



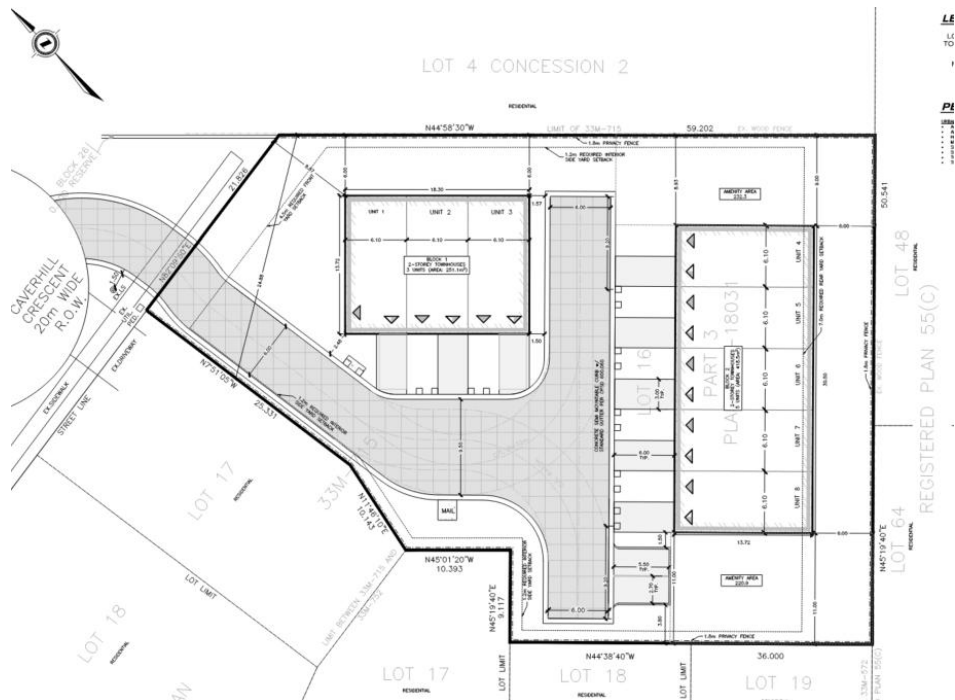
PLANNING JUSTIFICATION REPORT - REVISED

108 CAVERHILL CRESCENT MUNICIPALITY OF MIDDLESEX CENTRE COUNTY OF MIDDLESEX

PROPOSED ZONING BY-LAW AMENDMENT APPLICATION TO PERMIT A 8-UNIT TOWNHOUSE DEVELOPMENT

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April 6, 2026

SBM-23-2498

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**RE: Planning Justification Report – 108 Caverhill Crescent, Municipality of Middlesex Centre,
County of Middlesex**

Strik, Baldinelli, Moniz Ltd. (SBM) has been retained by Perpetually Innovative Developments Inc. (the "Applicant/Owner") to prepare and submit a Zoning By-law Amendment application for a property municipally addressed 108 Caverhill Crescent, located in the Komoka settlement area of the Municipality of Middlesex Centre. The purpose of the application is to permit an 8-unit townhouse residential development.

This report provides a review and analysis of the applicable and relevant planning policies in support of the proposed Zoning by-law Amendment application. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Respectfully submitted,

Strik, Baldinelli, Moniz Ltd.

Planning • Civil • Structural • Mechanical • Electrical



Hanna Reitsch von Daudt Mohn
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1 INTRODUCTION

The purpose of the following land use Planning Justification Report is to evaluate the required Zoning By-Law Amendment (ZBA) application within the context of existing land use policies and regulations, including the Provincial Policy Statement, County of Middlesex Official Plan (including Official Plan Amendment No.3), the Middlesex Centre Official Plan (including Official Plan Amendment No.59), and the Middlesex Centre Zoning By-law (NO. 2005-005 – Consolidated Version – January 2026).

The report demonstrates that the proposed development is in keeping with Provincial, County, and Municipal land use planning policies, is suitable for the subject lands, and would be compatible with neighbouring land uses. This report and associated plans and reports are intended to comprise a “complete” application and are reflective of the discussions and correspondence that have been held prior to this formal submission, including a pre-application consultation meeting held with County and Municipal staff on June 20, 2024, which resulted in the meeting minutes included in the submission package (the “Consultation Meeting Minutes”), and a statutory public meeting at Municipal Council on January 29th 2025.

2 SITE DESCRIPTION

The subject site is municipally identified as 108 Caverhill Crescent and legally described as Lot 16, Plan 33M715; subject to an easement in gross as in ER765167; Municipality of Middlesex Centre (the “subject site”). The “easement in gross” referenced in the legal description is a blanket property easement in favour of the Canadian National Railway Company for noise and vibration due to proximity of the subject site to the railway track.

The subject site is located on the eastern side of the Caverhill Crescent cul-de-sac bounded by the Canadian National Railway (CNR) track to the north, Duke Street to the south, Komoka Road to the west and Oxbow Drive to the east (see **Figure 1**). The lot is irregular in shape with an area of 2,845.2 m², a depth of 59.2 m (longest) and a lot width of 21.8 m. Vehicular access is provided from Caverhill Crescent. Existing municipal sanitary, water, and storm services are available within the Caverhill Crescent right-of-way.

