



LUCAN BIDDULPH COUNCIL AGENDA

THURSDAY, JUNE 25, 2020 6:00 PM
Lucan Biddulph Township Office
270 Main Street P.O. Box 190 Lucan, ON

SPECIAL MEETING AGENDA

MEETING TO BE HELD ELECTRONICALLY. THE MEETING WILL BE AVAILABLE AS FOLLOWS AT 6:00 P.M. ON JUNE 25, 2020

https://www.youtube.com/channel/UCeA4Y0M03UFY2O_nbymnWHg

1. Call to Order

2. Disclosure of Pecuniary Interest & Nature Thereof

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

3. In-Camera Session

4. Public Meeting Under Planning Act, R.S.O. 1999, c. P.13

(Note: Resolution required for the Council to adjourn its regular meeting in order to conduct a Public Meeting under the Planning Act.)

- a. Application for Official Plan Amendment (OPA-1-2020) and Zoning By-law Amendment (ZBA-2-2020)
Walter Anton Lock and Zelinka Priamo Ltd. (Owner/Applicant)
280 Main Street, Lucan, ON
[PL-07-2020 Planners Information Report - ZBA2-2020 and OPA1-2020](#)

(Note: Resolution required for the Council to reconvene its regular meeting.)

5. Communications

6. Motions

7. By-laws

[29-2020 Confirming By-law](#)

8. Adjournment



Planning Department
County of Middlesex
399 Ridout Street North
London, ON N6A 2P1
519.434.7321
www.middlesex.ca

MEETING: June 25, 2020

REPORT

TO: Chair and Members of Council
Township of Lucan Biddulph

FROM: Dan FitzGerald MPI, Planner

**RE: Applications for Zoning Bylaw Amendment (ZBA 02/2020) and Application for Official Plan Amendment (OPA 1/2020)
Walter Anton Lock and Zelinka Priamo Ltd. (Owner / Applicant)
Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph**

Purpose:

The purpose of this report is to provide Council with an information report regarding a proposed Zoning By-law amendment and Official Plan amendment for a property located on the north side of Main Street and legally described as Part of Lot 4, North of the Proof Line Road (geographic Village of Lucan), Part 1 on Reference Plan 33R-12915 and Part of Lot 4, North of the Proof Line Road, Parts 1 to 6 (inclusive) on Reference Plan 33R-16464, in the Township of Lucan Biddulph..

Background:

The subject property is a 2.18 ac (0.88 ha) parcel situated on the north side of Main Street on the west end of Lucan. More specifically, the site is directly west of the Township office and library. Existing land uses surrounding the property include a commercial building to the west, vacant land to the north, the Township office and library to the east, and agricultural / commercial uses to the south. See attachment 1.

The subject property as a whole is an irregular flag shape property that contains two separate parcels of land. The flag shaped parcel on the north side of the site is vacant, undeveloped land. This parcel has a frontage of approximately 18 metres (60 feet) along Main Street and is approximately 1.47 acres (0.6 ha) in area. Access to the property is provided via Main Street along the east boundary of the property. The lands are predominately designated 'Residential' in the Township Official Plan, with exception of a portion of the front half of the property providing access being designated 'Highway Commercial'. Additionally, the lands are zoned a 'site specific' Highway Commercial Exception (C2-6) Zone in the Township of Lucan Biddulph Zoning By-law, which permits the following uses:

- apartment dwelling
- multiple unit dwelling
- nursing home
- townhouse dwelling
- all other permitted uses of the C2 zone

The second parcel of lands contains a commercial building supporting predominately professional office uses. This parcel of land has a frontage of approximately 50.39 metres (165 feet) along Main Street and an area of approximately 0.71 acres (0.29 ha). Access to the property is provided via Main Street. The lands are designated Highway Commercial in the Township Official Plan and zoned a 'site specific' Highway Commercial Exception (C2-5) Zone in the Township of Lucan Biddulph Zoning By-law, which includes the following uses:

- clinic
- office, general
- office, professional
- all other permitted uses of the C2 zone

The entirety of the property is within the Urban Settlement Area of Lucan and is designated 'Settlement Area (Urban and Community)' in the County of Middlesex Official Plan. The property currently has access to full municipal servicing.

Application Proposal:

Conceptual Development Proposal:

The applicant is seeking a 'site specific' Zoning By-law amendment as well as a 'site specific' Official Plan amendment for the purpose of constructing a mixed use apartment building, which ranges between four (4) to six (6) storeys and contains ground floor commercial uses facing Main Street. As stated in the applicant's proposal, the building would contain a total of 114 residential dwelling units, comprised of 72 one-bedroom and 42 two-bedroom units, and 2 commercial units on the ground floor facing main street of a combined floor area of 188 m² (2,027 ft²).

The applicant is also proposing two (2) separate access points from Main Street and a total of 146 at-grade parking spaces, with one hundred and thirty eight (138) spaces allocated to the residential dwelling units, six (6) barrier-free spaces, and eight (8) spaces for the two (2) proposed commercial units. A further breakdown of the proposed parking ratios is included in the applicants proposed draft Zoning By-law amendment.

The applicant's proposal also includes the following:

- A 12.5% outdoor landscaping provision around the perimeter of the site.
- Outdoor patios are provided with ground floor units and balconies with units above the first floor
- Common outdoor amenity spaces are proposed above the fourth (4th) and fifth (5th) floors at strategic locations in the building and are proposed to be approximately 750 m² (8,073 ft²).

The applicant's proposed site plan and conceptual building elevations are included as attachment 2 to this report.

