulation requested



Municipality of Middlesex Centre Official Plan
 Source: Municipality of Middlesex Centre Official Plan Schedule A-2 (July 2018)

Figure
6

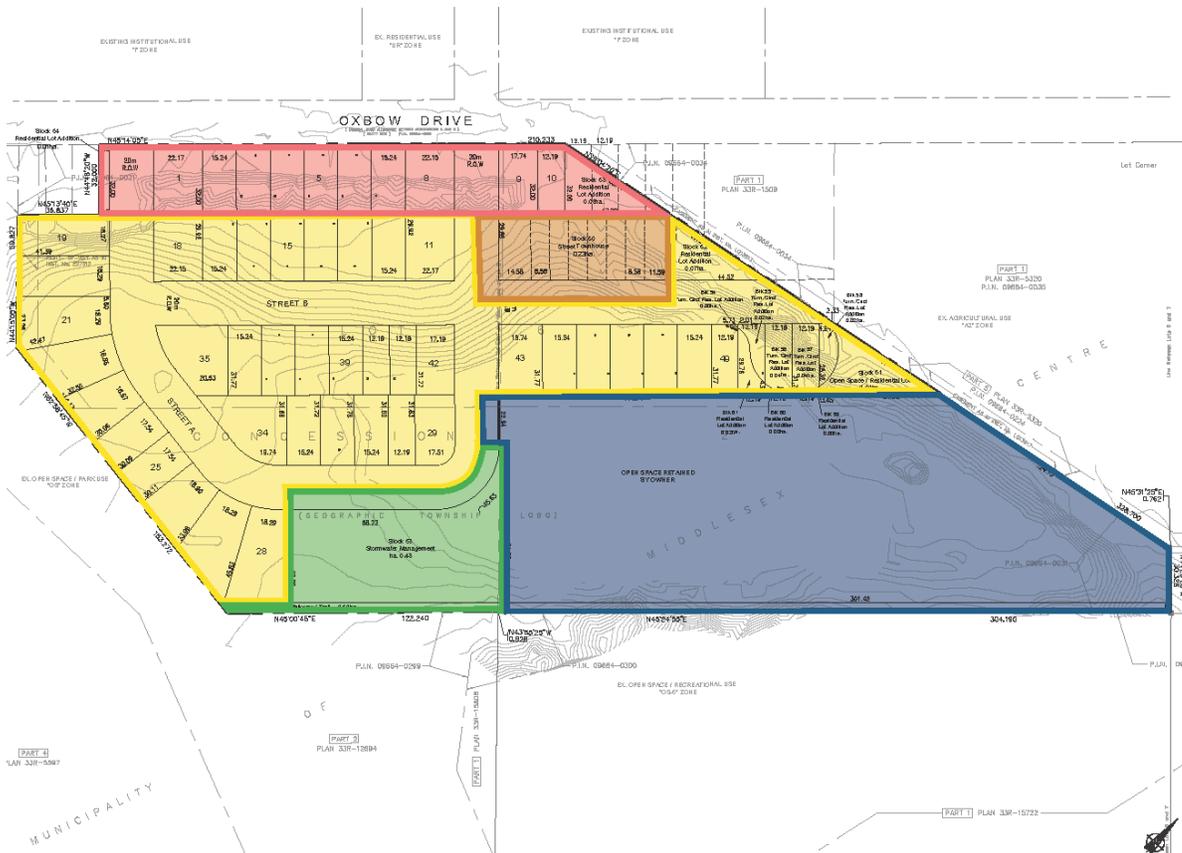


Municipality of Middlesex Centre Zoning By-law

Source: Municipality of Middlesex Centre Zoning By-law 2005-005

Schedule A, Key Map: 68 (May 2005)

