

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Community Planning



To: Mayor & Members of Council
From: Jonathan Derworiz, MCIP, RPP, Planning Consultant
Date: March 12, 2024
Subject: River Ridge Phase 10 Subdivision Agreement, 1156756 Ontario Ltd
File No. S-A-01-2023

Recommendation

Direct the Clerk to read By-law 38-2024 during the “Consideration of By-laws” to authorize the Mayor and Clerk to execute a Subdivision Agreement with the Owner for the 1156756 Ontario Ltd. subdivision, River Ridge Phase 10, as presented at the March 19, 2024 Council meeting.

Background

The site is located on the south side of Oakwood Avenue, east of Renaud Line Road (See Appendix 1).

The residential plan of subdivision was draft approved on October 15, 2023, by the County of Essex for a total of 21 lots for single detached residential units. One of the conditions of draft approval is that the owner / developer enter into a subdivision agreement with the municipality to satisfy all the requirements, financial or otherwise, concerning the provision of roads and services, sidewalks, fencing, stormwater, lighting etc.

This draft subdivision agreement for Phase 10 covers 21 lots, being Lots 1 to 21 of the subdivision plan for single detached dwellings 0.3 m reserves, as shown on the legal 12M-Plan, prepared by Roy A. Simone, O.L.S., in April 2023.

This residential development will be serviced by municipal water, sanitary and storm services via Street ‘C’ of the Giorgi Subdivision south adjacent to the subject lands. The Giorgi Subdivision design contemplates the servicing of the subject lands.

A 0.3 m reserve has been provided between the subject lands and those to the south. Conditions of removal of the reserve are to be confirmed with the landowner.

Adjacent Land Uses

North – Oakwood Avenue – future residential is proposed on the north side of Oakwood.

South – River Ridge Subdivision

West – Vacant Land for future residential development proposed to the west.

East – Renaud Line Road and Residential, Single-family dwellings

Proposed Development Details

Property to be Developed	PT LT 4, Con East of Puce River, Formerly Maidstone
Overall Area	1.674 hectares
Current Use	Vacant Land
Proposed Use	Residential subdivision
Access	Main access to Renaud Line. Rosewood Subdivision streets, to the south and future access to Oakwood Ave to the west.
Services	Full Municipal Services
Area of Draft plan (ha)	Total subdivision area:1.674 ha Total residential area: 1.67 ha
Number of Proposed Lots	21 lots for Single Detached Dwellings
Parkland	Cash in lieu of Parkland
Density (Dwellings/ha)	12.5 units per hectare
Minimum lot frontages	15.0 m – Single Detached
Minimum Lot areas	500 m ² – Single Detached

Comments

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.

The subject lands are within an identified Settlement Area. Section 1.1.3 of the PPS contains policies that direct growth and development to these areas along with criteria that shall be applied. The proposed development will utilize planned infrastructure and not require an expansion to the boundary of a Settlement Area.

The proposed development will utilize municipal sewage, water and stormwater which, as per the PPS, is the preferred form of servicing to settlement areas to support protection of the environment and minimize potential risks to human health and safety. Furthermore, the PPS states that intensification and redevelopment shall be promoted to optimize the use of infrastructure (Section 1.6.6).

Generally, the proposed development is consistent with the PPS.

County of Essex Official Plan, April 2014

The County of Essex 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 subject lands are within a designated Primary Settlement Area as shown on Schedule A2 – Settlement Structure Plan. The proposed development supports the General Directive, Section 3.2.1, of the County's Official Plan as the subdivision is located within a Primary Settlement Area. Furthermore, the proposed development aligns with the goals of the Settlement Area designation including:

- Support and promote public and private re-investment in the Primary Settlement Areas;
- To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan; and,
- Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.

Generally, the proposed development conforms to the policies of the County Official Plan.

Municipality of Lakeshore Official Plan, November 2010

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

The subject lands are located within the Emeryville Special Planning Area and Urban Area as shown on Schedule "AC.3". The subject lands are designated as Residential as shown on Schedule "C.3" Land Use (Emeryville).