Proposed Official Plan Amendment

As previously noted, the subject lands are designated 'Residential' and "Highway Commercial' in the Township Official Plan. The 'Residential' designation applies to the rear (north) portion of the site and the front portion of the site (south) is designated 'Highway Commercial'. The 'Highway Commercial' designation does not permit residential uses and instead is primarily intended to cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, motor supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets.

Given the above, the developer is seeking to establish residential uses in the 'Highway Commercial' designated lands through the establishment of a site-specific Official Plan amendment to add residential uses to the 'Highway Commercial' designation. See attachment 3 – Proposed Official Plan Amendment – provided by the developer.

Proposed Zoning By-Law Amendment

As previously noted, the existing zoning on the site is a 'site specific' Highway Commercial Exception (C2-6) Zone for the rear (north) portion of lands. The existing zoning permits the establishment of residential uses in addition to the uses included in the Highway Commercial (C2) Zone.

The lands located towards the front portion of the site (south) containing the existing commercial use are zoned a 'site-specific' Highway Commercial Exception (C2-5) Zone, which does not permit residential uses in-line with the Township Official Plan designation.

As a result of the above, the developer is seeking to establish a consolidated 'site specific' Highway Commercial Exception (C2-10) Zone across the entirety of the property which would permit the following:

Permitted Uses:

- apartment dwelling
- clinic
- multiple unit dwelling
- nursing home
- office, general
- office, professional
- townhouse dwelling
- all other permitted uses of the C2 zone

Additionally, the developer is seeking the following site specific exception Zoning By-law provisions:

Minimum Front Yard Depth:

apartment dwelling	22 m
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Maximum Height:	25 m
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Minimum Number of Parking Spaces:

apartment dwelling	1.2 per dwelling unit
clinic	1 per 30 m ² of net floor area
multiple unit dwelling	1.2 per dwelling unit
nursing home	1 per 6 beds
office, general	1 per 30 m ² of net floor area

office, professional	1 per 30 m ² of net floor area
townhouse dwelling	1.2 per dwelling unit

In summary, the proposed consolidated 'site specific' Zoning By-law amendment seeks to establish residential use permissions in the front portion of lands not currently permitted. Additionally, it seeks to establish reductions to the minimum front yard setback for apartment buildings from 54 metres to 22 metres; an increase in the maximum permissible height from 10 metres to 25 meters; a reduction in the number of required vehicle parking stalls for residential uses from 1.5 parking stalls per unit to 1.2 parking stalls per unit; and a reduction in the minimum number of parking stalls required for a clinic from 1 per 15 m² of net floor area to 1 per 30 m² of net floor area. See attachment 4 – Proposed Zoning By-law Amendment.

Policy and Regulation:

Provincial Policy Statement (PPS)

According to Section 3 of the Planning Act, as amended, decisions made by planning authorities "shall be consistent with" the PPS. The principal policies of the PPS that are applicable to the proposed development include:

Section 1.1.1, which speaks to establishing and promoting healthy, liveable and safe communities. The following sub policies have been determine to be applicable:

- 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 enviro
- 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;

Section 1.1.3.1 speaks to Settlement Areas being the focus of growth and development-

The following policies have been deemed applicable to the proposed development from section 1.1.3.2, which states that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;

Section 1.1.3.3 of the PPS states, Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Section 1.1.3.4 states appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.1.3.6 states new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.3.1 of the PPS directs municipalities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs and providing opportunities for a diversified economic base that includes maintaining a range and choice of suitable sites for a variety of employment uses that support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Section 1.3.1 also provides policy direction that encourages compact, mixed-use development that incorporates compatible employment uses.

Section 1.4 of the PPS speaks to 'Housing'. More specifically, section 1.4.1 states 'to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and ...'

Section 1.4.3 states planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Section 1.6 of the PPS speaks to servicing. The PPS has a hierarchy for services, where municipal services are the preferred form of servicing.

Section 1.6.6.1a) states 'Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services'.

Section 1.7.1 of the PPS speaks to long-term economic prosperity. The following policies from section 1.7.1 are deemed applicable:

- a) promoting opportunities for economic development and community investment-readiness;
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;

- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;

County of Middlesex Official Plan

The principal policies of the County of Middlesex's Official Plan that are applicable to the proposed development include the following:

The subject property is designated Settlement Area by the County of Middlesex Official Plan. Section 3.2 of the Plan directs growth to settlement areas, and promotes a variety of housing types within Settlement Areas.

Section 2.3.4 of the County Official Plan states that economic development is an important component of the County's Growth Management policy framework and that many long-term goals and objectives depend on economic activity and the opportunity for residents to live and work in Middlesex County. The County consequently encourages diversity in its economic base.

Section 2.3.7 of the County of Middlesex Official Plan speaks to housing policies, and states that, '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.' Further, subsection (a) promotes 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'.

Section 2.3.8 of the County Official plan notes that urban areas shall be the focus for future residential growth on full services where warranted. Policies under this section further clarify that urban areas are the focus of growth and are expected to accommodate a significant portion of the projected growth. Also they state that new development shall be fully serviced by municipal or communal water and sewage disposal systems.

The County of Middlesex's Official Plan in section 2.4.5 discusses the servicing hierarchy similar to those discussed in the PPS. Specifically, the County encourages new development to proceed on the basis of full municipal services.

The County Official Plan provides a regional policy framework within which development proposals are to be evaluated. Section 3.2.1 of the County Official Plan dictates that growth within Middlesex is generally to be directed to the County's Settlement Areas in order to protect Agricultural Areas, protect natural heritage and promote efficient use of water and sewage services. It is noted that the detailed land use policies, and particularly those that pertain to development within settlement areas, are provided in the official plans of the County's member municipalities. Section 3.2.4.1 of the County

Official Plan provides for a variety of land uses, including commercial uses, to be located in the Urban Areas of Middlesex.