Figure
7

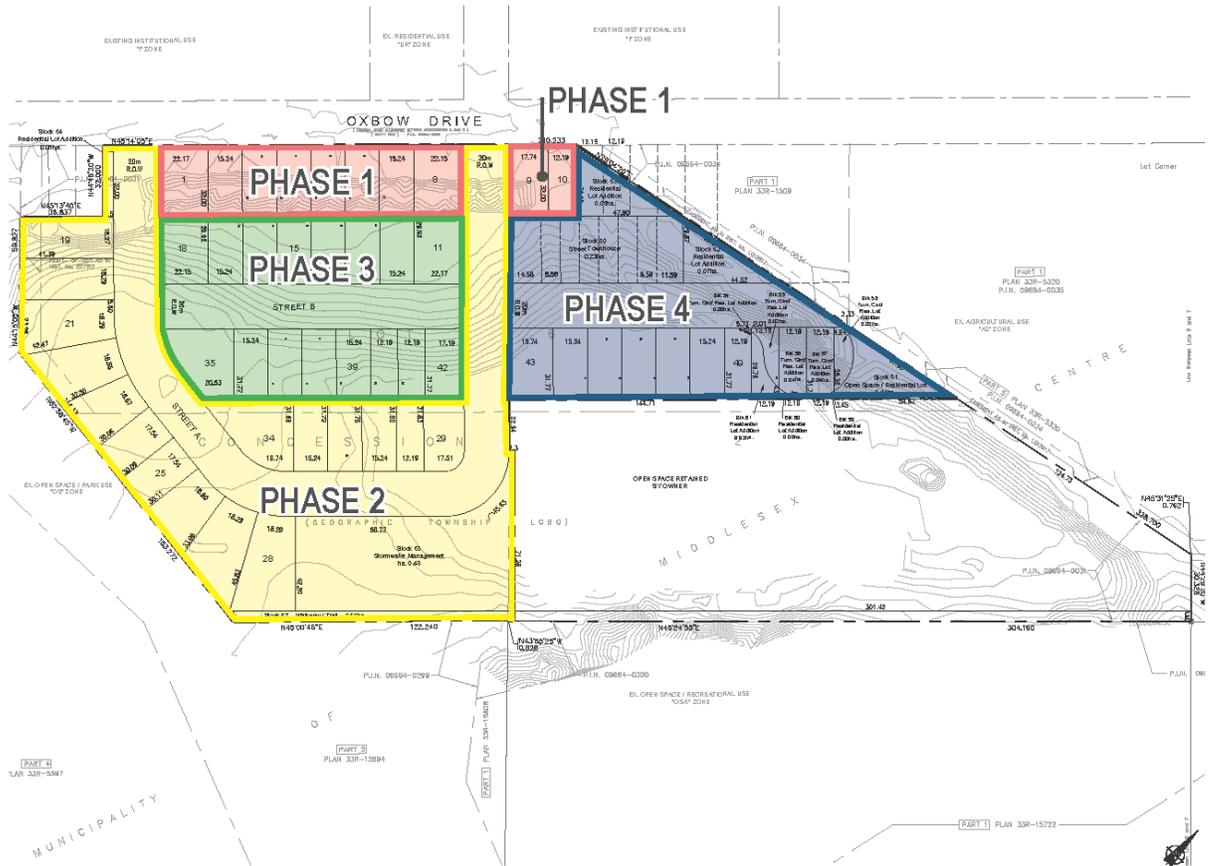


- From Extractive Industrial 'M4' Zone to Urban Residential 'UR1-#' Zone
- From Extractive Industrial 'M4' Zone to Urban Residential 'UR1-#' Zone
- From Extractive Industrial 'M4' Zone to Urban Residential 'UR3-#' Zone
- From Extractive Industrial 'M4' Zone to Urban Residential 'UR1' Zone
- From Extractive Industrial 'M4' Zone to Open Space 'OS' Zone



Proposed Zoning
Source: GSP Group (June 2020)

Figure
8



- PHASE 1
- PHASE 2
- PHASE 3
- PHASE 4



Phasing Plan
Source: GSP Group (June 2020)

Figure
9

4. Supporting Studies

The following studies have been prepared in support of the Proposed Development as part of the complete application submission. For full details of analysis, the respective full reports need to be consulted.

4.1 Archaeological Assessment

Detritius Consulting Ltd. prepared the Stage 1-2 Archaeological Assessment (July 9, 2020) as part of the complete application requirements for the Proposed Development. The Assessment included background research (Stage 1) and specific field assessment (Stage 2). The Assessment makes the following conclusions:

“The Stage 1 background research indicated that the Study Area exhibited moderate to high potential for the identification and recovery of archaeological resources notwithstanding major disturbance to most of the surface through gravel pit operation.

A Stage 2 field assessment was recommended for the maintained grass component of the Study Area and was conducted on June 26, 2020. Evidence of disturbance was found in satellite photos and visually confirmed at the Study Area. Nevertheless, some judgemental test pitting was done to confirm disturbance. Additional test pitting was conducted in areas along the fringe of the gravel pit and small areas of undisturbed ground were found. Test pitting in these areas proceeded at 5m intervals. This investigation resulted in the identification and documentation of no archaeological resources; therefore, no further archaeological assessment of the Study Area is recommended.”

4.2 Servicing Report

MTE prepared the Servicing Report (June 12, 2020) as part of the complete application requirements for the Proposed Development. The Report identifies how the Proposed Development will be serviced, including water, sanitary and storm connections to the existing municipal infrastructure. It outlines the availability of the municipal system to accommodate the development and how the stormwater management design meets City criteria. The Report concludes:

- i. The proposed subdivision may be adequately serviced through the installation of gravity sanitary sewers, connection to the existing municipal water distribution network, and the establishment of lot-level and end-of-pipe SWM infrastructure;*

- ii. *A sanitary outlet can be provided for the subdivision through the existing municipally owned lands to the south and connecting into the existing sanitary sewer on Queen Street.*
- iii. *Water servicing can be supplied by connections to the existing mains on Oxbow Drive and Queen Street. Connection to the Queen Street main may be provided through the municipally owned land to the south.*
- iv. *Stormwater management for the site may be accommodated through the implementation of lot-level and end-of-pipe infiltration measures with major flows being directed to the borrow pit.*
- v. *Availability of utilities will need to be confirmed with the appropriate providers.*

4.3 Stormwater Management Report

MTE prepared the Stormwater Management Report (June 12, 2020) as part of the complete application requirements for the Proposed Development. The report analyzes how the proposed stormwater management system design meets Municipality and Conservation Authority criteria. The Report concludes:

- i. *The proposed storm water management Facility provides adequate volume to capture and infiltrate the 5 year storm event, roof run off will be directed to lot-level infiltration galleries;*
- ii. *An Enhanced Level of quality control (Level 1) will be provided up stream of the pond with an OGS unit; and*
- iii. *Run off from major events (i.e. > 5 YR) will be directed to the borrow pit;*
- iv. *Upon completion of construction, the site will conform to the design criteria specified by the Municipality of Middlesex Centre and Upper Thames Conservation Authority. All of which is respectfully submitted.*

4.4 Traffic Impact Study

Paradigm Transportation Solutions Limited prepared the Traffic Impact Study (June 12, 2020) as part of the complete application requirements for the Proposed Development. The Study analyzes the traffic forecasts and impacts at full build-out of the Proposed Development. The Study concludes:

- *Existing Traffic: The study area intersections are operating with acceptable levels of service during the weekday AM and PM peak hours. No critical movements are occurring at the study area intersections.*
- *Trip Generation: The site's trip generation is estimated to be approximately 44 AM peak hour vehicle trips and 58 PM peak hour vehicle trips.*

- *Background Traffic: The study area intersections are forecast to continue to operate with acceptable levels of service during the weekday AM and PM peak hours. No critical movements are forecast to occur at the study area intersections.*
- *Total Traffic: The study area intersections are forecast to continue to operate with acceptable levels of service during the weekday AM and PM peak hours. No critical movements are forecast to occur at the study area intersections.*
- *Left-Turn Lanes: Left-turn lanes are not warranted at study area intersections under forecast total conditions.*

5. Planning Policy Framework

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed Draft Plan of Subdivision and Zoning By-law Amendment in the context of Provincial, County, and Municipal policies and regulations.

5.1 Ontario Planning Act, R.S.O. 1990, c. P.13

The *Planning Act* R.S.O. 1990, c. P.13 (“*Planning Act*”) establishes the policy-led land use planning system for Ontario that outlines matters of provincial interest as part of municipal planning decisions and provides for statutory planning processes in Ontario.

Section 2 of the *Planning Act* identifies the breadth of matters considered as being provincial interest which a municipality must “have regard to” in carrying out its responsibility under the *Planning Act*. These matters are general in nature and broad in range. These matters are captured in more detail through the policy statements and provincial plans issued under the Section 3 of the *Planning Act* and through the Official Plan of the County of Middlesex and the Official Plan of Middlesex Centre which are reflected in subsequent sections of this Planning Justification Report.

Section 3(5) of the *Planning Act* requires that the decisions of municipal councils regarding the exercise of authority concerning planning matters, including decisions on *Planning Act* applications:

- (a) *shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and*
- (b) *shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.*

The 2020 Provincial Policy Statement was issued under Section 3(5) and is applicable and relevant to the consideration of the proposed application. The 2019 Growth Plan for the Greater Golden Horseshoe, 2017 Greenbelt Plan, 2017 Oak Ridges Moraine Conservation Plan, and 2017 Niagara Escarpment Plan were also issued under Section 3(5), however, the Site is not within an area subject to these Plans. There have been no policy statements issued under 31.1 of the *Metrolinx Act, 2006* or Section 11 of the *Resource Recovery and Circular Economy Act, 2016* per Section 3(8) of the *Planning Act*.

Section 51 of the *Planning Act* sets out the requirements for the legal division of land and/or property, such as a Draft Plan of Subdivision. Specifically, Section 51(24) outlines the criteria which the approval authority “*shall have regard to*” when making decisions on the legal division of land and/or property. The criteria of Section 2 and Section 51(24) of the *Planning Act* have been considered in the design of the subdivision per the following table.

Criteria for the Evaluation of a Draft Plan of Subdivision		
	Criteria	Response
51 (24)	<i>In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality</i>	<ul style="list-style-type: none"> • The health and safety of current and future inhabitants will be ensured by the provision of municipal water and sanitary services and adequately addressing stormwater. • Access for emergency vehicles is provided via two new local streets.
(a)	<i>The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2</i>	<ul style="list-style-type: none"> • There are no natural heritage features on the Site. • The Proposed Development protects agricultural resources by developing vacant lands within the an urban settlement area. • The Proposed Development is close to existing educational, cultural, and recreational facilities. • The development provides single detached and street townhouse dwellings, contributing to a range and mix of housing options. • The Proposed Development will be municipally serviced and is of an appropriate density to assist with the financial and economic well-being of the Province and municipality. • The Site is an appropriate location for growth and development as it is within the settlement boundary of Komoka and is designated for residential development in the Middlesex Centre Official Plan.
(b)	<i>Whether the proposed subdivision is premature or in the public interest</i>	<ul style="list-style-type: none"> • The Site is currently designated for residential development in the Middlesex Centre Official Plan and can be efficiently serviced.
(c)	<i>Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any</i>	<ul style="list-style-type: none"> • The Middlesex Centre Official Plan designates the Site for the intended residential uses. • Street B contemplates a possible extension to vacant lands to the east in the event of development.
(d)	<i>The suitability of the land for the purposes for which it is to be subdivided</i>	<ul style="list-style-type: none"> • The Site is designated for residential development in the Middlesex Centre Official Plan.