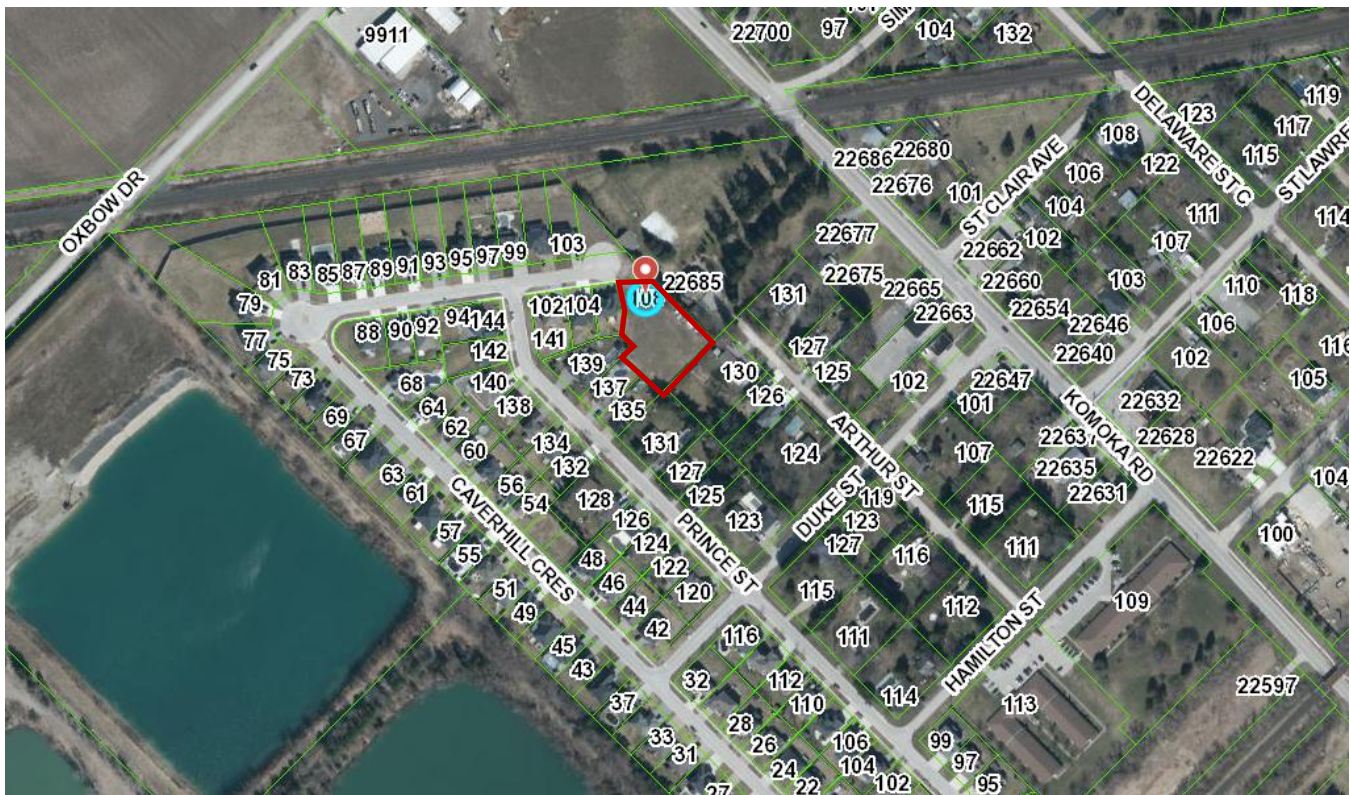


Figure 1. Aerial View of subject site

Source: Middlesex County Online Mapping

The subject site is identified as lot 16 on the plan of subdivision registered as Plan 33M715 on May 4, 2017, part of phase IV of the Pemic Komoka (Prince Street) Plan of Subdivision that included a total of 24 lots for single detached dwellings. While most of the lots within this plan of subdivision have been subsequently developed as envisioned, the subject site has remained vacant and was purchased by the Applicant/Owner in 2022. A site visit was undertaken on July 31, 2024 and site photos **Figure 2**, **Figure 3**, and **Figure 4** were taken during this visit.



Figure 2. View of subject site looking southeast



Figure 3 - View of subject site looking towards western property limit abutting 106 Caverhill Crescent



Figure 4 - View of subject site looking towards eastern property limit abutting 22685 Komoka Road

3 SURROUNDING CONTEXT

The immediate context surrounding the subject site is predominantly low-density residential comprised of single detached dwellings as described below:

North: Abutting to the north and northeast is a large property municipally identified as 22685 Komoka Road currently used for a single detached residential dwelling, zoned Existing Use (EU); further north is the CNR rail line (approximately 90 m) and industrially zoned lands (approximately 115 m).

South: Directly adjacent to the subject site are multiple low-density residential single detached dwellings all zoned within the Urban Residential First Density (UR1) zone.

West: There are multiple single detached residential low-density dwellings located to the west of the subject site; further west (approximately 200 m) are lands zoned Extractive Industrial (M4-3) and approximately 350 m are Agricultural (A2 & A3) zoned lands, west of Oxbow Drive.

East: Are mostly low-density single detached residential dwellings zoned UR1-4. Additionally there are some residential, commercial, and institutional uses zoned C1, C1-16, and I that all front Komoka Road (approximately 100 m from the subject site).