Township of Lucan Biddulph Official Plan

In review of the Township of Lucan Biddulph's Official Plan, it is noted that the following contains a list of policies for consideration based on the existing and proposed site specific Official Plan Amendment.

As noted, a portion of the subject property is designated 'Residential' in the Township Official Plan. Section 2.1.1 of the Township Official Plan provides the following related goals and objectives for development in the Village of Lucan:

- a) 'To encourage and direct the majority of population growth and residential development in the Municipality to the Village of Lucan'
- b) 'To ensure development and redevelopment in the Village is adequately serviced and that the necessary infrastructure is in place to accommodate such activity.'

A portion of the subject lands is also designated 'Highway Commercial' in the Township Official Plan. Section 2.1.3 states areas designated 'Highway Commercial' are situated along Main Street towards the periphery of the Village. They are generally developed in a space extensive manner with buildings set back from the street and with generous provision for on-site parking in marked contrast to the intensive and compact form of development characteristic of the downtown core. The 'Highway Commercial' designation includes existing commercial development as well as lands considered suitable to accommodate future commercial needs.

In respect to the Highway Commercial designation, section 2.1.3.1 Land use states in areas designated 'Highway Commercial' on Schedule "A", uses will be characterized by those which cater to the needs of the automobile, the travelling public and single purpose shopping trips. Typical uses include motor vehicle sales and services, garden supply outlets, sale of bulk goods, restaurants and certain types of convenience retail and service outlets. The actual uses permitted shall be specified in, and regulated by, the provisions of the Zoning By-law.

Further to the above, section 2.1.3.2 states commercial development will be characterized primarily by buildings set back from the street and extensive areas for parking, outside storage and display. Efforts will be made to internally link adjacent development to minimize vehicle entrances and enhance public safety. In view of the location of areas designated 'Highway Commercial' at the main entrances to the Village and the tendency of highway commercial establishments to exhibit a non-distinctive appearance, a high standard of site design, creativity and amenities will be encouraged.

Respecting the Residential designation of the land, section 2.1.5 of the Township Official Plan provides guidance for areas to accommodate future residential development. It states undeveloped lands designated for residential purposes within existing developed areas shall be the focus of growth where opportunities exist for redevelopment and infilling.

Section 2.1.5.1 of the Township Official Plan notes areas designated 'Residential' shall primarily be singled unit detached dwellings. However other forms of development are also permitted including, but not limited to, low-rise and small-scale apartment buildings.

Section 2.1.5.2 of the Township Official Plan states that the 'scale, density and form of new residential development shall respect and be sensitive to the 'small town' character of the Village. At the same time, it is recognized that multiple forms of residential development will provide the potential for more affordable housing as well as housing more able to meet the increasingly diverse needs and preferences of the community. To ensure compatibility with existing development, the density and height of new residential development will be limited.'

Section 2.1.5.5 of the Township Official Plan notes that medium density residential development in the form of apartments will be encouraged to locate where direct or proximate access to arterial or collector roads is available; where they are close to commercial areas, schools, and parks; and where municipal services are available or capable of being made available. The policy further clarifies that intrusions into existing residential areas of predominantly single unit dwellings shall be discouraged and compatibility with the character and design of neighbourhood is expected. Appropriate buffering and setbacks shall be provided and standards for density, height, parking and landscaped open space shall be addressed in the Zoning By-law. The policy also notes that site plan control shall apply.

Section 2.1.5.7 of the Township Official Plan encourages housing forms and densities designed to be affordable to moderate and lower income households. It is the intent to meet a 20 percent target annually for housing affordability for new and infill development.

Section 2.1.5.11, Intensification and Redevelopment seeks to provide guidance for more intense forms of residential development. Most notably, that the Township require that 15 percent of development occur by the way of intensification and redevelopment. Further its notes the Township shall encourage intensification and redevelopment within the Village of Lucan on vacant or underutilized sites in order to efficiently utilize designated settlement area land and available municipal services. Intensification and redevelopment shall be subject to the following:

- a) Forms of residential intensification and redevelopment shall only be permitted based on the level of water and wastewater servicing that is available in the Village of Lucan.
- b) Residential intensification and redevelopment may take the form of multi-unit dwellings, dwelling conversion, street infilling, rear yard infilling, and infill subdivisions.
- c) Residential intensification and redevelopment may only occur to a maximum density which maintains the minimum lot areas permitted in the Zoning By-law, and/or is deemed suitable by the Township to satisfy the proposed water supply and wastewater disposal systems.
- d) When considering proposals for residential intensification and redevelopment, and in addition to all other applicable development criteria in the Official Plan, the Township will ensure that:
 - b. For street infilling, the proposal is consistent with the established building line and setbacks of the surrounding area.
 - c. For rear yard infilling, the siting of buildings and parking areas must be done in a way which minimizes the impacts on neighbouring rear yards; allows for direct vehicular access provided to a public street with sufficient width to allow efficient vehicular use, on-site snow storage, and access and turn-around by emergency vehicles.

Section 8.10 of the Township Official Plan provides guidance and clarify around the site plan control process. Site plan shall address such requirements as the proposed use, the location of the buildings and structures, proposed ingress and egress, parking area, landscaping, grading and drainage, external lighting, buffering and other measures to protect adjoin lands.

