

Meeting date: December 16, 2019
Department: Building and Planning
Prepared by: Tim Williams, Senior Planner
Reviewed by: Matthew Stephenson, Director, Building/Waste Services
Fred Tranquilli, Acting Chief Administrative Officer
SUBJECT: **Applications for Draft Plan of Subdivision & Rezoning
Part of Lot 24, Concession 3, SER, Geographic Town of Strathroy
Formerly Kafco Homes Ltd. now 2634876 Ontario Inc.
Thorne Drive extension, Strathroy**

File Numbers: 39T-SC1303, and ZBA 2013

RECOMMENDATION: That the subject report for 39T-SC1801 and ZBA24-2018 be received for information.

PURPOSE

The purpose of these subdivision and zoning by-law amendment applications is to facilitate the development of a 43-lot residential plan of subdivision with one new road and the extension of Thorne Drive easterly.

SUMMARY HIGHLIGHTS

- **The original applications for subdivision and rezoning were submitted and deemed complete in 2013. The revised applications propose to develop a 43 lot residential subdivision with a new public road and an extension of the existing Thorne Drive.**
- **A report was prepared as part of a public meeting process that was held on August 12, 2013. At that time it was recommended that the application be deferred pending matters in respect of natural heritage (including PSW and Significant Woodlands), provision of parkland dedication and the visibility of proposed stormwater management pond.**
- **The current owner has undertaken to address these items, however, given the length of time since the first public meeting a second meeting is being held.**
- **Staff recommend the rezoning which will facilitate the development of 43 residential lots and include zones for the protection of the natural heritage features as well as a zone for the parkland and stormwater management pond.**

BACKGROUND:

The subject lands have a lot area of 6.36 ha (15.7 ac) and are located at the east end of Thorne Drive within the Settlement Area of Strathroy. The lands are currently vacant and the surrounding lands include residential uses to the north and west as well as agricultural lands to the east and south. Within the northern portion of the site and travelling east and south is a watercourse that includes a Provincially Significant Wetland. Along with the watercourse there is a Significant Woodland designated in the northern portion of the subject plans.

The lands are designated "Residential" in the Official Plan and are the subject of an Official Plan amendment (OPA 9). The property is zoned "Future Development (FD)" in the Zoning By-law. The applicant is proposing to develop 43 lots for single detached dwellings, a 0.19 ha (0.47 ac) stormwater management block, a 2.14 ha (5.29 ac) block containing open space and valley lands to the north, two other blocks to accommodate a future road allowance and a 0.3 m reserve. A Park block with an area of 0.10ha (0.25 ac) is also proposed.

Thorne Drive is to be extended and a crescent street (Street "A") is proposed on the north side of Thorne (see attachment 2 for the draft plan of subdivision). The rezoning application also proposes to rezone the lands. From a servicing perspective, municipal water and sanitary services are available and are intended to extend along the new public road. The adjacent roads connected to Thorne Drive are all local roads under the jurisdiction of the Municipality of Strathroy-Caradoc

An application for draft Plan of Subdivision and Zoning By-law amendment applications were made and deemed complete in 2013. A report was prepared on August 2, 2013 that recommended deferral of the applications until such time as the applicant could address the issues of natural heritage (including PSW and Significant Woodlands) impact, parkland dedication and stormwater management access.

The public meeting was held for the applications on August 12, 2013 at the Strathroy-Caradoc municipal office. The applications were deferred at that time until parkland dedication was included in the proposal, the stormwater pond was made to be more visible and additional investigation on the natural heritage features adjacent to the site as well as the wetland complex downstream could take place.

The draft plan of subdivision has been revised since its original configuration in 2013 and the following is a chart outlining the major differences:

Feature	Initial Submission (2013 Plan)	Current (October 21, 2019 Plan)	Amount of Change
Residential Area	2.96 ha (7.31ac)	2.73 ha (6.75 ac)	0.23 ha (0.57ac) decrease
Stormwater Management area	0.24 ha (0.59ac)	0.19 ha (0.47ac)	0.045 ha (0.11 ac) decrease
Parkland	0 ha	0.1 ha (0.25ac)	0.1 ha (0.25 ac) increase
Water Course and Open Space	1.98 ha (4.89ac)	2.14 ha (5.29ac)	0.16 ha (0.4ac) increase
Thorne Drive Future Road Extension	0.40 ha (0.99 ac)	0.41 ha (1.01ac)	0.01 ha (0.02 ac) increase

It should be noted that there are a number of items that have remained including: 43 residential lots, the future road block to allow for the extension of Thorne Drive further east (700sm), a new crescent public street "A" (0.7 ha), and a central stormwater management block (size has changed as noted above).

In support of the draft plan of subdivision, a concurrent zone change application has been filed to rezone from 'Future Development (FD) zone' to site-specific 'Low Density Residential (R1) zone' in order to facilitate the residential development. The lands referred to as open space on the plan are to be rezoned to 'Environmental Protection (EP) zone' and Parkland Block and Stormwater Pond area are to be rezoned to 'Open Space (OS) zone'. The applicant is proposing to develop the subject lands in a single phase.

POLICY AND REGULATION BACKGROUND

The subject lands are located within a fully serviced Settlement Area as per the definitions of the Provincial Policy Statement and the County of Middlesex Official Plan. It is noted that the northern portion of the site as well as the area to the east of the site are identified as a 'Significant Woodland' and 'Natural Heritage' in the 2006 County Official Plan (and in the 2014 MNHS). This portion of the subject lands are also partly identified as a Provincially Significant Wetland ('PSW'). Locally, the lands are located within the 'Residential' designation and subject to Special Policy Area #5 (OPA 9) of the Strathroy-Caradoc Official Plan and 'Future Development (FD) zone' of the Strathroy-Caradoc Zoning By-law 43-08.