4 DEVELOPMENT PROPOSAL

As illustrated on the Conceptual Site Plan by SBM dated March 26, 2026 (“the Site Plan”), the Applicant/Owner is proposing to develop the subject site with an 8-unit infill townhouse development utilizing a private internal road (with a minimum width of 6.0 m) connecting to Caverhill Crescent. The townhouse development is comprised of two (2) buildings, one with three (3) units (ground area of 251.1 m²) and the other with five (5) units (ground area of 418.5 m²), with a total building footprint area of 669.6 m². Each townhouse dwelling would be two storeys in height with a maximum height less than 12 m. Each dwelling is proposed to be 6.1 m wide and have direct access to an at-grade amenity area (i.e., private amenity space) of 36.6 m².

An integrated garage is proposed for each townhouse unit, to accommodate parking for one (1) car, with an additional space provided on a private driveway. This proposed parking configuration provides a total of sixteen (16) parking spaces for residents. Two (2) visitor parking spaces are also proposed to the southwest of unit 8 to provide visitor parking for all units. Although a community mailbox is shown on the Site Plan, this is subject to comment and coordination with Canada Post the technical review of the Site Plan Application process.

The private internal road has been designed to provide fire route access per the Ontario Building Code requirements ensuring access is provided to all proposed units in the event of an emergency. Additionally, the road is designed to provide adequate municipal waste management collection to the Bluewater Recycling Association (BRA) specifications. Consultation with the BRA, including the informal submission of the Truck Turning Movement Plan by SBM dated February 20, 2026 to the BRA and response email from Michelle Courtney dated March 24, 2026, is included in the ZBA submission package. BRA staff reviewed the proposed design and truck movement plan and have found the proposed design acceptable for their collection services.

The proposed townhouse development, hereafter referred to as the “development proposal”, is a medium-density infill that develops the existing irregularly shaped lot as efficiently as possible, with a building typology that is compatible with low-density residential uses as predominantly existing within the surrounding neighbourhood.

The previous proposal contained 10 total units. Several comments were provided by staff, neighbours, and municipal council, including that units 1-3 should be oriented towards or closer to Caverhill Crescent to provide those units with more ‘street presence’. Although this urban design comment was considered, implementing it to create actual street-oriented townhouses would have resulted in the loss of units given the relatively narrow lot width of 21.8 metres, as well as the need for a two-way driveway with a minimum width of 6 metres to accommodate waste and emergency vehicles. A minor reorientation of those units toward Caverhill Crescent would not have materially addressed that comment and would instead result in awkward and inconsistently sized rear yards. Landscaping, as well a door and windows on the flanking unit (i.e., unit 1) is an appropriate interface between Block 1 and Caverhill Crescent. Moreover, although farther way, some of the Block 2 townhouses would be directly visible from the public street.

The Consultation Meeting Minutes also noted that the subject site may become a corner lot in the future as the above-noted plan of subdivision contemplated the extension of Caverhill Crescent to Arthur Street to accommodate future development on the abutting property municipally identified as 22685 Komoka Road.

Although theoretically possible, it is more likely that a private developer would choose to have access directly from the existing Komoka Road and maximize the development potential of their site by not proposing a public street that ‘cuts’ through it. As there are no current plans for development of the adjacent site, this cannot be explored further at this time.

The previous design proposal (ZBA-12-2024) in 2024 was referred to staff. That proposal sought to rezone the lands from UR1-9 to UR3-X to permit the proposed 10 townhouse dwelling units. As outlined in Staff Report PLA-3-2025, staff identified several concerns that warranted reconsideration of the original 10-unit layout. These included the rear yard setback reduction and corresponding decrease in private outdoor amenity area, compatibility with the lower-density character of the surrounding neighbourhood, the need for improved integration of medium-density housing within an existing single detached residential context, and the design implications of accommodating emergency vehicle movements and waste collection on a constrained private driveway. Staff also noted broader community concerns regarding density, fit, and the transition in built form. In response to these comments, the Applicant/Owner has revised the development proposal to eight (8) total units, thereby reducing density, improving the site layout, increasing the on-site amenity areas, and addressing the primary matters raised during the review of the previous application.

Additionally, the revised development proposal reflects not only the feedback received through the review of the ZBA-12-2024 application, but also the introduction of the Municipality’s consolidated Zoning By-law No. 2005-005 (January 2026), which introduced several changes to the regulatory framework. The updated by-law has amended permitted uses and has changed key development standards (including minimum lot area, required setbacks, minimum private amenity area requirements, removal of some provisions, such as minimum lot depth and density, and has also introduced new requirements, such as minimum visitor parking). As a result, the current proposal has been revised using the updated zoning standards, and the requested rezoning has changed from the previously proposed site-specific UR3-XX designation to a site-specific UR2-XX zone. Full zoning review and analysis is provided below in section 6.6 of this report.

5 SUPPORTING STUDIES

5.1 Servicing Feasibility Study

A Servicing Feasibility Study dated September 23, 2024, was prepared by SBM to address servicing feasibility for the development proposal. The report concluded that the existing sewers and watermains have the capacity needed to accommodate the development proposal. This will be demonstrated during detailed design at the building permit stage.

The study was completed per the original proposal of 10 total units. With the reduced units it is reasonable that the demand on servicing would also reduce and the existing servicing would continue to accommodate the development proposal.

6 **PLANNING FRAMEWORK**

6.1 **Existing Planning Framework**

The existing planning framework includes the Provincial Policy Statement (2024), the County of Middlesex Official Plan (July 7, 2023), Middlesex Centre Official Plan (2002), OPA No.59, and the Middlesex Centre Zoning By-law (2005-005).

6.2 **Required Planning Applications**

As per the Consultation Meeting Minutes, a ZBA application and a site plan control application are required to facilitate the development proposal.