Township of Lucan Biddulph Zoning By-law No. 100-2003

A portion of the subject lands to the rear is currently zoned a 'site specific' Highway Commercial Exception (C2-5) Zone. The current zone permits the following:

Permitted Uses		<ul style="list-style-type: none"> • clinic • office, general • office, professional • all other permitted uses of the C2 zone
Minimum Lot Area		2,800 m ²
Minimum Lot Frontage		50 m
Minimum Lot Depth		60 m
Maximum Lot Coverage		25%
Minimum Setback		28 m
Side Yard Width	Interior Lot	6 m
	Corner Lot	15 m on the side abutting the road and 6 m on the other side
Rear Yard Depth		10 m
Maximum Height		10 m
Minimum Number of Parking Spaces	animal clinic	1 per 30 m ² of net floor area
	car wash	1 plus 2 for each drive through car wash bay and 1 plus 1 for each non-drive through car wash bay, excluding the car wash bay
	Clinic	1 per 15 m ² of net floor area
	Office, General	1 per 30 m ² of net floor area
	Office, professional	1 per 30 m ² of net floor area
	drive-in or take-out restaurant	1 per 5 seats
	financial institution	1 per 30 m ² of net floor area

	garden centre	1 per 20 m2 of net floor area
	gas bar	2
	general retail store	1 per 30 m2 of net floor area
	market garden	1 per 20 m2 of net floor area
	motel	1 per 10 m2 of net floor area devoted to public use plus 1 per guest room
	service shop	1 per 30 m2 of net floor area
Minimum Outdoor Amenity Area	N/A	

A portion of the subject lands to the rear is currently zoned a 'site specific' Highway Commercial Exception (C2-6) Zone. The current zone permits the following:

Permitted Uses	<ul style="list-style-type: none"> • apartment dwelling • multi unit dwelling • nursing home • townhouse dwelling • all other permitted uses of the C2 zone 	
Minimum Lot Area	4,000 m ²	
Minimum Lot Frontage	18 m	
Minimum Lot Depth	60 m	
Maximum Lot Coverage	25%	
Front Yard Depth	Apartment dwelling	56 m
	Multiple unit dwelling	56 m
	Townhouse dwelling	56 m
Side Yard Width	Interior Lot	6 m
	Corner Lot	15 m on the side abutting the road and 6 m on the other side
Rear Yard Depth	10 m	
Maximum Height	10 m	
Minimum Number of Parking Spaces	animal clinic	1 per 30 m2 of net floor area
	car wash	1 plus 2 for each drive through car wash bay and 1 plus 1 for each non-drive through car

	drive-in or take-out restaurant	wash bay, excluding the car wash bay 1 per 5 seats
	financial institution	1 per 30 m2 of net floor area
	garden centre	1 per 20 m2 of net floor area
	gas bar	2
	general retail store	1 per 30 m2 of net floor area
	market garden	1 per 20 m2 of net floor area
	motel	1 per 10 m2 of net floor area devoted to public use plus 1 per guest room
	service shop	1 per 30 m2 of net floor area
	apartment dwelling	1.5 per dwelling unit
	multiple unit dwelling	1.5 per dwelling unit
	nursing home	1 per 6 beds
	townhouse dwelling	1.5 per dwelling unit
Minimum Outdoor Amenity Area		N/A

Consultation:

Notice of the application has been circulated to agencies, as well as property owners in accordance to the requirements to the Planning Act for the public meeting being held June 25, 2020.

Public Comments:

The public has submitted comments regarding the proposed bylaw and are included in this information report as attachment 5. Most responses received were to register to attend the public meeting. However the comments received (included as attachment 5) are generally summarized in the following categories:

- Height
- Density and percentage of landscaped open space
- Existing servicing capacity
- Shadows

Agency Comments

- a) County Engineer – No comment.

- b) Chief Building Official – No objections to the proposed OPA or ZBA. If successful, a site plan application will be required and shall address the following matters from building perspective: a design matrix and details pertaining to dead end fire route, accessibility of the building for firefighting access and additional fire routes/turning radius, spatial separations, among others.
- c) Manager of Public Operations – if successful, and easement will be required for the property to the west for sanitary service and current capacity of Butler Street will be needed.
- d) Bell – no Concerns.
- e) Hydro One – no comment or concerns at this time.

Recommendation:

THAT council receives the planning report as information.

Attachments:

1. Location Map.
2. Conceptual Site Plan and Renderings.
3. Proposed Draft Official Plan Amendment by Applicant.
4. Proposed Draft Zoning By-law Amendment by Applicant.
5. Public Comment

