

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor & Members of Council

**From:** Urvi Prajapati, Team Leader – Planning Services (BEDP, MES)

**Date:** April 29, 2024

**Subject:** Zoning By-law Amendment Application - ZBA-06-2024 – 350 Rourke Line Rd.

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### Recommendation

Approve Zoning By-law Amendment Application ZBA-06-2024 to Zoning By-law 2-2012, as amended, for the lands known municipally as 350 Rourke Line Rd. and legally described as (i) Part of Lot 3, Concession 1, West of Belle River, designated as Part 2 on Plan 12R6232, being all of the Property Identifier Number 75032-0177(LT) and (ii) Part of Lot 3, Concession 1, West of Belle River, designated as Part 4 on Plan 12R6232, being all of the Property Identifier Number 75032-0019(LT), to rezone from Minor Institutional (I2) to Residential Medium Density Zone Exception 27 (R2-27) h(6) to allow for stacked townhouses and recognize a 45% lot coverage to allow for covered patios and porches for the units; and

Direct the Clerk to read By-law 60-2024 during the Consideration of By-laws, all as presented at the May 28, 2024 Council meeting.

### Background

The subject property, 350 Rourke Line Road, is a 2.35 acre vacant institutional zoned parcel with residential properties to the north, east, and west. Canadian Pacific (CP) Railway is located immediately south of the property. Beyond the rail line, is vacant farmland and Hydro One infrastructure.

The applicant has proposed to rezone the subject land from Minor Institutional (I2) to Residential Medium Density Zone Exception 27 (R2-27) h(6) to permit the construction of a 20-unit residential stacked condominium dwelling complex spread over five buildings, ranging between two and three storeys in height. The Holding Provision is placed on the property until:

adequate sewage disposal and the provision of other services has been accommodated in accordance with Section 7.0 of the Town of Lakeshore Official Plan, development applications are approved, various agreements are in place, plans of subdivision or condominium are approved, where necessary.

Further, the applicant has also applied to allow for a variance to 45% lot coverage to enable the construction of covered patios/porches.

Subject Land:	Size – 9,510.11 m <sup>2</sup> (2.35 acres) Existing Use – Vacant; existing zone is Minor Institutional (I2) Proposed Use – Site specific Residential zone to permit a 20 unit stacked townhouse complex. Access — Westwood Drive Services — municipal water, municipal sewage disposal, municipal storm drainage
Surrounding Uses:	North: Residential Lands South: Canadian Pacific Railway East: Residential lands West: Residential lands
Official Plan:	Residential
Existing Zoning:	Minor Institutional (I2)

## Comments

### ***Provincial Policy Statement (PPS)***

The proposal conforms to the following sections of the PPS:

- Section 1.1.1 Healthy, liveable and safe communities – this section talks about creating affordable housing that promotes sustainable growth and is in line with current land uses; the proposal conforms to the entire section.
- Section 1.2.6.1 Major facilities and sensitive land uses shall be planned to avoid, minimize, and mitigate any potential adverse effects from odour, noise and other contaminants. The adverse effects from the railway will be mitigated through the Site Plan process.
- Section 1.4.3, Housing – planning authorities shall provide a range of housing options and densities; the entire section is applicable to the proposal.

### ***County of Essex Official Plan***

The subject land falls within the Primary Settlement Area in the County of Essex's Official Plan. The proposal conforms to the following policies of the Settlement Areas.

#### ***3.2 Settlement Areas***

##### ***3.2.2 Goals***

- c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds.

- i) Promote residential intensification within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.
- j) Promote affordable housing within Primary Settlement Areas, and to a lesser extent, within full serviced Secondary Settlement Areas.

### ***Municipality of Lakeshore Official Plan***

The subject property is designated Residential in the Lakeshore Official Plan and the application is to recognize the 45% lot to permit covered patios and porches for the condominium units.

#### ***6.6 Residential Designation***

##### ***6.6.1 Permitted Uses***

Subject to the other policies of this Plan, the following policies will apply in determining uses permitted on land designated Residential Designation.

Medium density residential uses will be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings.

Stacked or block townhouse dwellings are permitted in the Residential designation.

### ***Lakeshore Zoning By-law 2-2012***

The subject property is currently zoned as Minor Institutional (I2) and residential dwelling units are not permitted. The rezoning will allow for the proposed stacked townhomes. Stacked townhomes are permitted in the Residential – Medium Density (R2) and Mixed Use (MU) zones in the Lakeshore Zoning By-law 2-2012. Therefore, if approved for rezoning to the site-specific R2 zone, the stacked townhomes and the 45% lot coverage will be recognized.

#### **6.41.1 Parking Requirements**

The proposal conforms to the parking requirements of the R2 zone, of 2.0 spaces per unit.

### **Correspondence from external and internal agencies**

The application was circulated to external and internal agencies and comments are summarized below:

#### **Engineering**

A sanitary capacity assessment was completed by the proponent. The assessment confirms that there is servicing conveyance capacity available to accommodate this proposal.

Operations has no concerns related to the rezoning of the land and they would support the 45% lot coverage provided that adequate Storm water management measures have been taken for the increased lot coverage. Please refer to Appendix C for more information.

### **Building & Fire**

Building and Fire comments to follow.

### **Canada Post**

Canada Post has no concerns. A community mailbox will be required. Please see Appendix D.

### **Conclusion**

Administration recommends that Council approve ZBA-06-2024 (By-law 60-2024) as recommended.

### **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, one comment was received from a neighbouring property owner at 928 Lakewood Crescent expressing concerns over privacy. Please see Appendix E for the full comments.

### **Financial Impacts**

There are no financial impacts from this proposal.

### **Attachments**

Appendix A – Key Map  
Appendix B – Site Plan  
Appendix C – Engineering Comments  
Appendix D – Canada Post Comments  
Appendix E – Comment from 928 Lakewood Cres.

## Report Approval Details

Document Title:	Zoning By-law Amendment Application - ZBA-06-2024 – 350 Rourke Line Rd.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - Key Map.pdf</li><li>- Appendix B - Site Plan.pdf</li><li>- Appendix C - Engineering Comments.pdf</li><li>- Appendix D - Canada Post Comments.pdf</li><li>- Appendix E - Comment from 928 Lakewood Cres.pdf</li></ul>
Final Approval Date:	May 17, 2024

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

Prepared by Urvi Prajapati

Submitted by Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team