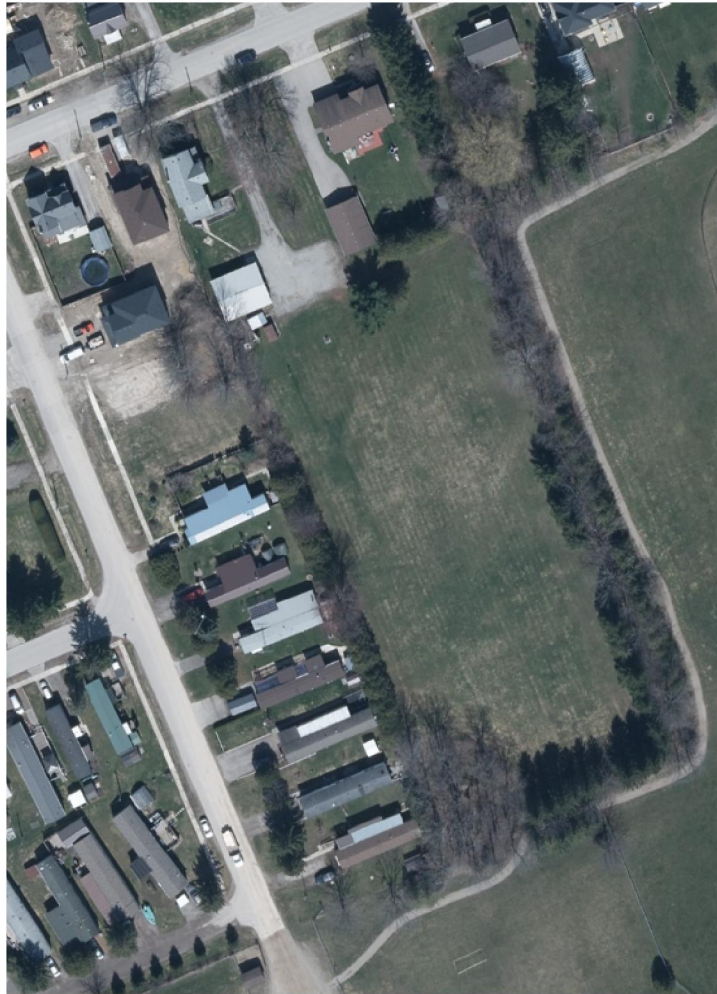


Planning Justification Report

**For the Official Plan amendment and Zoning Bylaw as well vacant
land condominium
Proposed for 233 Upper Queen St.
Thorndale, Ontario**

**On behalf of
Wes and Darlene Fox
and
1967172 ONTARIO INC.**



**March, 2022
Knutson Development Consultants Inc.**

TABLE OF CONTENTS

1. Site location and description	p3
2. Proposed Development	p3
3. Provincial Policy Statements (2020)	p5
4. Official Plan conformity	
County of Middlesex	p9
Municipality of Thames Centre	p12
5. Proposed Zoning regulations	p17
6. Vacant Land Condominium	p17
7. Public Outreach	p17
8. Summary and Conclusion	p18
9. Attachments	
a. Servicing and Storm Water Management report	
b. Geotechnical and Hydrogeological report	
c. Traffic Report	
d. Survey	

1.0 Site location and description

The site is a rectangular parcel of land in the central area of Thorndale. It is .98 ha. in size and consists of manicured lawn (now disturbed through ploughing for archeological review), a single detached home. The site slopes gently from north to south. The attached proposed Plan of vacant land condominium (Appendix A).

The lands will gain access from Upper Queen St. via the existing entrance.

A site location aerial photograph follows Section 2.

Adjacent land uses immediately along two perimeters are single detached homes and mobile homes. Further to the west is a mobile home park with access from Agnes St. To the east is the municipal park and open space containing two baseball diamonds and other Open Space infrastructure. Most of the site is within the 300 M required noise assessment area related to a railway line. A Noise Assessment will be provided with the future application for Condominium approval

2.0 Proposed Development

From the attached plan, a centre private street is proposed that will add 38 additional townhouse lots. The lots or vacant land condominium units will be based on site specific requirements through an amendment to the Zoning Bylaw R-3 standards.