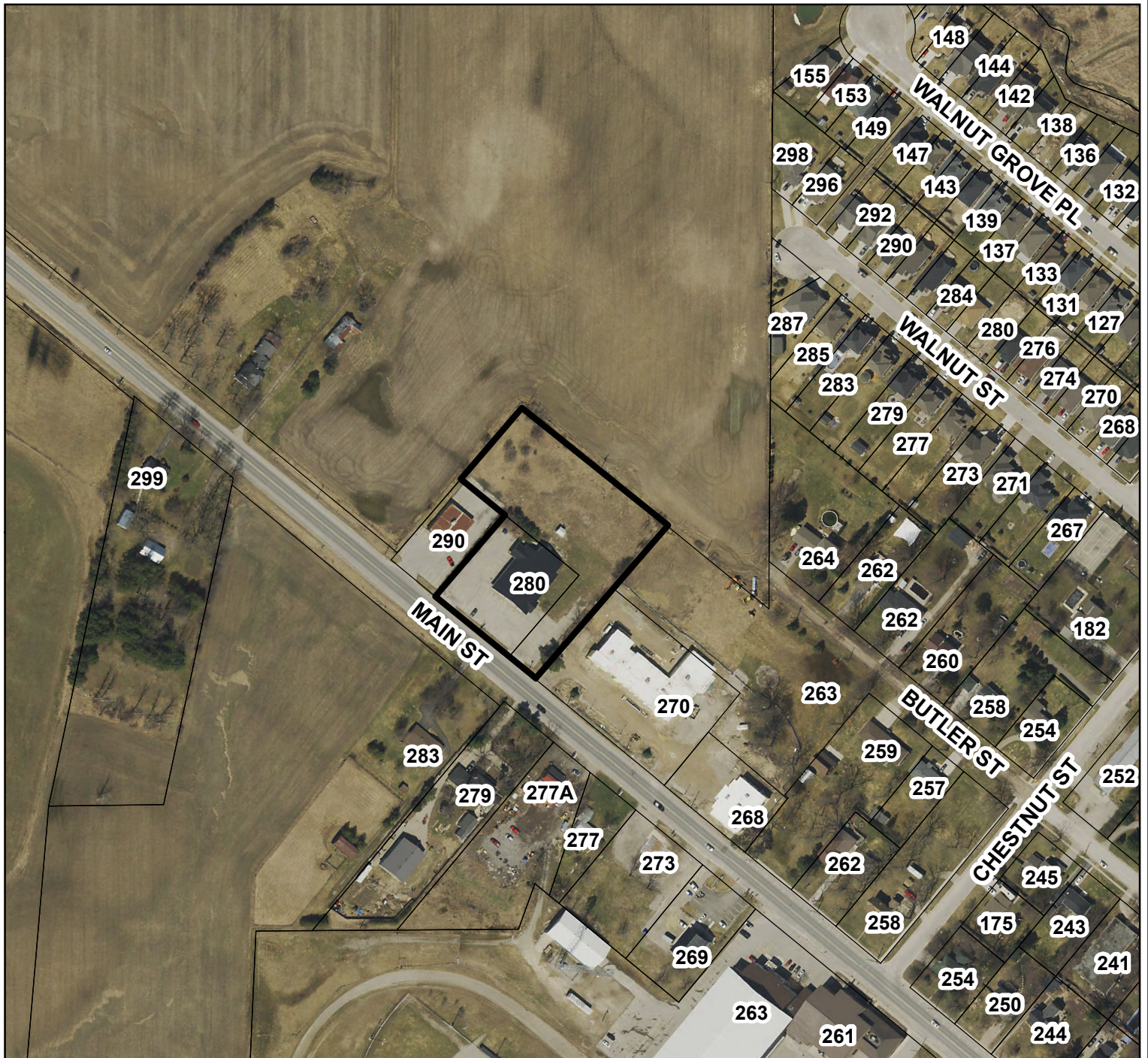
APPLICATIONS FOR OFFICIAL PLAN AMENDMENT (OPA1-2020) AND ZONING BY-LAW AMENDMENT (ZBA 2-2020)

Walter Anton Lock (Owner)
Zelinka Priamo Ltd. (Agent)


280 Main St
Part Lot 4 NOTPLR, 33R-12915; 33R-16464, Parts 1; 1 to 6
Township of Lucan Biddulph



Township of LUCAN BIDDULPH KEY MAP




Published by the County of Middlesex
Planning Department
399 Ridout Street North, London, ON N6A 2P1
(519) 434-7321
May 2020

 Subject Lands

1:3,000
0 10 20 30 40 Metres

ORTHOPHOTOGRAPHY: SWOOP 2015

Disclaimer: This map is for illustrative purposes only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.





**AMENDMENT NO. ___
TO THE
OFFICIAL PLAN
OF THE
TOWNSHIP OF LUCAN BIDDULPH**

SUBJECT: WALTER ANTON LOCK

**Part of Lot 4, North of the Proof Line Road
(Geographic Village of Lucan)
Township of Lucan Biddulph,
County of Middlesex**

THE CONSTITUTIONAL STATEMENT

PART A - THE PREAMBLE does not constitute part of this amendment. The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information but does not form part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and schedule constitutes Amendment No. __ to the Official Plan for the Township of Lucan Biddulph.

PART A - THE PREAMBLE

1. PURPOSE AND EFFECT

The purpose and effect of this application is to amend the Lucan Biddulph Official Plan by re-designating certain lands from the “Highway Commercial” designation to a “Highway Commercial-Special Policy Area 1” designation to permit the establishment of residential uses. This Amendment would re-designate the southerly portion of the lands comprised of approximately 0.875 hectares (2.2 ac.) at 280 Main Street.

The subject lands are located on the north side of Main Street, Provincial Highway 4, near the west boundary of Lucan. These lands are currently owned by Walter Anton Lock and currently contain a one storey medical and general office building in the south portion of the property; the north portion of the property is vacant.

A proposed redevelopment on the subject lands consists of the demolition of the existing one storey clinic and general office building, to be replaced with a mixed-use building ranging between 4-6 storeys and consisting of residential, office, and general retail uses.

Surrounding land uses are agriculture to the north; single detached dwellings to the northeast and south; institutional (Lucan Biddulph Township Office and Lucan Library Building), and low-rise apartment buildings (Lucan Woods) to the east; and a veterinary clinic building (formerly Canada Trust ATM) to the west. The nearest single detached residence located on Butler Street is approximately 60 m from the rear lot line of the subject lands. Indoor and outdoor recreational facilities (the Lucan Community Memorial Centre & Arena) are located on the south side of Main Street within 100 m (328 ft.) of the subject lands. Library and medical services are located on the abutting lands to the east and west respectively. The site is within walking distance (± 700 m / ± 2300 ft.) of the Central Commercial Area (Foodland, LCBO, restaurants, Fire Hall, etc.).

