

TOWN OF LAKESHORE
COMMUNITY AND DEVELOPMENT SERVICES
DEVELOPMENT SERVICES DIVISION

TO: Mayor and Members of Council

FROM: Kim Darroch, Manager of Development Services

DATE: November 19, 2019

SUBJECT: Serenity Bay Subdivision Agreement (County File: 37-T-15001 and Town File: S-A-2-2015), 1903286 Ontario Inc. and Jack Mocer and Sons Contracting Ltd., c/o Dillon Consulting Limited, 299 Old Tecumseh Road / 0 Jordan Lane, Community of Maidstone, Town of Lakeshore

RECOMMENDATION:

It is recommended that:

The Mayor and Clerk be authorized, by By-law 131-2019, to execute a Subdivision Agreement with the Owner for Serenity Bay Subdivision, subject to the inclusion of the following provision:

The agreement covers thirteen (13) lots for single detached residential dwellings, four (4) blocks (18, 19, 20 and 24) for twelve (12) townhouse residential dwellings, fifteen (15) blocks (14, 15, 16, 17, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31 and 32) for thirty (30) semi-detached residential dwellings, one (1) block (block 33) for a storm water management facility and two (2) blocks (blocks 34 and 35) for daylight triangles as shown on the legal 12M-Plan, prepared and certified by Roy A. Simone, O.L.S., dated August 31, 2018.

BACKGROUND:

The site is located on the south side of County Road 2 (Old Tecumseh Road), east of Flanders Road, west of Jordon Lane (Appendix 1). The lands are currently vacant (3 land parcels under two separate ownerships) and used for agricultural purposes. The site is approximately 4.92 hectares in area, with approximately 147 metres of frontage along County Road 2 (Old Tecumseh Road).

The residential plan of subdivision was draft approved on March 22, 2019. 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.

Engineering has no objection to the development proceeding with regard to water and sewage capacity / treatment.

COMMENTS:

County Official Plan

The application conforms to the County Official Plan and is designated as a Settlement Area, which permits residential developments of this nature.

Lakeshore Official Plan

The subject property is designated 'Residential' in the Lakeshore Official Plan. Therefore the proposal conforms to the basic land use policies of the local Official Plan.

Zoning By-law

Council approved Zoning By-law Amendment Application ZBA-15-2015 (By-law No. 6-2019, Town of Lakeshore By-law 2-2012, as amended), to rezone the parcels, from "R1, Residential – Low Density" to "R1(h4), Residential – Low Density, holding" zone for single detached units and a site-specific "R2-25(h4), Residential – Low Density, holding" zone which amended certain regulations to permit semi-detached and townhome units.

Plan of Subdivision

The residential development consists of 55 dwellings (13 single detached dwellings, 12 townhouses and 30 semi-detached dwellings). The dwellings are accessed internally from the proposed local road network and externally from County Road 2 (Old Tecumseh Road). A stormwater management facility is being provided to facilitate stormwater management for the subdivision. The Owner is providing a compatible quality of design for the single detached dwellings, semi-detached dwellings and townhouse dwellings, with a focus on protecting the streetscape and integrating the new development with existing housing patterns. The subdivision will conform to the latest version of the updated Development Manual and detailed design matters will be reviewed during the further processing of the application to ensure compliance with Town development standards and other policies.

Conclusion

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 Town prior to construction (See Appendix 2 and 3).

The subdivision agreement clearly states the developer's obligations to the Municipality, including:

- 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;
- Land conveyances to the County of Essex;
- Parkland payments;
- Allocation of sanitary sewage treatment capacity;
- Conveyance of any .3 m reserves;
- Compliance with the Town's current *Development Manual* for the construction of roads, sewers, watermains, stormwater, parks, sidewalks, lighting, fencing and other services in the subdivision;
- Provision of a landowner's cost sharing agreement (must be entered into between the two owners to construct the local road and share the costs);
- Town requires that the section of open drain immediately upstream and downstream of the site be enclosed for maintenance and performance reasons;
- 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.

Detailed plans and specifications for the residential development will be required to be submitted to the Town and to be reviewed by Administration and or other agencies before any lots can be sold or permits issued for construction. Once final servicing and construction plans are approved, and final approval to register the plan is given by the County of Essex, lots in the subdivision can be sold (legally transferred to the purchaser)

and building permits issued.

Based on the foregoing, the Town's Planner supports the recommendation in this report and recommends that Council move forward with the executed subdivision agreement.


OTHERS CONSULTED:

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.

FINANCIAL IMPACTS:


There are no financial impacts resulting from the recommendation.

Prepared by:



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Reviewed by:



Tammie Ryall, MCIP, RPP
Director of Community
and Development Services

Submitted by:



Truper McBride, MPlan, MCIP, RPP
Chief Administrative Officer

Appendix(s)

- '1' – Key Map and Draft Approved Plan
- '2' – Draft 12M- Plan
- '3' – Draft Conditions