6.3 **Provincial Policy Statement**

The Provincial Planning Statement, 2024 (PPS) came into effect as of October 20th, 2024 and replaced the Provincial Policy Statement, 2020. Issued under the authority of Section 3 of the Planning Act, the Provincial Planning Statement “provides policy direction on matters of provincial interest related to land use planning and development”. Its overarching goal is to support the needs of a fast-growing province by increasing the housing supply and diversity, responding to changing market demands and local needs, optimizing infrastructure and public service facilities, while enhancing the quality of life for all Ontarians. The proposed development is consistent with the PPS 2024, and more specifically supports the following applicable policies:

Table 1. Applicable PPS policies

PPS Policy	Response
2.1.4; 2.1.6	The development proposal supports the objectives of Section 2.1 by adding new ground-oriented housing within an established Settlement Area where full municipal services are available. The proposed 8-unit townhouse development contributes to increasing housing supply, diversifying housing options, and optimizing the use of existing infrastructure. As an infill project on a vacant lot, the proposal represents compact, efficient development that helps meet local and regional housing needs while supporting the creation of complete communities consistent with the policies of Section 2.1.
2.2.1.b.	The development proposal supports Section 2.2.1(b) by introducing a medium-density, ground-oriented townhouse form that broadens the housing options within the abutting neighbourhood. The proposal represents an appropriate form of residential intensification on a vacant, irregular lot that is otherwise underutilized, allowing land and existing municipal infrastructure to be used more efficiently. By adding 8 new townhouse units within a built-up neighbourhood on full municipal services, the development contributes to a more diverse housing supply while optimizing land

	resources, municipal servicing, and public service facilities in a manner consistent with the intent of Section 2.2.1(b).
2.3.1.1	The subject site is consistent with this policy by being located within the Komoka Settlement Area, where growth and residential development are directed.
2.3.1.2	The development proposal efficiently uses land and available resources by introducing an appropriate form of residential intensification on a vacant parcel within an established neighbourhood. The proposed townhouse units optimize existing and planned municipal infrastructure and public service facilities, making efficient use of full municipal services already in place.
2.3.1.3	By increasing the range and mix of housing options, the development supports the Municipality's goal of accommodating incremental intensification within serviced settlement areas, consistent with the intent of Section.
2.3.1.4	The development proposal would assist planning authorities to conform to this policy by intensifying the existing land use and adding 8 residential units to the local housing supply in a settlement area.
3.6.2	The development proposal is consistent with Section 3.6.2, as the subject site is located within the Komoka Settlement Area, where full municipal sewage and municipal water services are available. The proposed townhouse development will connect to the existing municipal sewer and water systems, ensuring efficient use of established infrastructure and supporting compact, environmentally responsible growth consistent with the intent of Section 3.6.2.

In conclusion, the development proposal is consistent with the relevant policies of the PPS.

6.4 County of Middlesex Official Plan

The County of Middlesex went through an Official Plan (OP) Review process that resulted in the adoption of OPA No. 3 to the existing County Official Plan on July 19, 2022 and approval, with modifications, by the Ministry of Municipal Affairs and Housing on July 7, 2023. This approved version of the Official Plan is now in full force and effect and was reviewed as part of the preparation of this report.

The subject site is designated as the Komoka Settlement Area on "Schedule A Land Use". Settlement Areas are further categorized as Urban Areas, Community Areas and Hamlets in Agricultural Areas. Komoka is considered one of the County's 10 Urban Areas.

As outlined in section 2.3.7, the County supports intensification and redevelopment, especially within Settlement Areas:

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 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.

Section 2.3.8 states that Urban Areas and Community Areas shall be the focus for future growth, including residential development. Local municipalities have the primary responsibility for detailed planning policy with the Settlement Areas. Per section 2.3.8.1, Urban Areas are meant to have the highest concentration and intensity of land uses in the County as they are expected to accommodate a significant portion of the projected growth over the planning period. Furthermore, new development is intended to be serviced by municipal or communal water or sewage disposal systems. The development proposal conforms to the above-noted policies by being an example of infill residential intensification on full municipal services within the Komoka Settlement Area.

6.5 Middlesex Centre Official Plan and OPA No.59

Like the County, the Municipality of Middlesex Centre also went through an Official Plan Review and adopted OPA No.59 on May 18, 2022. However, Council's decision has been appealed and is currently under review by the Ontario Land Tribunal.

The subject site is designated "Low Density Residential" under the in-force Official Plan (see **Figure 5**) and "Residential" under the new Council-adopted Official Plan (see **Figure 6**).