2. BASIS

The Planning Act requires all decisions made under the Act “be consistent with” the Provincial Policy Statement, 2020 (PPS). The PPS provides direction for growth and development to occur within settlement areas, and to promote appropriate development standards which facilitate intensification, redevelopment, compact form, and a mix of uses densities that allow for the efficient use of land, infrastructure and public service facilities, while avoiding or mitigating risks to public health and safety. The subject proposal satisfies such criteria.

According to the Middlesex County Official Plan, the subject lands are within the Settlement Areas (Urban and Community) designation. Permitted uses within this designation include a variety of housing types and commercial uses. Settlement Areas Urban Areas and Community Areas are identified as the focus for future growth including residential, commercial, and industrial development. Lucan is a designated Urban Settlement Area in the Township Official Plan and has concentrations and intensity of land uses. The Settlement Area policy supports the proposed development in the Urban Area of Lucan to accommodate a significant portion of the projected growth in the Township over the planning period.

The Lucan Biddulph Official Plan designates the lands as “Highway Commercial” and “Residential” and provides a broad framework for proposed amendments thereto. The subject proposal complies with the policies of the Lucan Biddulph Official Plan in that it is consistent

with the PPS and in conformity with the County Official Plan. In addition, the subject proposal is justifiable in that the re-designation would facilitate the development of a mixed-use building with a form and density that is in an appropriate location, and will provide more housing variety in terms of type, form, and affordability.

According to the Lucan Biddulph Zoning By-law, the lands at 280 Main Street are currently zoned Highway Commercial (C2-5 & C2-6) Exception Zone. The applicants have applied to re-zone the lands to a 'site specific' Highway Commercial (C2-#) Exception Zone to permit all the uses currently included in the C2-5 and C2-6 zones; a maximum height of 25 metres (6 storeys), whereas 10 metres (3 storeys) is currently permitted; a reduction to the minimum front yard depth required for apartment buildings to 22 metres, whereas 56 metres is currently required; and a reduction in minimum number of parking stalls to 1.2 stalls per residential unit, whereas 1.5 parking stalls per dwelling unit is currently required.

Based on the foregoing, the subject proposal is consistent with the Provincial Policy Statement and conforms to the Middlesex County Official Plan and constitutes sound land use planning.

PART B - THE AMENDMENT

All of this part of the Amendment entitled 'Part B - The Amendment', including the attached Schedule 'A', constitutes Amendment No. _ to the Official Plan of the Township of Lucan Biddulph.

DETAILS OF THE AMENDMENT

The Official Plan of the Township of Lucan Biddulph is hereby amended in accordance with the following:

1. That Section 2.1.3.1 with the addition of the following policy:

“(1) Highway Commercial Special Policy Area 1

Notwithstanding any other policy of this Plan, residential uses may be permitted on the property legally described as Part of Lot 4, North of Proof Line Road (geographic Village of Lucan), Township of Lucan Biddulph, County of Middlesex, and known municipally as 280 Main Street and shown on Schedule 'A' as Highway Commercial Special Policy Area 1.”

2. That Schedule 'A' – Land Use Plan of the Official Plan is hereby amended by changing the designation of certain lands known municipally as 280 Main Street, legally described as Part of Lot 4, North of Proof Line Road (geographic Village of Lucan), Township of Lucan Biddulph, County of Middlesex, from 'Highway Commercial' to 'Highway Commercial Special Policy Area 1'.



SCHEDULE "A"

AMENDMENT NO. ___ OF THE OFFICIAL PLAN OF THE TOWNSHIP OF LUCAN BIDDULPH



REDESIGNATE FROM
'HIGHWAY COMMERCIAL' TO
'HIGHWAY COMMERCIAL-
SPECIAL POLICY AREA 1'

LAND USE DESIGNATIONS

- | | | | |
|--|--------------------|--|-----------------------|
| | RESIDENTIAL | | CENTRAL COMMERCIAL |
| | HIGHWAY COMMERCIAL | | MIXED USE RESIDENTIAL |
| | INDUSTRIAL | | PARKS AND OPEN SPACE |
| | AGRICULTURAL | | |

ROAD DESIGNATIONS

- | | |
|--|------------|
| | PROVINCIAL |
| | COUNTY |
| | TOWNSHIP |



Attachment 4 - Applicants Zoning By-law Amendment - Page 1 of 2

PROPOSED ZONING BY-LAW AMENDMENT

- 15.3.10 a) Defined Area (280 Main Street)
 C2-10 as shown on Schedule “B” on Map 2 to this By-law
- b) Permitted Uses
 apartment dwelling
 clinic
 multiple unit dwelling
 nursing home
 office, general
 office, professional
 townhouse dwelling
 all other permitted uses of the C2 zone
- e) Minimum Front Yard Depth
 apartment dwelling 22 m
- f) Maximum Height 25 m
- g) Minimum Number of Parking Spaces
 apartment dwelling 1.2 per dwelling unit
 clinic 1 per 30 m² of net floor area
 multiple unit dwelling 1.2 per dwelling unit
 nursing home 1 per 6 beds
 office, general 1 per 30 m² of net floor area
 office, professional 1 per 30 m² of net floor area
 townhouse dwelling 1.2 per dwelling unit

Map 18

FALLON DR

Map 1

Map 3

BENN DRAIN

N.L.R
LOT 4

C2-H

C2-6

C2-1

Map 7

Map 6

C2-5

I-3

R3-9-H

A-3/2017

RICHMOND ST

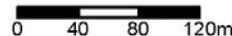
BUTLER ST



REZONE FROM HIGHWAY COMMERCIAL EXCEPTION C2-5 & C2-6
TO HIGHWAY COMMERCIAL EXCEPTION C2-10

LUCAN and AREA

SCALE 1: 5000



SCHEDULE "B"

MAP 2

Dan FitzGerald

CAUTION: This email originated from outside of the Lucan Biddulph email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Dear Joanne,

Please forward this to whom it may concern for the Council meeting tonight & the 25th. Thank you.