		<ul style="list-style-type: none"> • The site does not include natural or cultural heritage features and is outside of floodplains. • Appropriate access is provided from two new local streets. • Technical studies have concluded that the land is suitable for the proposed development.
(e)	<i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them</i>	<ul style="list-style-type: none"> • Two new local streets are proposed and provide two points of access to Oxbow Drive.
(f)	<i>The dimensions and shapes of the proposed lots</i>	<ul style="list-style-type: none"> • The proposed lots offer a pattern of regular shaped lots providing for different lot frontages and depths.
(g)	<i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land</i>	<ul style="list-style-type: none"> • The subdivision is beyond the floodplain of the Oxbow River.
(h)	<i>Conservation of natural resources and flood control</i>	<ul style="list-style-type: none"> • Stormwater will be appropriately managed as detailed in the Functional Servicing Report and Stormwater Management Report.
(i)	<i>The adequacy of utilities and municipal services</i>	<ul style="list-style-type: none"> • The Functional Servicing Report demonstrates that the Proposed Development can be adequately serviced without requiring improvements to the municipal water or sewage treatment plants.
(j)	<i>The adequacy of school sites</i>	<ul style="list-style-type: none"> • The Site is within 500 metres of the Parkview Public School.
(k)	<i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes</i>	<ul style="list-style-type: none"> • The trail through the Subdivision and a trail through the retained parcel in the southeastern corner (through separate reference plan process) of the entire property will be dedicated

		to the Middlesex Centre for the parkland dedication purposes, together with contribution to the construction of the trail itself.
(l)	<i>The extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	<ul style="list-style-type: none"> • The proposed dwellings will be built in accordance with the Ontario Building Code.
(m)	<i>The interrelationship between the design of the proposed plan of subdivision and site plan control matters related to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act</i>	<ul style="list-style-type: none"> • The street townhouse dwellings will be subject to Site Plan Control.

5.2 Provincial Policy Statement

The Provincial Policy Statement (“PPS”) provides land use planning policy on matters of Provincial interest. The 2020 PPS came into effect on May 1, 2020. The overriding vision of the PPS states that “*the long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy*”.

The 2020 PPS continues to direct most development to existing serviced settlements and has imposed boundaries around settlement areas to limit sprawl, protect farmland, increase servicing efficiency, improve transit ridership, and reduce greenhouse gas emissions. A major change to the PPS 2020 is a change in the planning horizon from 20 years to 25 years. The planning horizon is used to determine if adequate land is available to accommodate projected growth. A second reflects the provision of a housing supply that is “market-based” and geared towards the local community. The below PPS policies are a summary of policies relevant to the Site and the Proposed Applications:

Community Design

Section 1.1.1 of the PPS promotes the establishment of “*healthy, livable, and safe communities*” through:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-*

- unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) promoting development and land use patterns that conserve biodiversity; and*
 - i) preparing for the regional and local impacts of a changing climate.*

Section 1.1.2 of the PPS requires municipalities to ensure there is a sufficient supply of land to accommodate growth for 25 years. Section 1.1.3 directs development to settlement areas and promote intensification.

Consistency: The proposed application is consistent with Section 1.1.1, 1.1.2, and 1.1.3 of the PPS in that the proposed development would assist in establishing a healthy, livable and safe community as part of Komoka-Kilworth. In respect to the above policies, the proposed development:

- Is located within a serviced settlement area;
- Efficiently lays out the development fabric, can be efficiently serviced, and provides future connections to abutting properties;
- Contributes to meeting long-term residential needs and provides a range of housing types;
- Does not have environmental constraints and protects the environment, public health, and safety;
- Can be municipally serviced; and,
- Is on a site that has no natural or cultural heritage value due to previous aggregate extraction.

Housing

Section 1.4 of the PPS requires planning authorities to provide for a range and mix of housing options and densities to meet projected requirements of current and future residents. This includes maintaining the ability to accommodate residential growth for a minimum of 15 years and land with servicing capacity sufficient to provide at least a three year supply of residential units through lands zoned to facilitate residential intensification and land in draft approved plans. Planning authorities are to permit all housing options required to meet the well-being of current and future residents and to promote densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities. Development standards for new development are required to minimize the cost of housing and facilitate compact form which maintaining appropriate levels of public health and safety.

Consistency: The proposed development is consistent with Section 1.4 of the PPS. The Draft Plan of Subdivision and Zoning By-law Amendment will facilitate the development of 8 street townhome units and 50 single detached dwellings (plus additional future units with the future integration with land to the east), adding to the supply of housing options in Middlesex Centre. These forms are market-based in the sense they continue the general pattern of low-rise residential with a mixed of detached dwelling options as well as street townhouse options for first time buyers or those looking to down-size.