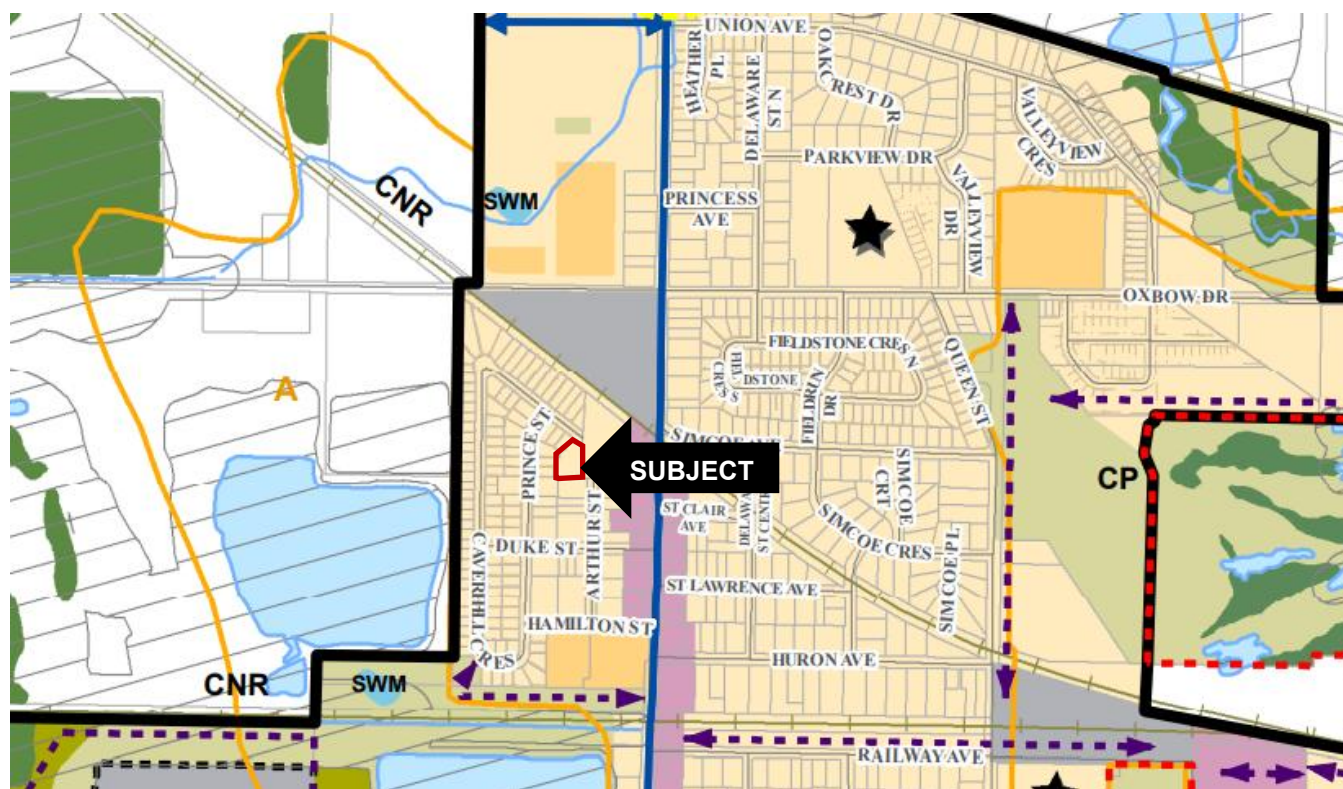


Figure 5. In-force Middlesex Centre Official Plan designation - Low Density Residential

Source: Schedule A-2: Komoka-Kilworth Urban Settlement Area & Secondary Plan

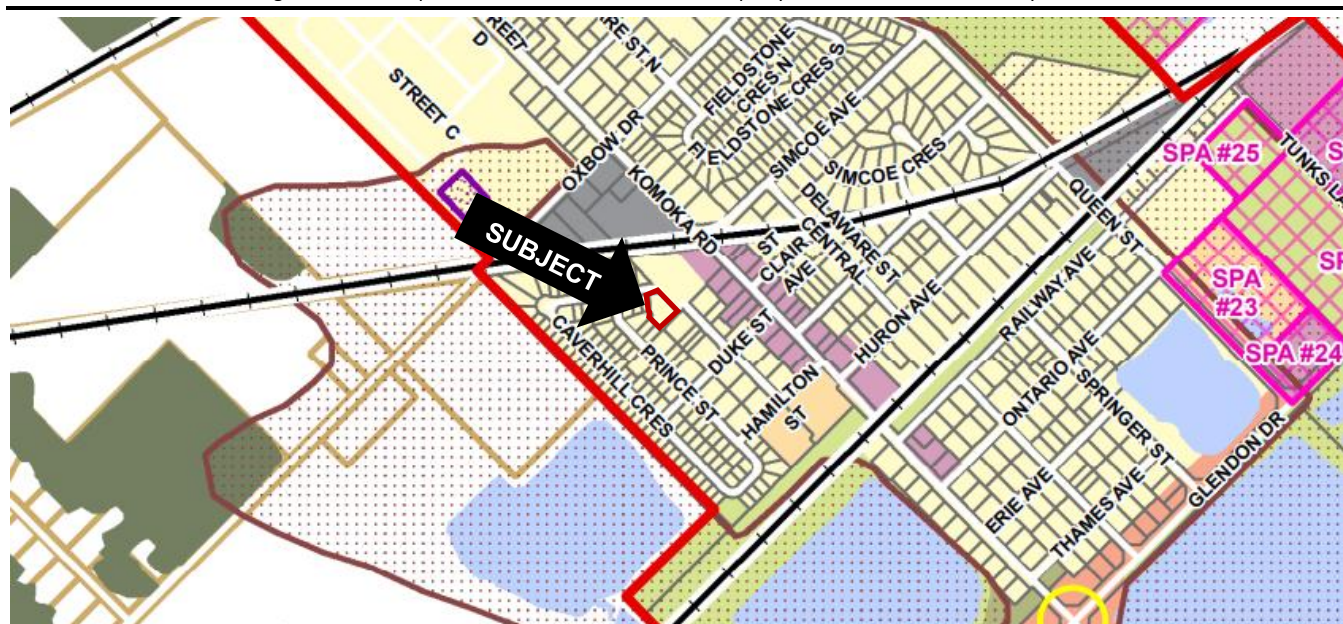


Figure 6. New Council-approved Middlesex Centre Official Plan designation – Residential

Source: Schedule A-9 Komoka Urban Settlement Area

While the mapping in Schedule A-2 of the in-force Official Plan designates the subject site as “Low Density Residential” and distinguishes between “Low Density Residential” and “Medium Density Residential”, the policy text does not clearly explain the difference or outline the policy intent for each land use designation. One of the only references to the Low-Density Residential designation is in section 5.7.4 (Komoka-Kilworth Residential Area Policies). This section references singles and semis as examples of building types within the Low-Density Residential designation, and townhouses as examples of permitted or envisioned building types for the Medium Density Residential. However, the last sentence of policy 5.7.4a) states the following:

Notwithstanding the housing mix targets and net density provisions, multiple dwellings shall be permitted in the Residential designation in accordance with Section 5.2.3.