The townhouse form of development is different than other Thorndale developments which have typically been single detached dwellings and noting the near mobile home park. The proposed development will provide a transition from existing development and the municipal baseball diamond to the east.



As will be identified in the following section, The Provincial Policy



3. Provincial Policy Statements 2020

All Planning matters are reviewed against a set of policies mandated by the Planning Act. This report will deal with the Policies in summary fashion. The conclusion is that the proposal is consistent with the Provincial Policy as follows:

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve efficient and Resilient Development and Land Use Patterns

The lands proposed for development are within a designated urban area, and have been identified as Residential in the Official Plan.

1.2 Coordination Land Use Compatibility

The proposed development while new to Thorndale, is accepted as a planning principle to coexist with single detached housing. In this case,

the development will form a transition and buffer from the existing municipal ball diamond.

1.3 Housing

Many policies mandate municipalities to ensure there is an adequate supply of land that is approved for development. In this case, the proposed development is on lands designated and zoned for residential use. A rezoning is sought to permit the form of development of a townhouse vacant land condominium and establish appropriate development standards. It is within this set of policies that address intensification and efficient use of land.

1.6 Infrastructure and Public Service

As provided for in that attached servicing brief from LDS Consultants, there is adequate service capacity readily available for the proposed development.

2.6 Cultural Heritage and Archeology

Consistent with the Provincial Policy Statements, Archeological research is required prior to a planning application being submitted. An Archeology Assessment has been delayed by frozen ground, but will be available with the application for condominium approval.

Planning Act Sec 51 (24)

In considering approval for a Plan of Subdivision or in this case a Condominium, those criteria are addressed as follows:

(24) 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 and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The Provincial Policy Statements have been reviewed and this proposal is consistent with those

- (b) whether the proposed subdivision is premature or in the public interest;

The lands are designated as Residential and will be rezoned to permit the proposed townhouse development

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposal conforms to both the Middlesex County Official Plan as well as the Thames Centre Official Plan.

- (d) the suitability of the land for the purposes for which it is to be subdivided;

The lands are relatively flat well drained and according to the Geotechnical studies are capable of supporting the proposed.

- (d if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

- (e) 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;

Upper Queen St. will be the principle point of entry. The traffic study appended to this report has concluded that there will be no

significant impact on traffic flow and safety. The identified additional traffic flows, are within the capacity of local streets.

(f) the dimensions and shapes of the proposed lots;

The lots or Condominium units are based on a townhouse form of development and will require rezoning. The townhouse form of development in this location will require an Official Plan amendment.

(g) 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;

(h) conservation of natural resources and flood control;

The lands were previously in passive residential use (grassed area) use, are gently sloping and are well drained. The attached servicing brief along with the geotechnical and hydrogeology reporting attached have identified that post development flows will equal predevelopment flows.

Stormwater management will be incorporated into the detailed engineering design of the proposed development

(i) the adequacy of utilities and municipal services;

The adequacy of services was addressed at a Pre-consultation meeting. The conclusion is that the services are adequate in terms of accessibility to them and their adequacy. Again reference the Servicing Brief.

(j) the adequacy of school sites;

It has not been raised as a matter of concern.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

It is proposed that prk dedication will be through cash in lieu of any land dediocation.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

This has not been raised as a matter of concern.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating 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 or

subsection 114 (2) of the *City of Toronto Act, 2006*. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c.

The proposed lands are within a site plan control area of the municipality should that be required beyond the development agreement for the vacant land condominium.

4. Official Plan(s)

County of Middlesex Policy excerpts

These policy excerpts are provided for the convenience of the reader as understood by the author as having greatest relevance to this proposed development.

2.3.7 Housing Policies

It is the policy of the County to encourage a wide variety of housing by type, size and tenure to meet projected demographic and market requirements of current and future residents of the County. These policies may be elaborated upon within local municipal official plans.

