

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Community Planning



To: Mayor & Members of Council

From: Matt Alexander, Planning Consultant (WSP)

Date: March 7, 2024

Subject: Zoning By-law Amendment; File ZBA-16-2023; 347 Renaud Line Road (Vacant Lot) Giorgi Subdivision

Recommendation

Approve Zoning By-law Amendment Application ZBA-16-2023 to amend Zoning By-law 2-2012 as it relates to the lands legally described as Part of Lot 4, Concession East of Puce River, to reduce the Minimum Exterior Side Yard setback requirements in the R2 zone from 4.5m to 3.5m and to increase the Maximum Lot Coverage from 35% to 40% for all semi-detached lots in the subdivision (lots 10 to 14, 18 to 22 and 28 to 52 inclusive on Registered Plan of Subdivision 12M-698); and

Direct the Clerk to read By-law 33-2024 during the Consideration of By-laws, all as presented at the March 19, 2024 Council meeting.

Background

On September 13, 2022, Zoning By-law amendment 64-2022 was passed, changing the subject lands zoning category from Low-Density(R1) (h4) to Residential Medium Density (R2) (h4). On January 10, 2023, Council passed a by-law to authorize the Clerk and Mayor to enter into a subdivision agreement with the owner, Ridge Capital Group Inc. and Giorgi Development Inc. (County of Essex subdivision file no. 37T-22005). The holding symbol was removed by a Council Resolution on March 1, 2023. On March 27, 2023, plan of subdivision 12M-698 was registered, consisting of 37 single-detached lots, and 35 semi-detached lots for a total of 107 residential dwelling units.

The applicant has requested a zoning by-law amendment to reduce the minimum exterior side yard and maximum lot coverage to accommodate building designs that had not been considered when the plan of subdivision was prepared. The applicant is requesting the following site-specific changes to the zoning category:

1. Reduce the Minimum Exterior Side Yard setback requirements in the R2 zone from 4.5m to 3.5m.
2. Increase the Maximum Lot Coverage from 35% to 40% for all semi-detached lots in the subdivision. The affected lots are 10 to 14, 18 to 22, and 28 to 52.

Subject Land:	Part of Lot 4, Concession East of Puce River The affected lots are 10 to 14, 18 to 22 and 28 to 52. Existing Use — vacant land Access — access from Renaud Line Road Services — municipal water, municipal sewage, municipal stormwater
Neighbouring Land Uses:	A mix of residential land uses to the north, east and west, agricultural land uses and Railway Right of-Way to the south. Institutional uses (three schools) to the west.
Official Plan:	Residential within an Urban Area/Special Planning Area (Emeryville Special Planning Area)
Existing Zoning:	Residential-Medium Density (R2) – single detached dwellings and semi-detached dwellings
Proposed Zoning By-law Amendment:	Reduce the Minimum Exterior Side Yard setback requirements in the R2 zone from 4.5m to 3.5m. and to increase the Maximum Lot Coverage from 35% to 40% for all semi-detached lots in the subdivision

Comments

Comments received as of the preparation of this report include:

Fire Services

Pre-Consultation Comments:

- Indicated they have no comments.

Engineering Services

Pre-Consultation Comments:

- Reduced exterior side yards will result in an increase in lot coverage. The applicant will be required to demonstrate that the stormwater system will be able to accommodate the increased lot coverage.
 - The applicant provided a letter from R.C. Spencer Associates Consulting Engineers indicating that they are confident the stormwater modelling for the development can accommodate the increased lot coverage proposed by the Zoning By-law Amendment.

Building Services

Pre-Consultation Comments:

- There may be issues related to glazing, depending on the separation between homes and the location of windows. This may be addressed by the applicant at the building permit stage.

Circulation Comments

- Indicated they have no concerns with the application.

Planning Services

The principle of development of the subject lands has already been established through previous zoning by-law amendment and plan of subdivision applications. The current application seeks only to reduce the exterior side yard setbacks and increase lot coverage on a select number of lots within the approved plan of subdivision. The following comments are concerned only with the implications of the proposed changes.

Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (PPS) sets the policy foundation for regulating development and land use planning in Ontario. All planning decisions are required to be consistent with the PPS.