Notwithstanding the lack of clear alignment between the mapping and the policy text of the in-force Official Plan, an Official Plan Amendment to amend Schedule A-2 should not be required based on the above-noted policy. The new Council-adopted Official Plan includes townhouses as permitted uses with the Residential designation.

The subject site is in the Komoka-Kilworth Settlement Area, which is one of the Municipality’s two Urban Settlement Areas. The development proposal conforms to the general Settlement Area policies outlined in section 5.1.4 by using full municipal services. As the development proposal is an example of infill development on a vacant lot within a registered plan of subdivision, no settlement area expansions are proposed. Although the ZBA submission package does not include detailed building design characteristics and it is exempt from site plan control in accordance with Bill 23, the Conceptual Site Plan illustrates a townhouse development that uses the irregular lot as efficiently as possible and is compatible with the surrounding single detached houses, in accordance with policy 5.1.4f) in the in-force Official Plan and 5.1.4g) in the new Official Plan. Detailed building design drawings, which would be provided at the building permit stage, will have regard for Municipal urban design guidelines.

Section 5.2 of the in-force Official Plan outlines general residential policies for Urban and Community Areas and Hamlets. The development proposal does not conflict with any of the relevant policies and particularly supports policy 5.2.1a), which states the following:

a) The Municipality will provide and encourage a wide variety of housing types, sizes and tenures to meet demographic and market requirements for the Municipality's current and future residents.

The new Official Plan increases the percentage of development to be provided by way of intensification to 20% in Urban Settlement Areas. The development proposal would assist the Municipality in achieving this goal.

Policy 5.2.3 of the in-force Official Plan outlines policies for multiple dwellings, including townhouses, in residential areas. Some of the policies have been removed or modified in the new Official Plan, as outlined in Section 5.3.3.

Table 2 below outlines each policy based on the language in the in-force Official Plan and provides responses.

Table 2. Policies For Multiple Dwellings in Residential Areas

Official Plan 5.2.3 policies	Response
5.2.3a)	The subject Project is located in Komoka, a community and former village in Middlesex Centre. The nearest park is Caverhill Park within a 10-minute walk. The nearest public elementary school is Parkview Public School within a 20-minute walk. The subject Site is also within walking distance or a short (i.e., less than five minutes) car drive to the commercial establishments on Komoka Road to the east and southeast, south of the railway tracks.
5.2.3b)	It is not uncommon to have townhouses surrounded by lower density single detached houses, and there is no reason to believe the two types of building typologies cannot be compatible. Notwithstanding, this policy was removed in the new Official Plan.
5.2.3c)	This policy is not relevant as apartment buildings are not being proposed.
5.2.3d)	The development proposal is a 10-unit infill townhouse development surrounded by single detached houses. There is no excessive clustering.
5.2.3e)	Komoka Drive to the south and south is designated a Village Centre. Although not adjacent, the subject site is located within walking distance to it.
5.2.3f)	Although the development proposal is no longer subject to site plan control per Bill 23 amendments to the <i>Planning Act</i> , the detailed design drawings will have regard for applicable Municipal standards, including the design goals outlined in section 6 of the Official Plan.

Section 5.7 of the in-force Official Plan outlines the Komoka-Kilworth Secondary Plan policies for this Urban Settlement Area. The development proposal conforms to the relevant policies and particularly supports the

following housing-related goals outlined in section 5.7.1 by providing additional housing options in an existing residential neighbourhood on full municipal services. These policies essentially remain the same in the new Official Plan.

a) To establish a balanced mix of land uses serving key functions of a complete and vibrant community, including housing, local businesses, employment, schools, recreation facilities, and parks and open space;

b) To plan for a community of all ages by providing a diversity of housing choice and affordability and providing community and recreational services to match population needs;

c) To provide for additional housing and employment and address urban land requirements for these uses in the Municipality through intensification of existing developed areas and compact land use in new development areas;

f) To provide for an appropriate range and mix of housing types and densities;

i) To require full municipal services and direct new development in accordance with the servicing strategy for the area;

To direct new development away from natural hazard areas and minimize risks to public safety;

Section 5.7.2 outlines land use policies for this secondary planning area. Again, these policies remain unchanged in the new Official Plan. The most relevant policy is 5.7.2a) which envisions, among other things, “a mix of housing types and densities distributed among residential and medium density residential areas”. Section 5.7.4 outlines specific residential policies. Policy 5.7.4a) includes a chart comprised of the targeted types of housing (including townhouses) and associated density provisions. Per policy 5.7.4c), the proposed townhouses would have an appropriate amount of individual at-grade amenity space (36.6 m², 394 ft²) in the form of a rear yard for each unit. Considering the irregular lot shape of the subject site, the two townhouse blocks are oriented as efficiently as possible to accommodate typical site services (e.g., fire access and waste management storage). Although detailed building design drawings are not required for the ZBA application, the design of the attached garage proposed for each townhouse unit is expected to conform to this policy. Finally, although it appears that policy 5.7.4e) is intended for larger residential developments, soft landscaping is proposed at the front of the subject site to enhance the private-public realm interface and create a welcoming environment for residents and visitors entering the subject site.