The requested site-specific regulations facilitate contemporary configurations which are desirable to achieve compact form, efficient use of infrastructure, and provide different housing options. They facilitate a contemporary subdivision design that promotes compact development while ensuring a high design standard. The reduction in frontage and lot size for the single detached dwellings will facilitate a more efficient design, and the increased front yard setbacks for the Oxbow Drive fronting-lots recognizes the existing character of residential development along Oxbow Drive, similar to the approach to the 3-lot severance on the larger property in 2018. The reduction in minimum lot depth for the townhouse dwellings recognizes modern townhouse standards and assists with the goal of providing attainable housing. The increase in maximum lot coverage provides for a more efficient use of urban serviced land.

Sewage, Water and Stormwater

Section 1.6.6 of the PPS establishes a servicing hierarchy for development. Full municipal services are preferred for settlement areas, followed by partial services and communal services. Private services are the least preferred option for servicing and are only permitted in settlement areas for infilling and minor rounding out of existing development.

Consistency: The development is consistent with the servicing policies of the PPS as the development will occur on full municipal water and wastewater services.

Protecting Public Health and Safety

Section 3.0 of the PPS directs development away from natural or human-made hazard lands, including floodplains, areas of steep slope, areas subject to erosion or dynamic beach hazards, mine hazards, oil, gas, and salt hazards, former resource extraction use, and contaminated areas.

Consistency: The Proposed Development is consistent with the health and safety policies of Section 3.0 of the PPS. The site is not identified on any hazard mapping in the Middlesex Centre Official Plan or the Upper Thames River Conservation Authority.

5.3 County of Middlesex Official Plan

The County of Middlesex Official Plan (“County OP”) implements Provincial policy and provides land use planning policy for the County. The current County OP was adopted by County Council on September 9, 1997 and was most recently consolidated and amended on July 11, 2006. The County OP is currently undergoing a comprehensive review.

Growth Management and Urban Areas

Section 2.3.2 of the County OP directs the majority of future growth to urban areas on full municipal services. Section 2.3.8.1 further directs that development is to proceed in a logical and phased manner. In accordance with Section 3.2.2, new development in settlement areas is encouraged to proceed by Plan of Subdivision.

Conformity: The proposed development conforms to the Growth Management and Urban Area policies of the Official Plan. The Site is located within Komoka-Kilworth, an Urban Area within the County, and will be developed on full municipal services. The subdivision is an orderly expansion of the surrounding residential fabric and provides for future connections to abutting properties to the east that are also within the urban boundary.

Housing

Section 2.3.7 and 2.3.7.2 of the County OP encourages a wide variety of housing by type, size, tenure, and density. Innovative housing and subdivision design is encouraged.

Conformity: The proposed development includes a mix of frontages for single detached dwellings and street townhomes, providing a range and mix of housing options. The proposed subdivision design provides for a connected residential development, with connections to the land to the east and open space and trail connections through the Site.

5.4 Middlesex Centre Official Plan

The Middlesex Centre Official Plan (“OP”) provides detailed land use planning policies for the Municipality of Middlesex Centre. The OP was adopted by the Council of the Township of Middlesex Centre on April 19, 2000 and was approved with modifications by the County of Middlesex on September 12, 2000. The most recent consolidation is dated July 24, 2018.

Settlement Areas

Komoka-Kilworth is identified as an Urban Settlement Area with municipal water and sewage services. Section 5.1.4 directs growth to Urban Settlement Areas. New development in such areas is to occur on full municipal services and develop in a phased and compact manner that preserves the traditional and historic character of the area.

Conformity: The proposed development is within the settlement boundary of Komoka-Kilworth, will occur on full municipal services, and will be phased with contemporary standards like surrounding new subdivisions. The layout and sizing of the lots within the subdivision are consistent with traditional subdivisions in Komoka while reflecting contemporary, more recently approved zoning standards that assists with the objective of providing attainable housing and a range and mix of housing types through an efficient use of serviced land.

Residential Areas

The Site is designated “Residential” on Schedule A-2 of the OP (**Figure 6**). In accordance with Section 5.2.2 of the OP, single detached, semi-detached, townhome, duplex/triplex/fourplex dwellings, and low and medium rise apartments are permitted, as well as institutional uses, municipal uses, parks or open space, and group homes. Townhouses are subject to additional policies as per Section 5.2.3:

- a) *Locations should be proximate to adequate open space or park areas, schools, or Village Centre areas where possible.*
- b) *Densities proposed should be generally compatible with adjacent densities when proposed adjacent to or within existing residential areas.*
- c) *For apartment dwellings, locations should be in close proximity to a major roadway, or roadway 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.*
- e) *Notwithstanding Subsection (d) above, the siting of multiple dwellings adjacent to or in close proximity to Village Centres, is encouraged.*

- 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.*

Conformity: The proposed development conforms to the Residential policies of the OP. The requested single detached and street townhome dwellings are permitted within the Residential designation, as are parks and open space areas. The townhouse dwellings are appropriately sited within the subdivision and are proximate to parkland and schools. The density is compatible with the proposed subdivision and the surrounding neighbourhood and the townhomes are integrated into the subdivision. The townhomes will be subject to Site Plan Approval in accordance with the OP.

