



MUNICIPALITY OF THAMES CENTRE

PLANNING & DEVELOPMENT SERVICES

REPORT NO: PDS-072-23

FILE: 39T-TC-CDM2301

TO: Mayor and Members of Council

FROM: Marc Bancroft, Director of Planning and Development Services

MEETING DATE: November 27, 2023

**RE: APPLICATION FOR DRAFT PLAN OF CONDOMINIUM
PUTNAM ROAD HOLDINGS INC. (C/O KEN RATTAN)
3174 PUTNAM ROAD**

1. PURPOSE

The purpose of this report is to provide Council with background information regarding the subject proposal which is scheduled to be heard at a public meeting of Municipal Council on November 27, 2023.

This proposal has been circulated to property owners within 120 metres (400 ft) of the subject lands and to prescribed agencies under the Planning Act. The purpose of the public meeting is to facilitate feedback from the community. Following the public meeting, staff will consider all comments received and provide an evaluation report including a recommendation for Council's consideration at a future meeting.

2. BACKGROUND (see attached map)

The subject property is a 13.2 hectare (32.7 ac) lot situated east of Putnam Road (County Road 30), on the south side of Breen Road and north of Highway 401. Along Putnam Road, the lands are separated by an existing railway line owned by Canadian Pacific Railway and operated by Ontario Southland Railway. The lands are primarily used for farming purposes through the cultivation of field crops and contain a single detached dwelling, a barn and a detached garage with a laneway access across the railway line to Putnam Road (County Road 30). The dwelling is privately serviced by a well and septic system. The lands are affected by the Adam Drain which bisects the property. The property is designated 'Rural Industrial' according to the Thames Centre Official Plan and zoned General Industrial (M1).

The lands are subject to Applications for Consent (File No. B16-22 & B17-22) conditionally approved by Municipal Council on January 30, 2023 to sever a parcel of land having a frontage of approximately 84 metres (275 ft) along Breen Road and an area of approximately 2.68 hectares (6.6 ac) to support a truck terminal permitted under the current zoning. The balance of the lands is subject to this vacant land condominium proposal to provide individual lots (units) for industrial uses without the need for a plan of subdivision and a municipal road to facilitate internal access.

Surrounding land uses are generally industrial in nature. Lands to the east are used for farming purposes for the cultivation of field crops. The Hamlet of Putnam is located north of the subject lands whereas Highway 401 is located immediately to the south.

3. PROPOSAL

The purpose of the proposed plan of condominium, as shown on the attached plan, is to facilitate the development of the subject lands for the following purposes:

- a total of three (3) lots (units) to support industrial development opportunities in the form of truck terminal uses;
- lots (units) ranging in size from 2.2 hectares (5.4 ac) to 6 hectares (14.8 ac);
- accessible by a private road being a shared common element feature;
- serviced by private individual wells and private individual sewage disposal systems, considering full municipal services are not available in the area; and
- all existing buildings and structures would be removed from the site.

Similar to plans of subdivision, the County of Middlesex is the delegated approval authority for plans of condominium. Before the County is in a position to make a decision, this application must first be considered by Thames Centre Council and subject to agency and community engagement.

This application was deemed complete by the County and although no supportive studies were required as part of the subject application, the requirement for studies is capable of being addressed through conditions of draft plan approval. This is not unusual considering the number of units and the straightforward nature of this proposal.

The County of Middlesex has retained an outside consultant to undertake a study for recommended road improvements to address potential hazards associated with the railway line in proximity to the intersection of Putnam Road (County Road 30) and Breen Road based on anticipated traffic as result of future industrial development. Recommended road improvements would be cost shared amongst the property owners in the area subject to future development plans including the applicant.

3.1 Agency Comments

In the circulation of the notice of public meeting to prescribed agencies, the following comments were received:

3.1.1 County Engineer:

The applicant will be required to contribute to intersection improvements at Breen Road and Putnam Road including traffic signals and railway crossing improvements. The Municipality and County are completing preliminary design and costs which will be appropriated at the time the estimated costs of the improvements are determined.

3.1.2 Ministry of Transportation:

The Ministry of Transportation (MTO) has completed a review of the application for Draft Plan of Condominium, 39T-TC-CDM230, dated November 7th, 2023. The plan was reviewed in accordance with the requirements of the *Public Transportation and Highway Improvement Act*, MTO's highway access control policies and all other related MTO policy.

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The following are MTO's Conditions of Draft Approval to be included in the draft agreement:

- a) That prior to final approval, the owner shall submit a stormwater management report along with grading/drainage plans for the proposed development for review and approval.
- b) That prior to final approval, the applicant shall submit to the Ministry of Transportation for review and approval, a copy of a Traffic Impact Study indicating the anticipated traffic volumes and their impact on the Provincial Highway network.
- c) That prior to final approval, Highway improvements identified from the Ministry of Transportation's review and analysis of the Traffic Impact Study will be the financial responsibility of the applicant and a Legal Agreement will be required to be entered into between the applicant and the Ministry of Transportation.
- d) That prior to final approval, any lands that are deemed to be required for the purposes of Highway improvements are to be dedicated to the MTO as public Highway and designated as controlled access highway on the Owners certificate of the Final Plan.