As per the Official Plan, the Urban Area will be the focus of growth and accommodate a full range and mix of uses including residential.

Section 6.6.1. of the Official Plan describes permitted uses within the Residential designation. 6.6.1.a) states that, "the predominant use of land will be for a variety of residential dwelling types, including single detached, semi-detached dwellings and duplex dwellings." The proposed development consists of single detached dwellings and conforms to this policy.

The proposed development will be serviced on full municipal servicing through Street 'C' of the south-adjacent subdivision. Full municipal servicing is the preferred method of servicing and the application generally conforms with Section 7.3.2.b) Servicing Allocation & Phasing as the proposed development is contiguous to an approved subdivision, a compact form of development is maintained and Natural Heritage Features and watercourses are avoided.

Generally, the proposed development conforms to the Municipality's Official Plan.

Zoning By-law

The subject lands are currently zoned Residential – Low Density (R1) and subject to a Holding Symbol (h4). As per the Zoning By-law, removal of the holding symbol may be applied for once the subdivision agreement is executed by the Municipality and the owner, and final approval of the development is provided by the County.

Plan of Subdivision

A plan of subdivision is a legal survey (12M Plan) that divides a parcel of land into smaller lots or blocks and secures the developer's obligations through a subdivision agreement (See Appendix 2). The developer / owner is required to sign a subdivision agreement with the Municipality prior to construction. Once final servicing plans are approved, lots in the subdivision can be sold (legally transferred to the purchaser) and building permits issued.

The subdivision agreement will outline the developer's obligations to the Municipality, including but not limited to:

- Provision of performance and maintenance securities to guarantee satisfaction of the developer's obligations under the subdivision agreement;
- Provision of a mud deposit to keep Lakeshore's roads and other lands free from dirt and debris during construction;
- Provision of a payment for boulevard trees to enhance the streetscape;
- Payment of any outstanding taxes and other accounts (i.e. legal and engineering fees);
- Provision of public liability and property insurance during the period of construction;
- Installation of all stormwater management measures, including land conveyance for the pond and access road;
- Allocation of sanitary sewage treatment capacity for the plan
- Conveyance of .3 m reserves
- Compliance with the Lakeshore Development Manual for the construction of roads, sewers, watermains, stormwater, parks, sidewalks, lighting, fencing and other services in the subdivision;
- Requirement to post on all road frontages, a subdivision map to show the lotting pattern, land uses, roadways, sidewalks etc.; and
- Requirement to submit a Construction Management Plan.

Conclusion

Administration has reviewed the proposed residential development and implementing subdivision agreement and supports the residential proposal, subject to the recommendation set forth in this report.

Detailed plans and specifications for the residential development will be required to be submitted to the Municipality and to be reviewed by Administration and or other agencies prior to the Municipality giving clearance to the County of Essex for final registration of the 12M-Plan.

All conditions of draft approval must be met, including the execution of the agreement with the Municipality before any lots can be sold or permits issued for construction.

Based on the foregoing, administration supports the recommendation in this report and recommends that Council move forward with the executed subdivision agreement. Once subdivision agreement is executed and approval of the development is provided by the County, an application to remove the holding symbol by way of a Zoning By-law Amendment may be applied for.

Others Consulted

No notice to the public is required to enter into a subdivision agreement.

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendation.

Attachments

Appendix 1: Key Map

Appendix 2: Draft Plan of Subdivision

Report Approval Details

Document Title:	River Ridge Phase 10 Subdivision Agreement, 1156756 Ontario Ltd.docx
Attachments:	- Appendix 1- Conceptual Development Plan.pdf - Appendix 2 River Ridge Ph 10 Approved Draft Plan.pdf
Final Approval Date:	Mar 13, 2024

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

Prepared by Jonathan Derworiz

Submitted by Urvi Prajapati and Tammie Ryall

Approved by Kate Rowe and Truper McBride