Design Policies – Plans of Subdivision and Settlement Areas

Section 6.1 of the OP provides design goals for settlement areas and Section 6.2 provides design policies for subdivisions. Section 6.1 states:

- a) *To maintain and improve the physical design characteristics of the Municipality's settlement areas in the context of new and existing development. To stress a general high quality of settlement design throughout the Municipality.*
- b) *To ensure that new development is designed in keeping with the traditional character of existing settlements, in a manner that preserves the traditional "village scape", and enhances the sense of place within the Municipality and the community image of existing settlement areas.*
- c) *To promote efficient and cost-effective development patterns that minimize land consumption. Compact settlement form and intensification will be encouraged.*
- d) *To promote the improvement of the physical character, appearance and safety of street scapes, civic spaces, parks, and other aspects of the public realm.*
- e) *To preserve and enhance design aspects that add to the Municipality's sense of place, including views, vistas, access to natural features, and the preservation of landscapes and landmarks.*
- f) *To encourage significant community or civic buildings such as churches, schools, fire halls and so on, to be sited at locations which enhance their visual status and contribute to the image and sense of place of the Municipality.*
- g) *To encourage tree retention wherever possible and appropriate within plans of subdivision, severances, and site plan applications.*
- h) *To have regard for the Municipality's Urban Design Guidelines.*

Section 6.2 relates to subdivisions and adds the following:

- a) *This Plan strongly encourages subdivision design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure. Neighbourhood patterns are encouraged to provide clearly defined neighbourhood centres and edges where appropriate. Design should emphasize connectivity and multiple route choice for pedestrians, cyclists and automobiles.*
- b) *Where new plans of subdivision are proposed in settlement areas characterized by standard or modified block patterns or traditional street grids, the continuation of such patterns is encouraged unless more suitable or innovative patterns are agreed to. Cul-de-sacs are discouraged in such circumstances.*
- c) *Street patterns that create view corridors and vistas, particularly in circumstances where significant landmarks or features are involved, are encouraged.*
- d) *At the Municipality's discretion, residential proponents may be required as part of a complete application to submit design guidelines with plan of subdivision applications, establishing how the policies of Section 6.0 have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, garage placement, and architectural treatment*
- e) *Designs that establish reverse lotting on Municipal roads, or require features such as noise attenuation or privacy fencing, are discouraged. Wherever possible, new residences will be oriented toward streets or parks.*
- f) *Alternative development standards as set out in the Provincial document "Making Choices: Alternative Development Standards Guidelines" will be considered. Such standards may relate to:*
 - *Boulevard widths, road rights-of-way and pavement widths.*
 - *Alternative standards for the spacing and location of underground services.*
- g) *Development shall have regard for the Municipality's Urban Design Guidelines.*

Conformity: The proposed development conforms to the design policies of the OP, per the following considerations:

- The subdivision will be of high quality design with lot sizes and zoning standards that ensure the development will be in keeping with the traditional character of the surrounding residential community.
- The subdivision is efficient and compact, with single detached lots ranging from a frontage of 12.19 metres (40 feet) to 22.17 metres (72 feet) for the largest corner lots.
- Street A is aligned for a visual and physical connection along Street A, between Oxbow Drive and the public trail on the Site's southern boundary.

- Sidewalks can be provided on both sides of the new local streets, enhancing safety and providing connectivity for active transportation, and the streets are in a modified grid pattern.
- Lots on Oxbow are front-lotted rather than rear-lotted, continuing the pattern established generally along that street.
- Street B proposes to terminate in a turning circle but can be extended to the east if that parcel, which is designated residential, develops. An extension would provide for better connectivity between the properties and would provide efficiencies of development between the property owners given the angled property line on the Site's eastern boundary.
- Section 4 of the Municipality's Urban Design Guidelines can be addressed through detailed dwelling and lot design; the proposed Draft Plan of Subdivision layout assists with the objectives of this guidance.

Multi-use Trail and Parkland

Schedule A-2 of the OP identifies a multi-use trail at the rear of the Site, parallel to Oxbow Drive. Section 9.4.6 of the OP provides policy direction in relation to multi-use trails and includes the following principles for multi-use trail planning: destinations/connectivity, safety, visibility, multi-modal, accessible, municipal ownership, cost effective, supporting amenities, and partnership opportunities. Section 9.4.6(b)(i) states: *“All development applications shall be reviewed by the Municipality to ensure that they have regard to the Municipality of Middlesex Centre Trails Master Plan. Where proposed routes are identified in the Trails Master Plan or through subsequent review by the Municipality, development applications shall be required to include provisions for the establishment of multi-use trails and pathways and related connections.”* Subsection iii states that land for such trails will be required to be provided to the Municipality as a condition of subdivision approval.

Section 8.4(d) of the OP states that the Municipality requires 5% of lands to be developed or redeveloped for residential purposes to be conveyed for public park or recreational purposes. Cash-in-lieu of parkland may also be considered.

Conformity: A public trail will be provided through the Draft Plan (Block 52) and a separate dedication for the trail portion outside the Draft Plan boundaries. In keeping with the Municipality's Master Trails Plan, the proposed trail within the Draft Plan is 3.9 metres wide, resulting in a land area of 0.06 hectares. The Owner intends to extend the trail eastward outside the Draft Plan (conceptually shown as 4.5 metres wide) with a corridor of 0.14 hectares, dedicated to the Municipality through a separate reference plan. In total, parkland dedication for the property of 0.394 hectares is required based on the overall property area of 7.88 hectares. The land dedication of trail area of 0.20 hectares in total plus construction of the trail to reflect the value of the remaining 0.194 owed will satisfy the minimum parkland dedication.