- e) That prior to final approval, arrangements shall be made to the satisfaction of the Ministry of Transportation for the erection of a security fence, offset 0.3m from the property line where it abuts Ministry of Transportation owned lands along Highway 401.
- f) That Prior to final approval, the owner shall submit to the Ministry of Transportation for review and approval a Draft Plan of Condominium.
- g) That prior to final approval, the owners shall provide the Ministry of Transportation for review and approval, the Conditions of Draft Plan Approval to ensure Ministry requirements have been incorporated.

Notes to Draft Plan Approval - Conditions of MTO permits

The owner should be made aware that under the *Public Transportation and Highway Improvement Act*, Ministry of Transportation permits are required prior to development of the subject property. The owner shall submit site plans, site-servicing plans, grading plans, and drainage plans for proposed development to MTO for review and approval.

- i. MTO Building and Land Use permits will be required prior to any grading.
- ii. MTO Building and Land Use permits for individual site plans (Site Plan Applications) will be required. For each of these Blocks, the owner shall submit a site plan, site-servicing plan, grading plan, and drainage plan for the proposed development to MTO for review and approval.
- iii. MTO will require that any construction deemed necessary to the continued viability of the development including buildings and structures, stormwater management facilities, loading docks, drive-isles, parking shall be setback a minimum of 14.0m from our highway property limit. MTO reserves the right to request an enhanced setback beyond the minimum.
- iv. The owner shall submit an illumination plan to MTO for review and approval.
- v. MTO Sign permits are required for any sign visible within 400m of Highway 401.

3.1.3 Upper Thames River Conservation Authority:

The UTRCA is generally satisfied with the proposed Draft Plan of Condominium and is of the opinion that the UTRCA's concerns can be addressed as part of the conditions of approval and through the Site Plan Approval process. We offer the following conditions of draft plan approval:

- a) The Applicant shall submit a Flood Modeling Assessment for the Adam Drain to the satisfaction of the UTRCA.
- b) The Applicant shall classify if the erosion hazard associated with the Adam Drain is part of a confined or unconfined system and delineate the extent of the erosion hazard based on the Technical Guide River & Stream Erosion Hazard Limit (MNR, 2002). For confined portions of the system a Slope Stability Assessment is required. For unconfined portions of the system a Meander Belt Analysis is required. The appropriate report shall be completed to the satisfaction of the UTRCA.
- c) The Applicant shall submit a Concept Plan which clearly delineates the extent of the flood and erosion hazards on the subject lands as determined through the site-specific assessments. The Concept Plan must demonstrate that the hazard lands are contained within one unit (block) and that there is a suitable building envelope outside of the hazard lands for future development and related infrastructure to the satisfaction of the UTRCA.
- d) Access to all units (blocks) shall be dry during a regulatory storm, and shall not result in any downstream and upstream impacts. If access to Unit (Block) 3 cannot be obtained south of the Adam Drain the Applicant shall submit detailed designs for an Adam Drain crossing. As part of the design the applicant shall review the entirety of the drain to assess alternative locations for the crossing/access to the satisfaction of the UTRCA.
- e) In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permits/approvals from the UTRCA prior to undertaking any site alteration or development within the UTRCA Regulated Areas including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

As part of the application for Site Plan Approval the following documents / drawings will be required:

- i. A Functional Servicing Report/Stormwater Management Report to the satisfaction of the UTRCA; and
- ii. A detailed Grading Plan, and Erosion and Sediment Control (ESC) drawings supported by notes, guidelines, standards, inspection, monitoring and reporting signed, sealed, and dated by P.Eng, to the satisfaction of the UTRCA.

The UTRCA encourages that the applicant pre-consult with the UTRCA and the municipality prior to the preparation and submission of technical report(s).

3.1.4 Enbridge:

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

3.1.5 Hydro One: No comment.

3.1.6 Public Works Director:

An entrance permit will be required to be submitted and approved by the Municipality. This development shall be required to comply with the recommendations of study being undertaken to facilitate road improvements related to the Breen Road / Putnam Road / CN Rail intersection.

3.1.7 Drainage Superintendent: Drainage reassessments will be required.

3.1.8 Chief Building Official: No comment.

3.2 Public Comments

In the circulation of the notice of public meeting to surrounding property owners, no responses have been received to date.

4. RECOMMENDATION

THAT Report No. PDS-072-23 dated November 27, 2023 related to Application for Draft Plan of Condominium (File No. 39T-TC-CDM2301) requested by Zelinka Priamo Ltd. c/o Aliyah Richards on behalf of Putnam Road Holdings Inc. (c/o Ken Rattan) for lands known municipally as 3174 Putnam Road be received;

AND THAT the Director of Planning and Development Services provide a subsequent report evaluating the said Application, taking into account all public and agency comments received, with a recommendation for Council's consideration at a future meeting.

Prepared by: Marc Bancroft, Director of Planning & Development Services

Reviewed by: David Barrick, Chief Administrative Officer