I have read the proposed amendments and viewed the site plans and concepts. I recognize that concepts are conceptual.

1. Height is definitely a dimension that will be noticed in a town that has had a 3-story limit forever. In larger urban centres the height increases as you get to the centre, and as long as we don't allow height amendments to affect the town centre and adjacent neighbourhoods, I believe the height issue will have little affect on our small town character.

2. Density and the Percentage of Landscaped Open Space are the 'dimensions' that will have the greater affect on Lucan's small town feel.

I note that the Verhoog proposal (17 m building) and the proposal for the North end are very different in their site plan concepts and in their numbers (ie: lot coverage, density, % of landscaped open space, parking). The number of needed amendments for the North end are of concern to me. I am not concerned with the impact of the Verhoog proposal as it appears in the Concept plan.

3. I attended a meeting last year with regard to increasing the Settlement Area for the Town, and also our need to increase our Sewage capacity. Studies were to be done and Provincial approvals needed for expansion... I'd like to know what the status of these two are and what if any affect they'd have on these proposals or their approval.

4. Lucan is a lovely town and many folk are interested in being here with us. Most of our growth has been in the form of single family dwellings. I think we could benefit from a greater choice of housing and we also need affordable housing. When allowing apartment buildings on the edges of our town (especially if we have to 'amend' to allow for what's offered) I would hope that we ease into it ... by-law standards are there for a reason.

Please keep me informed by email about these issues.

Thank you for your time.

And take care of yourselves in these crazy times!

Phylis U'Ren

Dan FitzGerald

To: Planning
Subject: RE: Apartment at 280 Main St.

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Hi Dave, Cathy and council members,

I would like to voice myself and Joe's concerns over the proposal for 280 Main Street.

While we know Lucan is a very desirable place to live and grow and we know this can be a good thing for our community at what point does it become too much? Why is this happening? What are we trying to prove by allowing city style buildings in our little community?

Our concerns are as follows;

- a 6 storey high rise is very out of place in our town
- no such height exists in surrounding communities (except cities...)
- our backyard views are going to be obstructed- we have heard there was a shadow casting done and it may shadow over properties along Walnut St. at certain times of the day.
- how are we going to accommodate a higher population as far as grocery store, arena, parks and other community services and events.
- will fire/ ambulance/ police services be affected
- Wilberforce is busting at the seams- how will there be any more kids allowed to enroll in that school
- can our water plant, sewer, drains etc handle all of these extra buildings
- where will people park when they can't find a space on this site? Our library, municipal office, Main Street and Butler?
- how is this going to affect our taxes
- are they going to have lots of green space
- once we permit one higher density building what's stops the next developer from submitting similar requests
- are all commercial tenants of that existing building going to be accommodated in the new plan?
- I would guess that Dr Viguera holds the largest patient base in our community. Where will she go in the interim? And the RMTS and Bloodlab? There is already a lack of commercial space available. Don't we want to try and encourage more commercial space not less.

I know change is good, but there's also nothing wrong with keeping those changes small. What I am asking is for you to PLEASE advocate for us to keep our small town feeling.

Thank you for your time,

Jenna and Joe Dobbie
281 Walnut St.

Get [Outlook for Android](#)

Dan FitzGerald

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In my opinion I thought Lucan was all about "that small town feel" this apartment building goes against everything Lucan is about. It's a city building put into a small country town. Just my opinion, but not in favor :)

Nicole Silver

Sent from [Outlook Mobile](#)

Dan Fitzgerald

To: Planning
Subject: RE: Apartments being built in Lucan

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Good morning,

I am writing in response to the proposed apartment building being built in our community. I am concerned about a few things.

Are we going to lose our small town character?

Will this overwhelm the livability of our streets and corrupt the family atmosphere Lucan offers?

What about our schools that are already overcrowded?

Other issues I consider are lost property values for our residents, an increased population that can't be supported by our small town infrastructure, increased traffic, privacy and noise issues for homes near by. This is a small community and I would like to keep it that way. I was born and raised here and I'm now raising my children here because I wanted them to experience the small town feeling and wonderful community I grew up in.

Thank you.

Mallory Van Heeswyk

Dan FitzGerald

To: Tina Merner
Subject: RE: Applications OP1-2020 and Z02-2020

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To Lucan Biddulph Council,

We are writing in regards to the proposed 6 story apartment complex proposed for 280 Main Street in Lucan and wish address numerous concerns as a resident of Lucan and as property owners within 120 metres of the subject property.

First, as residents, we have deep concerns with how a project of this magnitude will affect the small town character of this town. The Official Plan supports intensification but to what extent? The plan also states that growth shall "be achieved without disruption to the existing nature and character of the township." By-laws are in place to control this. The developer has submitted a proposal with total disregard of the Official Plan and its by-laws. It appears to be a case of ask for the world and see what sticks. It is up to the council to follow the plan and maintain the character of this town and not give in to greedy developers.