The County supports:

a) intensification and redevelopment, primarily within Settlement Areas, and in other areas where an appropriate level of physical services is or will be available in the immediately foreseeable future and subject to the policies of Section 2.3.6. In this regard, the County will require that 15 percent of all development occur by way of intensification and redevelopment;

2.3.7.3 Intensification and Redevelopment

The County and local municipalities shall support opportunities to increase the supply of housing through intensification and redevelopment in appropriate locations, taking into account

municipal services, transportation and environmental considerations. Housing intensification and redevelopment shall include, but not be limited to:

- 1. a) the conversion of single detached dwellings, in appropriate locations, into multiple residential units;*
- 2. b) the creation of new residential units on vacant or underdeveloped lands through infilling in Settlement Areas;*
- 3. support increased residential densities, adequate land supply and residential intensification and redevelopment; and*
- 4. support new and innovative planning and servicing standards.*

2.3.8 Settlement Areas

The local municipality shall have the primary responsibility for detailed planning policy within the Settlement Areas, and those locally designated hamlets which form part of the Agricultural Area, as shown on Schedule A.

4.3 Local Official Plans

To achieve some consistency of approach, the County encourages local municipalities to include general development policies in their local official plan dealing with the following issues:

- a) the Settlement Area share of the total future overall County growth projection;*
- b) residential, including low, medium and high density residential uses, affordable housing, special needs housing, infilling and intensification;*

4.5.1 Plan of Subdivision

County Council shall approve only those plans of subdivision or condominium which comply with the provisions of this Plan and the applicable local official plan.

Under conditions of approval attached to plans of subdivision or condominium pursuant to the Planning Act:

a) County Council shall require that the applicant(s) enter into appropriate agreements with the County or local municipality which may be registered against the title of the subject lands and which shall include such matters as services, financial requirements, County road facilities, dedication of land for public uses, exclusive of parks and other requirements to implement the provisions of this Plan; and

b) The Council of the local municipality may require that the applicant(s) enter into appropriate agreements which shall be registered against the title of the subject lands, and may include such matters as, but not limited to, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and other requirements to implement the provision of this Plan and the local official plan.

Opinion as to Conformity

The County Official Plan sets the broad policy framework for the County. Middlesex County has the planning obligation to provide overall policy guidance to ensure that growth is managed and directed to urban and other settlement areas. Thorndale has been identified as a Settlement Area in the Plan. The above policies assist us in understanding the leadership of the County on such matters as Intensification, while leaving the detailed land use policies to the Local Municipality. The Thames Centre Plan must however conform to the County Plan.

No policies of the County Official Plan give cause for concern about the conformity of the current Vacant Land Condominium Plan for 38 townhouse units at site specific development standards to be vetted through the rezoning process.

Thames Centre Official Plan excerpts

These policy references are understood by the author as having greatest relevance to this proposed development.

1.10.6 SUMMATION OF ISSUES AND STRATEGIES

1. It is understood that sufficient capacity currently exists
2. The proposed development is within the growth area of Thorndale.
5. The proposal reflects the anticipated mixed of housing types.
6. Access has been studied to be safe and not place a burden on existing street capacities.
7. The proposal represents a more concentrated form of development.
12. The proposal is outside the identified WHPA.

2.2 SITE SUITABILITY

1. The geotechnical report has confirmed that soil and drainage conditions are suitable for the proposed purpose.
2. It is understood through the Servicing Brief that services can accommodate the proposed development.
3. The traffic Report has concluded that the road system is adequate for the proposed development.
4. The site fronts onto an open road (Upper Queen St.) with an internal private road which is of a reasonable standard. Upper Queen St. is maintained by the municipality while the internal private road will be maintained by the Vacant Land Condominium Board.

5. Lot frontage and area are suitable for the proposed and will conform to the site specific zoning standards applied for.

6. A noise study will identify and measures required to alleviate noise matters. The site is adjacent to the municipal baseball field and park. No adverse impact is anticipated in this regard. There is no associated impact of townhouse development adjacent to the single family dwellings, not is there any negative impact on the mobile home park.

2.5 STORMWATER MANAGEMENT

The attached servicing brief has identified that there will be stormwater management controls engineered into the site to ensure that post development flows equal predevelopment flows.