Aggregate Resource Site Rehabilitation

Section 4.6 of the OP directs aggregate resource sites to be rehabilitated once the extraction use has ceased to a standard suitable for the site's land use designation in the OP. In this case, the Site is designated Residential in the OP.

Conformity: The Site has been rehabilitated per approved plans and the license has been surrendered.

5.5 Komoka-Kilworth Secondary Plan

The Komoka-Kilworth Secondary Plan provides additional policy direction for the Komoka-Kilworth Urban Settlement Area, incorporated into the Official Plan in Section 5.7 and Schedule A-2. Development proposals are to contribute to the establishment of a balanced, mixed use community with a mix of housing types and densities distributed among residential areas. Section 5.7.4 provides additional direction for residential areas. Within low density residential areas (single detached and semi-detached dwellings), the housing mix target is 60% with a net density below 20 units per hectare. Medium density development, including townhomes, is to represent the remaining 40% of housing and is to have a net density between 20 and 50 units per hectare. The Secondary Plan promotes appropriate building orientation and massing, private garages behind the habitable portion or porch of the building's main floor, and entrance features to new residential developments.

Multi-use trails shown on Schedule A-2 are to be provided as a condition of development. Parkland is to maximize connectivity and accessibility to the broader park and recreation system. Local roads are to be in a grid or modified grid pattern that maximizes connectivity and active transportation. Sidewalks are required on both sides of local streets and are to be integrated with multi-use trails.

Conformity: The proposed development conforms to the Komoka-Kilworth Secondary Plan. The density for the detached dwellings are within the density targets of the OP. The subdivision proposes a lower mix that contemplated by the Secondary Plan, with 14% of units as townhomes and 86% as single detached dwellings (as opposed to 40% and 60%, respectively). It is important to note that the 60/40 split is a target and should not be measured on a site-by-site basis, but rather over the settlement area in general. The proposed mix is appropriate for a development on periphery of the urban settlement area of Komoka, providing unit variety while also fitting with the surrounding residential fabric.

In terms of layout, the townhomes are integrated within the development and the lots and zoning standards will ensure the buildings are appropriately oriented and massed to be compatible with existing development. The street pattern is a modified grid and provides a possible extension to the east. Sidewalks can be provided on both sides of the street and a connection to the multi-use trail is contemplated through the stormwater management block.

6. Justification & Conclusions

GSP Group Inc. was retained by 2270942 Ontario Ltd. to prepare a Planning Justification Report for a residential Draft Plan of Subdivision and a Zoning By-law Amendment for 10125 Oxbow Drive. The proposed applications will facilitate the development of 58 new dwellings on a rehabilitated aggregate pit within the settlement boundary of Kilworth-Komoka. The Proposed Development was discussed with Municipality, County and Conservation Authority Staff at a Pre-application Consultation meeting in April 2018 and a second meeting in October 2019.

The proposed Draft Plan of Subdivision is for a property already designated for residential development in the serviced settlement of Komoka. A range of housing types is provided in accordance with Provincial, County, and Municipal policy. A modified grid pattern is proposed with sidewalks on both sides and a possible extension to the residential-designated lands to the east is provided. A multi-use trail along the southern border of the Site is included in the Draft Plan in accordance with the conceptual multi-use trail identified in the Municipality of Middlesex Centre Official Plan.

The implementing Zoning By-law Amendment will bring the Site's zoning into conformity with the Residential designation of the Official Plan and will facilitate the proposed Draft Plan of Subdivision. Site-specific regulations for the residential zones are proposed to facilitate compact design and contemporary zoning standards for the end builder. The proposed site-specific regulations are in keeping with other such approvals for recent developments within Komoka. High quality architectural design will ensure the requested reductions do not negatively impact the built environment.

In summary, this Planning Justification Report concludes that the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications are appropriate, are in the public interest and represent good planning. They are consistent with the policies of the Provincial Policy Statement and conform to the policies of the County of Middlesex Official Plan and the Municipality of Middlesex Centre Official Plan. Specifically:

- The Proposed Development is within the existing settlement boundary of Komoka;
- The addition of 58 residential units in Komoka (plus additional opportunities working with the property owner to the east) contributes to the range and mix of housing available within the settlement area;
- There are no floodplain and or natural or cultural heritage concerns on the Site;
- The subdivision can be adequately serviced per supporting technical studies;
- The subdivision has a connected street network and the surrounding road network has adequate capacity for the Proposed Development;

- The subdivision incorporates the intended multi-use trail corridor along the southern boundary of the property;
- The development form is compatible with adjacent land uses and is appropriate within this context;
- The Proposed Development provides for a mix of detached dwelling frontages and street townhouses, to cater to different lifestyle needs; and
- The requested UR1, UR3, and OS zones in the proposed Zoning By-law Amendment are appropriate as they implement the Residential designation of the Official Plan and facilitate the provision of parkland and a multi-use trail within the subdivision.

