

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor & Members of Council
From: Jonathan Derworiz, Planning Consultant (WSP)
Date: May 2, 2024
Subject: Zoning By-law Amendment Application (ZBA-14-2020) – River Ridge Phase 8 Coco Developments

Recommendation

Approve Zoning By-law Amendment Application ZBA-14-2020 to amend Zoning By-law 2-2012 as it relates to the lands legally described as Part of Lots 3 & 4, Concession East Puce River, Registered Plan 12R-21144, Parts 2, 3, 17 & 43, to rezone from “Residential - Low Density Holding Symbol 4 (R1(h4))” to a modified “Residential – Medium Density (R2-28 (h-31))” to permit the development of 108 townhouse dwellings; and

Direct the Clerk to read By-law 59-2024 during the Consideration of By-laws, all as presented at the May 28, 2024 Council meeting.

Background

An application was received by the Municipality to rezone the lands identified as East Puce River, RP 12R-21144, Part Lots 3 & 4, Parts 2, 3, 17, & 43 from “Residential - Low Density Holding Symbol 4 (R1(h4))” to a modified “Residential – Medium Density (R2)” Zone to permit the development of 108 townhouse dwellings with increased block coverage and decreased minimum exterior side yard setback . The proposed development is related to a draft plan of subdivision. The subject lands are currently undeveloped and have been used for agricultural purposes.

Subject Land:	Part of Lots 3 & 4, Concession East Puce River, Registered Plan 12R-21144, Parts 2, 3, 17 & 43 Existing Use — vacant land Access — access from St. Anne’s Drive Services — municipal water, municipal sewage, municipal stormwater
Neighbouring Land Uses:	A mix of residential land uses to the north, east and west. Institutional uses (school) to the south.

Official Plan:	Residential within an Urban Area/Special Planning Area (Emeryville Special Planning Area)
Existing Zoning:	Residential - Low Density Holding Symbol 4 (R1(h4))
Proposed Zoning By-law Amendment:	Permit the development of 108 Townhouse Dwellings.

Comments

The principle of development of the subject lands has already been established through the previous River Ridge plan of subdivision applications. The current application seeks to only amend the types of dwelling proposed. 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. The proposed Zoning By-law Amendment would facilitate an increase in lot area coverage that would permit an increase in dwelling units in a townhouse dwelling form. This would add to the range and mix of residential types within the Municipality. This increase would not result in negative implications to stormwater management and can be serviced using existing or planned municipal infrastructure. As, such the proposed Zoning By-law Amendment is generally consistent with the PPS.

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 subject land is located within a Primary Settlement Area as identified in 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 "C.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 - Low Density Holding Symbol 4 (R1(h4))." Notwithstanding the holding provision, this zone permits single detached dwellings, group home dwellings, home occupations, and bed and breakfast establishments. The proposed site specific R2 Zone permits the same, and in addition permits semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, and converted dwellings.

The following table compares the zone provisions of the R2 Zone with the proposed site specific R2 Zone:

	R2 Zone	Modified R2 Zone
Minimum Lot Area	223 sq.m.	Same
Minimum Lot Frontage	8.0 m for interior units, 9.5 m for exterior units and 12.5 m for exterior units on a corner lot	Same
Maximum Lot Coverage (including accessory buildings)	40%	55% *

Minimum Landscaped Open Space	30%	Same
Minimum Setbacks (main buildings):		
Front Yard	6.0 m	Same
Rear Yard	7.5 m	Same
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	Same
Exterior Side Yard	4.5 m	3.5 m
Maximum Height of Buildings and Structures	10.5 m	same

Staff note that the applicant is requesting a proposed increase in block coverage rather than lot coverage. This increase in block coverage would result in increasing the allowable lot coverage to 53%. The applicant has demonstrated that this lot coverage will not result in negative implications for stormwater management and staff are supportive of this amendment. This creates a condition where the overall density remains the same.

The site specific zone will include a holding provision. The holding provision will be removed when a subdivision agreement between the owner and the Municipality to be executed and registered on title.

Comments received as of the preparation of this report include:

Fire Services

- No comments at this time.

Engineering Services

- No comments at this time.

Building Services

- Indicated they have no concerns with the application.

Essex Region Conservation Authority (ERCA) Comments

ERCA has no objection to the Zoning by-law Amendment. The owner is required to obtain a permit prior to construction or any alteration on the site. For more information please see Appendix C.

Conclusion

It is recommended that Council approve Zoning By-law Amendment Application ZBA-59-2024 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 as referenced in the Recommendation section.

Others Consulted

Notice was given to agencies and the general public as required under the provisions of the *Planning Act* and Regulations. The comments received from various individuals within the circulation area have been attached as Appendix D. The major concern is for the safety of the children in the area with the ongoing vehicular traffic that will be increased. It is important to note that these comments will be addressed during the Agreement stage.

Financial Impacts

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

Attachments:

Appendix A – Key Plan
Appendix B – Site Plan
Appendix C – ERCA Comments
Appendix D – Comments from the public

Report Approval Details

Document Title:	River Ridge Phase 8 - ZBA-14-2020.docx
Attachments:	- Appendix A - Key Map.jpg - Appendix B - Site Plan.pdf - Appendix C - ERCA Comments.pdf - Appendix D - Comments from the public.pdf
Final Approval Date:	May 17, 2024

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

Prepared by Jonathan Derworiz

Submitted by Urvi Prajapati, Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team