2.7.3 ALTERNATIVE CONVEYANCES

Cash in lieu of parkland is proposed.

2.9 DEVELOPMENT ADJACENT TO RAILWAYS

A noise study will be required and provided with the application for Condominium approval. Approximately 80% of the site is within the 300 m “Noise Sensitivity Zone”.

2.10 SOURCE WATER PROTECTION AREA

The site is outside of the Well Head Protection Area as shown on Schedule ‘D’ to the Official Plan.

2.14 ENERGY CONSERVATION

By its nature a townhouse development conserves energy compared to single detached housing. The attachment of the units requires less heating.

2.25.1 PLANNING IMPACT ANALYSIS

1. Compatibility. As previously stated, the residential use of the proposed site for townhouses while increased in intensity compared to single detached housing is considered compatible. The adjacent single detached homes were built at an earlier time before municipal sanitary sewers and treatment were available. The density proposed is consistent with the area per unit requirements of the Zoning Bylaw (R-3 Zone). The special provisions permit an appropriate “fit” of the development within the parcel proposed. The proposed development is significantly lower in density than the adjacent mobile home park.
2. There is no adverse impact of the development on adjacent uses. The character of the street (Upper Queen) has the three units with driveways directly fronting onto the street. The municipal park is not considered to be adversely affected by the proposed.
4. The proposed townhouse development is 2 stories in height. It is noted that there is a portion of the mobile home park that is adjacent. This will not create an adverse impact on adjacent lower height residential uses.
5. Best effort will be used related to the ability to retain any perimeter trees. It should be noted that we have been advised by the engineering consultant for this project, LDS, that regrading will likely mean the loss of most of the trees.
6. The proposed development shares 2 perimeters with the municipal open space.
7. The .98 ha. Site can accommodate the proposed 38 units as well as provide required onsite amenities such as visitor parking.
8. The attached Traffic report has concluded that there will be no adverse impact on existing streets.

9. This is an infill project. The entrance is onto Upper Queen St. as well as the front three units which have direct driveways onto the street. Those units will provide a continuation of the street presence of the site.
10. The site plan (vacant condominium plan (VLC)) has not been formally submitted. Lighting will be specified during that process to ensure there is no spillover light from the site onto adjacent properties. Each unit will have a 2-car garage and 2 driveway parking spaces. There is a provision of 4 visitor spaces.
11. Landscaping and fencing will be specified through the VLC.
12. There will be no outside storage proposed. Garbage will be determined through the site plan and VLC.
13. The site plan when submitted shall have full regard to the Site Plan Control Bylaw.
14. Any signage will be controlled through the site plan approval (VLC).
15. This infill project is not anticipated to have any adverse impact upon the adjacent single family homes nor the mobile home or the municipal park.
16. There will be an Official Plan amendment applied for as well as a Zoning Bylaw amendment. Having reviewed Section 7.20 of the Official Plan, the Official Plan amendment is to vary the criteria for the location of townhouses. That amendment permitting this proposal, will have due regard to those items.

SECTION 4. SETTLEMENT AREA AND LAND USE POLICIES

4.3.3 “RESIDENTIAL POLICIES”

4.3.3. (c)

This .98 ha. site is designated Residential. Upon review of the Medium Density policies, only one of the 4 criterion is met. An Official Plan amendment is required for this site to be developed as proposed.

As previously stated, this is a relatively small parcel and represents an unusual infill opportunity. The land is bordered on 2 sides by municipal open space. It is adjacent to a mix of mobile homes and single detached homes. The mobile homes are an intense form of residential development that will not be permitted to expand as per policy of the Official Plan.

The parcel size is adequate to be able to be developed for a relatively small number of townhouse units, and for the site to be integrated into the residential fabric of the municipality. The proposed 38 units will assist in providing a diversity of housing types.

While the site does not directly enter onto an arterial road, a traffic impact has been done and conclude that the existing road network can accommodate the proposed development with no adverse impact.

The site is proposed to be serviced by municipal sanitary sewers and water. Stormwater will be restricted to predevelopment flows as per the attached Servicing Brief.