Finally, section 6.0 of the in-force Official Plan outlines municipal design policies. High-level settlement area design goals are provided in section 6.1. The more specific goals relevant for this project are design policies for site plans and infill developments in section 6.3, particularly policy 6.3b), f), and g). With respect to policies 6.3b) and f), the detailed design drawings required for the building permit stage would illustrate conformity with these two policies. Given its large size and irregularity compared to surrounding single detached house lots, using the subject site for one single detached house is not the highest and best use. The development proposal is a good example of infill intensification that efficiently adds eight (8) residential units to a vacant, remnant parcel and provides housing choice in an existing residential neighbourhood. With respect to policy 6.3f), although it is understood that municipal design policies and guidelines typically request or encourage buildings and their principal doors to

face the street, this does not always result in the most efficient site layout or have regard for other values prioritized by future occupants, such as privacy. In this case, the subject site is an irregular lot with a relatively narrow frontage abutting an existing cul-de-sac. These existing site constraints prevent the smaller townhouse block (i.e., units 1-3) from directly facing the public street (i.e., Caverhill Crescent). Although this townhouse block could be angled to partially face the street, this would lead to inconsistent rear yards for those units and would only make a marginal difference to the goal of having that building block have a stronger street presence. In my opinion, having soft landscaping near the entrance and an architectural pleasing end unit with a door and appropriate windows would create a more welcoming public-private interface while allowing for consistent townhouse units.

It is the opinion of the writers that the development proposal and the ZBA application required to implement it conform to the relevant policies of both the in-force and new Middlesex Centre Official Plan.

6.6 Zoning Analysis and Proposed Zoning By-law Amendment

The subject site is currently zoned UR1-9 (Urban Residential First Density), see **Figure 7**, which through the updated zoning by-law would now permit townhouse dwellings to a maximum of four dwelling units. Accordingly, a rezoning to a site-specific Urban Residential Second Density Zone (UR2-X) is being sought, which would permit the proposed development of eight (8) townhouse dwelling units.

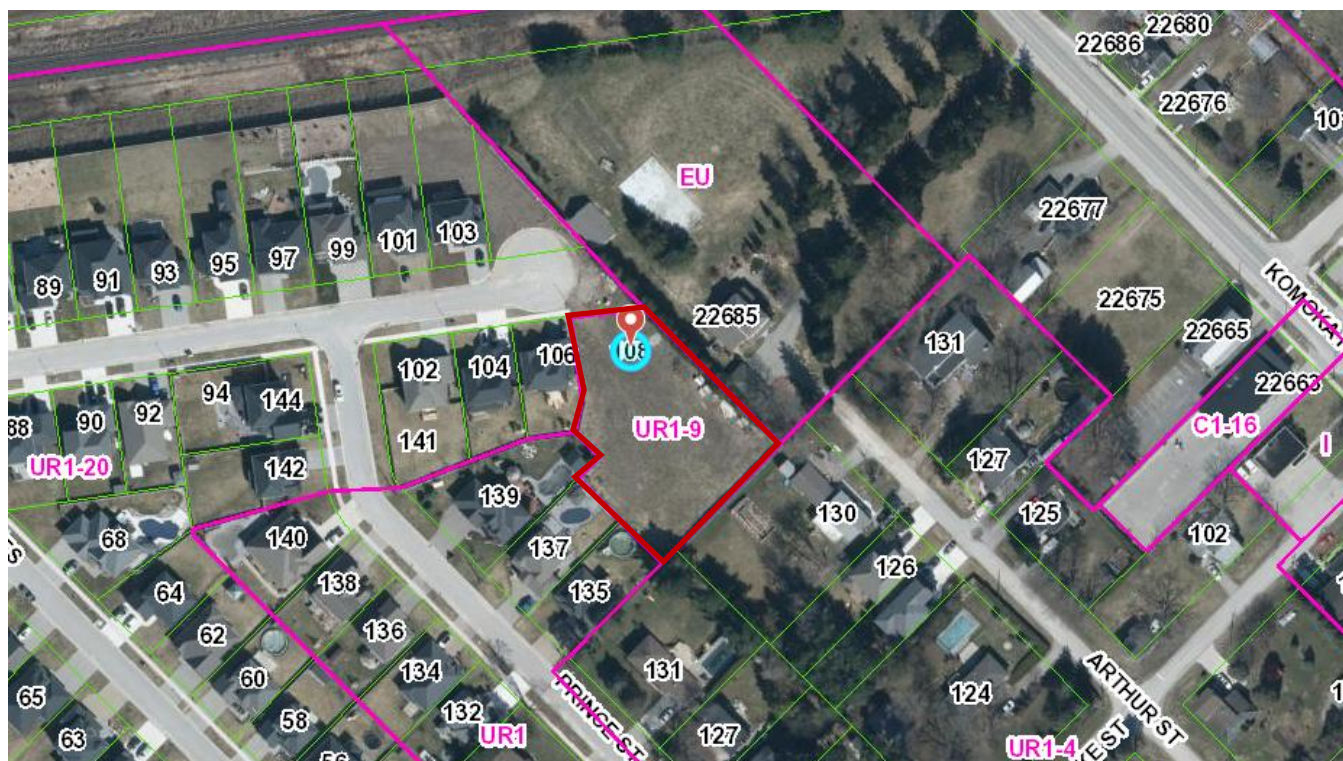


Figure 7. Subject site - existing zoning
Source: Middlesex County online Mapping

Table 4 below provides a comparative analysis of the required and proposed zoning regulations of the Urban Residential Second Density zone in the Comprehensive Zoning By-Law NO. 2005-005 – Consolidated Version – January 2026.