By-laws allow for "minor variances". A change in height from the allowed 10m to 25m is more than excessive and will tower above any other structure in this town or any surrounding, much larger towns, for that matter. A building that requires reducing the setbacks by more than half, from 56m down to 22m and needs a reduction in the required parking spaces, because they don't have the space, makes it pretty obvious that the size and scope of the building is too large for the property. None of these variances are "minor" and all of them go against the small town character that the residents of Lucan are accustomed to.

As property owners we have concerns with the increased traffic levels, noise and light pollution, and shadowing from the building. The amount and speed of traffic coming in and out of town at the north end is already problematic for residents turning out of Chestnut Street at peak times of the day. An extra 130+ vehicles in and out of that property will only make it worse. The renderings show rooftop patios on the 5th and 6th floor levels (in order to meet the green space requirements). The noise and light pollution from those levels will project well into the neighboring subdivision and will reduce the privacy of those residents. Shadowing from the building will affect numerous homes for large parts of the year. "Maintaining the essential qualities of privacy, quiet enjoyment, public health and safety, and land use compatibility" are listed as goals and objectives in the Official Plan. This proposed building satisfies none but detracts from all of those.

Of other concern is what comes next? One proposal in town (Olde Clover) has already gone from 3 stories to four and is now asking for 5. If 5 gets approved then 6 is no longer such a big ask. Where does it stop? We understand that growth is inevitable and someday 5 or 6 story buildings will happen. But going from 3 to 6 stories overnight is a big change. The small town character is gone just as quickly. Two of the 3 approved condo buildings behind the township office are yet to be built. They were restricted to 3 stories from the requested 4. If 280 Main St. goes ahead, what is to stop the condo developer from going back and requesting more height? What grounds would council have to deny it and how would it hold up in an OMB hearing?

There is no doubt that this town is growing and in need of affordable housing, specifically in the form of apartments. This can still be accomplished while following the Official Plan and maintaining the existing nature and character of the town. Development is happening faster than planning is ready for. I urge council to consider what type of growth, and amount of intensification, is appropriate for Lucan and deny the Official Plan and Zoning By-law amendments as they are currently presented.

Sincerely,

Gordon & Sheryl Morsink

279 Walnut St.

Dan FitzGerald

To: Planning
Subject: RE: New high rise

CAUTION: This email originated from outside of the Lucan Biddulph email system. Please use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

I'm very upset to hear about the plans of a potential "high rise" apartment building. The reason we moved to Lucan was we loved it's size and small town charm. This building is going to ruin that for me and my family. This town has grown a awful lot in the last few years and in my opinion is getting to large already. The school is full, the waste treatment plant is undersized and during the pandemic our stores could not keep up with local demand. Let this building go through and we will be looking elsewhere to live.

Cody Roger
Sent from my iPhone

Dan FitzGerald

To: Elizabeth Guinness
Subject: RE: Proposed construction at 280 Main Street, Lucan

To Whom it may concern,

We have been made aware of the potential building plans for 280 Main Street where the Doctors office currently exists, along with other medical facilities and our family has many concerns.

This is just one of several residential building projects currently proposed in the town. The current infrastructure will not, in anyway, support the population increase. Currently the Doctors in town are almost at breaking point. Child care options are all at a maximum.

When plans were submitted for the current apartments on Butler Street we were told that the bylaws only permitted up to 3 stories, this new proposals in going to be more than double that height with the roof top gardens. How is this acceptable, along with the proposed 5 storey building to the south of town. There is nothing near that size in any surrounding town. That's a city building.

If these plans are permitted to go ahead we think 'the small town feel will be lost.

The fire department are not equipped to deal with buildings of those heights and should they be needed, how long will it take for the correct equipment to arrive, who knows. The ambulance service are not going to be able to cope. Are there plans in place to add to the services.

Along with all the parking issues especially during town events there are also concerns that school is already bursting at the seams.

We have also been made aware of the shadow casting that has been carried out and our properties on Walnut Street will tremendously affected by this for a large portion of the year, not to mention the obstruction of view and the noise pollution and privacy issues.

We do not feel this is a would be good for the town and would like it known that we oppose the planning application. We need to abide by the bylaws the township needs to stick to them as well.

We hope that you will take the time to consider our concerns.

The Guinness Family.
Elizabeth Guinness

Township of Lucan Biddulph

BY-LAW NO. 29-2020

Being a by-law to confirm proceedings of the Council of The Corporation of the Township of Lucan Biddulph

WHEREAS under Section 5(1) of the *Municipal Act, 2001, S.O. 2001 c. 25*, the powers of a municipality shall be exercised by its council.

AND WHEREAS under Sub-Section 3 of Section 5 of the *Municipal Act, 2001, S.O. 2001 c. 25*, the powers of every Council of a municipality shall be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of The Council of the Corporation of the Township of Lucan Biddulph at the June 25, 2020 meeting be confirmed and adopted by By-law.

THEREFORE the Council of the Corporation of the Township of Lucan Biddulph enacts as follows:

1. That the action of the Council of the Corporation of the Township of Lucan Biddulph in respect of all motions and resolutions and all other action passed and taken by the Council of the Corporation of the Township of Lucan Biddulph, documents and transactions entered into during the June 25, 2020 meeting of Council, are hereby adopted and confirmed, as if the same were expressly included in this By-law.
2. That the Mayor and proper officials of The Corporation of the Township of Lucan Biddulph are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Lucan Biddulph during the said June 25, 2020 meeting referred to in Section 1 of this By-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-law and to affix the Corporate Seal of the Corporation of the Township of Lucan Biddulph to all documents referred to in said Section 1.

Read a FIRST, SECOND and THIRD time and FINALLY PASSED
June 25, 2020.

MAYOR

CLERK