Appendix 1 – Draft Zoning By-law Amendment



Municipality of Middlesex Centre By-Law 2020-XXX

Being a by-law to amend the Middlesex Centre Comprehensive Zoning By-Law 2005-005 with respect to Area of Lot 6, Concession 2 (Geographic Township of Lobo), Roll Number: 393900002030801 (ZBA-XX-2020)

WHEREAS the Council of the Municipality of Middlesex Centre deems it advisable to amend the Middlesex Centre Comprehensive Zoning By-law 2005-005;

AND WHEREAS this By-law is in conformity with the Middlesex Centre Official Plan;
THEREFORE the Council of the Municipality of Middlesex Centre enacts as follows:

- 1) That Zoning Map Schedule 'A', Key Map '68' to the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Extractive Industrial (M4) Zone to a site-specific Urban Residential First Density (UR1-XX) Zone that land drawn in heavy solid lines and identified on Schedule 'A' as *Area 1 [single detached lots]*, attached hereto and described as being Area of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre.
- 2) That Zoning Map Schedule 'A', Key Map '68' to the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Extractive Industrial (M4) Zone to a site-specific Urban Residential First Density (UR1-XX) Zone that land drawn in heavy solid lines and identified on Schedule 'A' as *Area 2 [single detached lots]*, attached hereto and described as being Area of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre.
- 3) That Zoning Map Schedule 'A', Key Map '68' to the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Extractive Industrial (M4) Zone to a site-specific Urban Residential Third Density (UR3-XX) Zone that land drawn in heavy solid lines and identified on Schedule 'A' as *Area 3 [Townhouses]*, attached hereto and described as being Area of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre.
- 4) That Zoning Map Schedule 'A', Key Map '68' to the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Extractive Industrial

(M4) Zone to the Urban Residential First Density (UR1) Zone that land drawn in heavy solid lines and identified on Schedule 'A' as *Area 4 [Open Space retained by Owner]*, attached hereto and described as being Area of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre.

- 5) That Zoning Map Schedule 'A', Key Map '68' to the Middlesex Centre Comprehensive Zoning By-law 2005-005, is hereby amended by changing from the Extractive Industrial (M4) Zone to the Open Space (OS) Zone that land drawn in heavy solid lines and identified on Schedule 'A' as *Area 5 [Stormwater Pond and Trail]*, attached hereto and described as being Area of Lot 6, Concession 2 (geographic Township of Lobo), Municipality of Middlesex Centre.
- 6) That Section 8.3 "Exceptions" be amended by adding the following subsection:

"8.3.XX *[Area 1 – Single Detached Lots]*

- (a) DEFINED AREA
UR1-XX as shown on Schedule 'A' Key Map '68', to this by-law
- (b) MINIMUM LOT AREA 380 m²
- (c) MINIMUM LOT FRONTAGE 12 m
- (d) MINIMUM FRONT YARD SETBACK 8 m
- (e) MINIMUM SIDE YARD SETBACK
 - (i) Interior 1.2 m
 - (ii) Exterior (to habitable portion) 2.5 m
 - (iii) Exterior (attached garages) 6.0 m
- (f) MAXIMUM LOT COVERAGE
 - (i) Main Building 46%
 - (ii) All buildings including accessory buildings subject to Section 4.1a 49%

"8.3.XX *[Area 2 – Single Detached Lots]*

- (a) DEFINED AREA
UR1-XX as shown on Schedule 'A' Key Map '68', to this by-law
- (b) MINIMUM LOT AREA 380 m²
- (c) MINIMUM LOT FRONTAGE 12 m
- (d) MINIMUM FRONT YARD SETBACK
 - (i) To porch or habitable portion 4.5 m
 - (ii) 6.0 metres (attached garage) 6.0 m
- (e) MINIMUM SIDE YARD SETBACK
 - (i) Interior 1.2 m
 - (ii) Exterior (to habitable portion) 2.5 m
 - (iii) Exterior (attached garages) 6.0 m

- (f) MAXIMUM LOT COVERAGE
 - (i) Main Building 48%
 - (ii) All buildings including accessory buildings
subject to Section 4.1a 51%

7) That Section 10.3 “Exceptions” be amended by adding the following subsection:

“10.3.XX *[Area 3– Townhomes]*

- (a) DEFINED AREA
UR3-XX as shown on Schedule ‘A’ Key Map ‘68’, to this by-law
- (b) MINIMUM LOT DEPTH 29 m
- (c) MINIMUM SIDE YARD SETBACK
 - (i) Interior 1.2 m
 - (ii) Exterior (to habitable portion) 2.5 m
 - (iii) Exterior (attached garages) 6.0 m
- (d) MAXIMUM DENSITY 35 units per hectare
- (e) MAXIMUM LOT COVERAGE
 - (i) Main Building 55%
 - (ii) All building 58%

8) This by-law comes into force and takes effect upon the day of passing in accordance with the provisions of Section 34 of the Planning Act, R.S.O 1990, c. P.13.

Passed this _____ day of _____, 2020.

Mayor

Clerk