The site proposes 2 spaces in the garage and 2 spaces on the driveway for each unit. The centre road will be designated as a fire route and not available for visitors. 4 designated visitor spaces are provided for near the entrance to the development.

Opinion as to Conformity

It is the authors considered opinion that the proposed development will conform to the intent and spirit of the Thames Centre Official Plan, subject to the amendment proposed. The general intent and purpose of the Official Plan is however, maintained.

5. Proposed Zoning Regulations:

The following land use summary provides a comparison to the current R3 Zone standards.

SITE DATA - PRELIMINARY		
PROPERTY AREA:	9837.34 sq.m.	
PROPOSED USE:	TOWN HOUSE	
ZONE:	R3	
<u>REGULATION</u>	<u>REQUIRED</u>	<u>PROPOSED</u>
MINIMUM LOT AREA:	250 sq.m./unit	$9,837.3/38 = 269.9$ sq.m./unit
MINIMUM LOT FRONTAGE:	30.0 m	30.48 m
MINIMUM FRONT YARD DEPTH:	10.0 m	8.0 m
MINIMUM EXTERIOR SIDE YARD WIDTH:	10.0 m	N/A
MINIMUM SIDE YARD WIDTH:	10.0 m	2.00 m
MINIMUM REAR YARD DEPTH:	10.0 m	7.68 m
MAXIMUM LOT COVERAGE:	35 %	31.2%
MINIMUM LANDSCAPED OPEN SPACE:	30 %	32.7%
BUILDING HEIGHT:	15.0 m	2 STOREY
NUMBER OF UNITS:	--	38
PARKING SPACES:	--	146 + 4 visitor

The Application to amend the Zoning By-law is to create a new R3 zone based on the above which:

- reduces the front yard depth from 10m to 8.0 m
- reduces the rear yard setback is proposed to be reduced from 10m to 6.61,
- reduces the interior side yard from 10m to 2m

The above regulation changes allow a “fit” of the development into the land. Absent the fit, it is proposed that there would be a significant waste of land where a centre road would not be possible. The centre road will be the responsibility of the condominium for all repair, maintenance and snow removal.

6. Vacant Land Condominium

A vacant land condominium represents as relatively new development form. The street which is normally the responsibility of the municipality to maintain will be a responsibility of the unit or lot owners. The units themselves operate in a similar fashion to a subdivision in that the home will be owned fee simple subject to the requirements of the vacant land condominium. The condominium units function like a lot and the planning documents consider them in the same vein. The Condominium plan will be applied for subject to the approval of the Official Plan and Zoning Bylaw amendments.

7. Public Outreach

The Planning Act is founded upon principles of public consultation. While the Condominium and Rezoning applications have municipal responsibility for public participation, the proponent is also required to reach out to the surrounding neighbourhood. To that end, a mailing will be going out to all addresses in Thorndale within the statutory notice area. Consultation is proposed through a Zoom call yet to be scheduled. That will occur when the municipality has accepted the applications.

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8. Summary and Conclusions

The Official Plans gives us guidance as to the form and manner of development that may be permitted in any given circumstance. In the

case of Thorndale the vacant lands fronting on to Upper Queens St. are designated for development as Residential. The proposed 38-unit vacant land condominium represents an infill within the of current developed are of Thorndale consistent with th principles established in the Official l Plan.

The development represents an intensification of land use compared to the existing community. That community was built over many years and largely on septic systems that required a larger land base. The current plan will be on full municipal services. The reduced standards proposed are a “fit” of the development onto the current parcel of land in an efficient manner while maintaining the intent of the County and Municipal Planning Documents.

It is the opinion of the author that this plan of condominium as proposed represents good planning, is consistent with the Planning Act, and Provincial Policy Statements as well as conforming to the County Official Plans, subject to the amendment of the Thames Centre Official Plan.

9 Attachments

- a. Servicing and Storm Water Management report**
- b. Geotechnical and Hydrogeological report**
- c. Traffic report**
- d. Proposed site plan**
- e. survey**

All of which is respectfully submitted

Knutson Development Consultants Inc.

A handwritten signature in black ink, appearing to be 'B. A.', followed by a period.

