

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor & Members of Council  
**From:** Ryan Donally, Acting Division Leader – Community Planning  
**Date:** April 4, 2024  
**Subject:** Patillo Industrial Subdivision Agreement, 2869614 Ontario Inc.

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### Recommendation

Direct the Clerk to read By-law 45-2024 during the “Consideration of By-laws” to authorize the Mayor and Clerk to execute a Subdivision Agreement with the Owner, 2869614 Ontario Inc., for the Patillo Road Industrial Subdivision, (Lakeshore File SA-03-2023) as presented at the April 9, 2024 Council meeting.

### Strategic Objectives

4b) Becoming an Economic Leader in Essex County - Develop a Business Attraction and Retention Plan

To attract and retain industrial development, shovel-ready land must be available. This subdivision adds to the inventory of employment lands in the Patillo Road employment area.

### Background

At the November 21, 2023 Council Meeting, Council supported the draft plan approval via a letter to the County of Essex for the Patillo Industrial Subdivision developed by 2869614 Ontario Inc.

The industrial plan of subdivision was draft approved on April 4, 2024 by the County of Essex for a total of thirteen (13) industrial lots (lots 1-13), and one (1) Block, Block 14, as a stormwater management facility and one (1) right-of-way to be dedicated as a public highway, on lands legally described as:

Firstly: Part of Lot 7, Concession East of Pike Creek, Lakeshore, designated as Parts 14 and 15 on Plan 12R20325, being all of the Property Identifier Number 75007-0264(LT);

Secondly: Part of Lot 7 Concession East of Pike Creek, Lakeshore, designated as Parts 16 and 17 on Plan 12R20325, being all of the Property Identifier Number 75007-0265(LT);

Thirdly: Part of Lot 7 Concession East of Pike Creek, Lakeshore, designated as Parts 10, 11, 12, 13, 18, 19 and 20 on Plan 12R20325, save and except Part 2 on Plan 12R29351, being all of the Property Identifier Number 75007-0406(LT); and

Fourthly: Part of Lot 8 Concession East of Pike Creek, Lakeshore, designated as Parts 3 to 7 on Plan 12R20325, save and except Part 1 on Plan 12R27580 being all of the Property Identifier Number 75007-0408(LT).

The site is located to the west of Patillo Road, north of the railway tracks, and south of Little Baseline in the Patillo Road employment area.

The Owner received Draft Plan Approval (County File number 37-T-23011) for a plan of subdivision prepared and certified by Roy Simone, O.L.S. dated August 2, 2023.

The conditions of the Draft Plan Approval require that the Owner enter into a final Subdivision Agreement to be registered on title for the provision of services for the Plan of Subdivision and to satisfy all other Lakeshore requirements, financial and otherwise, related to the Plan of Subdivision. Lakeshore has certain design criteria that the Owner's construction and installation of all required Works must meet or exceed. Lakeshore's design criteria are contained in its Development Manual, current as of the date first mentioned above, (hereinafter referred to as the "Development Manual").

The industrial subdivision development will be serviced by municipal water, sanitary and storm services via the future subdivision road entitled "High Tech Drive" which will connect to Patillo Road and Little Baseline Road.

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

### **Adjacent Land Uses**

North – Existing manufacturing facility, Little Baseline.

South – Existing manufacturing facility, Canadian Pacific rail line, agricultural properties

West – Existing storage/industrial use, vacant agricultural land designated as Urban Reserve.

East – Patillo Road, industrial uses.

## Proposed Development Details

Property to be Developed	Part of Lots 7 and 8, Concession East of Pike Creek, Geographic Township of Maidstone, Municipality of Lakeshore
Overall Area	21.367 hectares
Current Use	Vacant Land
Proposed Use	Industrial subdivision
Access	Access to the east from Patillo Road, access to the north from Little Baseline Road
Services	Full Municipal Services
Area of Draft plan (ha)	Total subdivision area: 21.367 ha Total industrial area: 17.52 hectares Total stormwater facilities: 1.85 hectares Total Right-of-Way facilities: 1.99 hectares
Number of Proposed Lots	13 lots for industrial uses; 1 block for stormwater management facilities; 1 block for right-of-way
Parkland	Cash in lieu of Parkland
Density (Employees/ha)	Not Defined
Minimum lot frontages	68.0 metres
Minimum Lot areas	1.338 hectares

## 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 subdivision also conforms with section 1.3.2, Employment Areas and related sub-points of the PPS.

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;
- To increase the opportunity for job creation within each local municipality by attracting and maintaining industries and businesses closer to where County residents live; and.
- To encourage employment opportunities on lands within the “Settlement Areas” that are in close proximity to rail corridors.

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 Patillo/Advance Special Planning Area as shown on Schedule “C6”. The subject lands are designated as Employment.

As per the Official Plan, Section 3.2.2, the Employment Area promotes a diverse economic base by maintaining a range and choice of suitable employment sites that support a range of employment and ancillary uses. The Employment Areas are the focus of major concentrations of industrial-related employment growth and development within the Town.

The proposed development will be serviced on full municipal servicing through the future High Tech Drive. 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 existing industrial developments. Of note, the Patillo Industrial Subdivision has previously negotiated sanitary treatment and conveyance allocation agreement. The provisions of the Subdivision Agreement will consider this allocation capacity.

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

### **Zoning By-law**

The subject lands are currently zoned Employment.

### **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. 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 and conveyance capacity will be considered in the subdivision agreement with the proponent;
- 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.;
- A 0.3 Metre Reserve applied to Lot 1 which has frontage on Little Baseline Road; and
- Requirement to submit a Construction Management Plan.

## Conclusion

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.

## Others Consulted

County of Essex

## Attachments

Appendix A – Key Plan

Appendix B – Patillo Industrial Draft Plan

## Report Approval Details

Document Title:	Patillo Industrial Subdivision Agreement .docx
Attachments:	- Appendix A - Key Plan.pdf - Appendix B - Patillo Industrial draft plan of subdivision.pdf
Final Approval Date:	Apr 4, 2024

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

Prepared by Ryan Donally

Submitted by Tammie Ryall

Approved by Justin Rousseau and Truper McBride