Section 1.6.6.7 of the PPS states that planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;
- b) minimize, or, where possible, prevent increases in contaminant loads;
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;
- d) mitigate risks to human health, safety, property and the environment;
- e) maximize the extent and function of vegetative and pervious surfaces; and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

The letter submitted by the applicant from R.C. Spencer Associates Consulting Engineers indicates that the stormwater management modelling for this development considered an imperviousness percentage of 60% for single family homes and 70% for semi-detached units as recommended in Table 3.7.5.1. of the Windsor/Essex Region Stormwater Management Standards Manual. Therefore, they conclude, the modelling for this development is conservative, and can accommodate the proposed change in lot coverage from 35% to 40% for semi-detached lots within Plan 12M-698.

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2020).

County of Essex Official Plan

The Essex County Official Plan establishes a comprehensive policy framework for managing growth, protecting resources and providing direction on land use decisions. All planning decisions within the Municipality of Lakeshore are required to conform with

the County Official Plan. The proposed zoning by-law amendment conforms with the County Official Plan.

Lakeshore Official Plan

The Lakeshore Official Plan (OP) establishes the growth management and land use structure for the Municipality to the year of 2031.

The Lakeshore Official Plan designates the subject lands as Residential within an Urban Area/Special Planning Area.

Section 6.6 Residential Designation:

The Residential designation encourages diverse housing types to accommodate the diverse needs and characteristics of the population. The proposal conforms with the policies of the Residential Designation.

Section 3.3.1 Urban Area:

Urban Areas are the focus of growth and provide for development patterns that efficiently use land, resources, infrastructure, and public service facilities. The proposal conforms with the policies of the Urban Area designation.

Section 3.4 Special Plan Areas:

A Special Planning Area indicates that specific policies are tailored to comprehensively address the arrangement of the land use pattern within this designated area (Section 3.4 Special Planning Areas). The subject lands are located within the Emeryville Special Planning Area as shown on Schedule "AC.3". Policy 3.4.1 of the Official Plan discusses the Emeryville Special Planning Area and establishes a framework for undertaking a Secondary Plan for the area. The proposal generally conforms with the Policies related to the Emeryville Secondary Plan and does not conflict with the policies.

Section 7.3 Sewage & Water Systems:

Sewage and water services for the property are owned and operated by the municipality, which is the preferred option for urban areas as per Section 7.3.

Overall, the proposed Zoning By-law Amendment conforms to the policies of the Municipality of Lakeshore Official Plan.

Zoning By-law

The subject property is zoned "Residential-Medium Density (R2)." The R2 Zone permits single detached dwellings and semi-detached dwellings as per Table 7.1.

The following zoning provisions apply to the R2 Zone:

	Required
Minimum Lot Area	500 m ² (single detached dwelling); or 270 m ² (semi-detached dwelling);
Minimum Lot Frontage	15.0 m (single detached dwelling); or 9.0 m, except on a corner lot where it shall be 12.0 m (semi-detached dwelling)
Maximum Lot Coverage	35% (single detached dwelling and semidetached dwelling);
Minimum Landscaped Open Space	30%
Minimum Setbacks (main buildings):	
Front Yard	6.0 m
Rear Yard	7.5 m
Interior Side Yard	1.5 m (where a private garage is attached or detached from the main building); or 3.0 m on one side and 1.5 m on the other side (where no private garage is attached or detached from the main building) 0.0 m where two dwellings share a common wall
Exterior Side Yard	4.5 m
Maximum Height of Buildings and Structures	10.5 m

The application proposes to reduce the minimum exterior yard requirements from 4.5 metres to 3.5 metres and increase the maximum lot coverage from 35% to 45%. However, all other provisions of the zoning by-law will remain in effect.

Conclusion

It is recommended that Council approve Zoning By-law Amendment Application ZBA-16-2023 on the basis that the proposal is consistent with the Provincial Policy Statement and conforms with the County of Essex Official Plan and the Lakeshore Official Plan.

Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and Regulations. As of the writing of this report, no written submissions have been received from members of the public.

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendation. Additional costs may arise in the case of an appeal to the Ontario Land Tribunal.

Attachments:

Appendix A – Key Map
Appendix B – Site Plan

Report Approval Details

Document Title:	Zoning By-law Amendment - 347 Renaud Line Road (ZBA-16-2023).docx
Attachments:	- Keymap Final PNG.PNG - Site Plan.png
Final Approval Date:	Mar 11, 2024

This report and all of its attachments were approved and signed as outlined below:

Prepared by Matt Alexander

Submitted by Urvi Prajapati

Approved by Tammie Ryall, Kate Rower and Truper McBride