The Provincial Policy Statement, County and Local Official Plan all require significant development, including plans of subdivision, to occur within fully serviced settlement areas, to demonstrate efficient use of land and infrastructure subject to appropriate forms of density.

The Provincial Policy Statement and the County Official Plan provides policy direction regarding the protection of PSW, 'Natural Heritage' features and 'Significant Woodland'. The PPS does not permit development and site alteration within or on lands adjacent to a PSW, 'Natural Heritage' features or 'Significant Woodland' unless the ecological function of the adjacent lands have been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

The Strathroy-Caradoc Official Plan states that development within the 'Residential' designation shall be used for residential purposes including a range of housing types and densities from single unit dwellings to high-rise apartment buildings (Section 3.3.4.1). As per Section 3.3.4.3 of the Official Plan Low Density Development proposals are to be encouraged to include the following features: create a sense of neighbourhood identity; result in attractive and distinctive streetscapes; incorporate public amenities and safety measures; utilize traffic calming measures; preserve and enhance natural features; provide a mix of housing types; ensure appropriate and effective buffering from neighbouring nonresidential uses; minimize total road length and road surface within practical considerations for snowplowing, surface drainage and on-street parking; and maximize energy saving criteria such as southern exposure for solar gain and landscaping and to minimize the adverse effects of winds.

The Strathroy-Caradoc Official Plan also addresses the matter of Natural Heritage, Significant Woodlands and Wetlands and development within or adjacent to a 'Significant Woodland' or 'Natural Heritage' feature is not permitted unless an Environmental Impact Study / Development Assessment Report has been completed which demonstrates no negative impact on the feature or its ecological function. More specifically for wetlands, Section 2.7.1 b) has the goal of preventing development and site alteration for occurring in wetlands and continues in section 3.3.7.2 of the SCOP to review lands adjacent to wetlands (generally lands being within 120 metres of the wetland or wetland complex) development and site alteration shall not be permitted unless it can be demonstrated that there will be no negative impacts on the natural features or on the ecological functions.

The Strathroy-Caradoc Official Plan also addresses Natural Heritage in Section 3.3.7 by including that 'Natural Heritage' features warrant protection because of their ecological and social value as well as their contribution to the natural landscape and the character of the municipality of Strathroy. It is intended that they be protected, wherever possible, from incompatible development, site alteration, and other activities that would undermine their integrity. It is also intended that such features shall be left in their natural or undisturbed state and that any adjacent land use or land use activity be controlled so as not to adversely impact on the natural and ecological integrity of the feature. Significant Woodlands are addressed in Section 3.3.7.3 of the SCOP, which intends that these woodlands be protected and enhanced wherever possible. They shall be maintained in their natural state wherever possible and protected from incompatible development.

With respect to the Zoning By-law, the existing 'Future Development (FD) Zone' permits agricultural use, existing use and forestry use. The applicant has submitted a zone change application to place the residential lots into a site-specific 'Low Density Residential (R1) Zone'. The 'Low Density Residential (R1) Zone' permits single detached dwellings on the subject lands. The remainder of the site will be 'Open Space (OS) zone' for the parkland and Stormwater management pond and 'Environmental Protection (EP) Zone' for the 'PSW', 'Natural Heritage' and 'Significant Woodlands' area to the north of the homes.

CONSULTATION

The application has been circulated to agencies and the public in accordance with the requirements of the Planning Act.

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

Enbridge Gas Inc. requested that as a condition of final approval that the owner/developer provide the easements and/or agreements required for the provision of gas services for the development, in a form satisfactory to them.

The St. Clair Region Conservation Authority (SCRCA) advised that they are satisfied with the additional information provided in the Development Assessment Report including the hydrological investigations and has no further concerns with the proposed development proceeding to Draft Plan Approval. The Conservation Authority has requested that groundwater monitoring continue through the winter and spring months to record the high water levels so that stormwater pond minimum height can be set as

while as minimum basement foundation depths. The SCRCA recommends a number of mitigation measures as conditions of Draft Plan Approval. They also have no comment on the Zoning By-law amendment.

Public Comments

As noted earlier, a Public Meeting was originally held on August 12, 2013. Given the amount of time that has passed since this meeting and the plan has been revised it is staff's opinion that a second public meeting is warranted.

At the time of writing this report planning staff have received comments from public noting concerns regarding the traffic that would be generated by the development and impact it will have on the intersection of Agnes Drive and Second Street. There was also a question about signaling that intersection.

NEXT STEPS

A subsequent report will be provided, which includes a full policy analysis and response to comments received at the public meeting for the subdivision and zoning by-law amendment, as well as provide recommendations for Council's consideration.

The zoning by-law amendment application will receive final consideration by Strathroy-Caradoc Council. Upon a recommendation on the Plan of Subdivision by Strathroy-Caradoc Council, the subdivision will receive final consideration by County of Middlesex Council.

SUMMARY

The intent of the subject report is to provide Council and the public with information regarding the proposed development, the relevant policies and regulatory context and to summarize comments received by the public and agencies to date. Staff recommend the following:

THAT the subject report for 39T-SC1801 and ZBA 24-2018 be received for Council's information.

FINANCIAL IMPLICATIONS

None

ATTACHMENTS

Location Map

Draft Plan of Subdivision, dated October 21, 2019

Location Map