Table 3. Urban Residential Second Density (UR2) Zoning Regulations

Zoning Regulation	Required	Provided	Conforms?
Minimum Lot Area Per Dwelling Unit (m ²) Townhouse	165 (TOTAL 1,320)	355.6 (TOTAL 2,845.2)	Yes
Minimum Lot Frontage Per Dwelling Unit (m) Townhouse	5.5 Interior Unit 6.0 End Unit TOTAL 46	All Units 6.1 TOTAL 24.8 (Existing)*	No
Minimum Front Yard Setback (m)	4.5 Habitable 6.0 Attached Garage	8.8 > 6.0	Yes Yes
Minimum Side Yard Setback (m) Townhouse	1.2 Interior 5.0 Exterior 6.0 Vehicle Access	6.0 N/A N/A	Yes N/A N/A
Minimum Rear Yard Setback (m) Townhouse	7.0	6.0	No
Minimum Amenity Area (m ²) per Dwelling Unit Townhouse over 4 units	10 (TOTAL 80)	56.6 (TOTAL 453.3)	Yes
Maximum Lot Coverage (%)	40 Main Building 45 All Buildings	23.5	Yes
Minimum Landscaped Open Space (%)	25	50.1	Yes
Maximum Height (m) Townhouse	12	<12	Yes
Minimum Parking Rate - Townhouse	1.5 Spaces Per Unit (TOTAL 12 Spaces)	2.0 Spaces Per Unit (TOTAL 16 Spaces)	Yes
Minimum Visitor Parking Rate – Townhouse 5 units or more	0.15 Spaces Per Unit (TOTAL 2 Spaces)	0.15 Spaces Per Unit (TOTAL 2 Spaces)	Yes

It is important to note that the proposed zoning standards are intended to apply to the entire subject site, notwithstanding that some of the UR2 zoning standards are on a per unit basis. The future legal tenure of the development proposal has not yet been determined, although the Applicant/Owner is currently leaning towards a vacant land condominium, which would require approval of a draft plan of condominium application to subdivide the land and create the individual townhouse units. Regardless of the eventual legal tenure, it is preferred that the site-specific zoning established through the subject ZBA application process be applied to the entire site to avoid zoning deficiencies and additional minor variance or zoning applications. As such, it is proposed to add the following additional special provision: “Notwithstanding the definition of “Lot” in Middlesex Centre Zoning By-law 2005-005, as amended, the entire area zoned UR2-X is considered a “Lot”, and despite any future severance, partition, or division of the Lot within a condominium plan, the provisions of this By-law shall apply to the whole of the zone as if no severance, partition or division had occurred”.

In addition to the zone change from UR1-9 to UR2-X and the statement above, the two (2) special provisions identified in **Table 4** below are being requested for the zoning deficiencies identified in the table above.

Table 4. Zoning Analysis Summary

Standard	Permitted/Required	Proposed	Comments
Lot Frontage (m min)	(c) Townhouse Dwelling and street townhouse dwellings: 5.5 m / unit and 6.0 m for end units	24.8 (Existing)	In keeping with the intent to have the zoning apply to the entire lot, 24.8 m reflects the existing lot frontage of the subject site, as measured according to the zoning definition for irregular lots. The lot frontage requirement based on interior and end units is intended for street townhouses and to ensure townhouse units are of adequate size. The proposed cluster townhouse development would not have adequate frontage based on the requirement; however, all units are proposed to be 6.1 m wide, exceeding the required minimums (5.5 & 6.0) which meets the intent of the bylaw. Additionally, the existing 24.8 m frontage is adequate for the development as illustrated by the site design which provides conformity with the majority of the zoning requirements and provides emergency vehicle access and waste collection circulation, adequate landscape open space / amenity areas, and parking.
Rear Yard Setback (m min)	7.0	6.0	Each townhouse rear yard is proposed to have a consistent depth of 6.0 metres, which results in a minimum rear yard area of 36.6 square metres (394 square feet) for the internal townhouse dwellings. This rear yard space is sufficiently large to accommodate a typical outdoor deck and provide some green space for gardening and/or passive recreation and represents an appropriate urban setting setback.

It is the opinion of the writers that the requested special provisions are appropriate to permit the development proposal.

7 CLOSING

Based on a review of the relevant policies and regulatory framework for the subject site, the ZBA application required to implement the development proposal are justified for the following reasons:

- The development proposal is an example of small-scale infill intensification compatible with the surrounding neighbourhood on a remnant, vacant parcel of land, that would provide 8 townhouse units on full municipal services. The townhouses would increase housing choice, supply, and complement the existing single detached houses within the surrounding residential community created through the approval of phase IV of the Pemic Komoka (Prince Street) Plan of Subdivision.
- It is consistent with the PPS and conforms to the Middlesex County and Middlesex Centre Official Plans.
- The requested special provisions are appropriate and reflect contemporary townhouse building design standard and market economics.

For the reasons noted above and throughout this report, the proposed ZBA application represents sound land use planning.

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