

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor & Members of Council

From: Urvi Prajapati, Team Leader – Community Planning

Date: May 30, 2024

Subject: S-A-02-2023 Draft Plan of Subdivision Application for River Ridge Phase 8 by 1156756 Ontario Ltd.

Recommendation

Direct Administration to advise the County of Essex that the Municipality of Lakeshore supports the draft plan of subdivision approval for River Ridge Phase 8 by 1156756 Ontario Ltd. as described in the report presented at the June 25, 2024 Council Meeting.

Strategic Objectives

This does not relate to a Strategic Objective however it is a core service of the Municipality.

Background

In February of 1998, 1156756 Ontario Ltd. c/o Jenny Coco filed an application for approval of a Draft Plan of Subdivision to the Ministry of Municipal Affairs and Housing for the subdivision known as “River Ridge”. The Ministry subsequently directed the Municipality to hold a public meeting, to receive public input and forward the information to the Ministry to assist in its decision-making process regarding such application. On August 20, 1999, 1156756 Ontario Ltd. c/o Jenny Coco received draft plan approval from the Ministry of Municipal Affairs and Housing in order to facilitate the development of the lands in River Ridge located north of the Canadian Pacific Railway tracks, south of Chelsea Park, between East Puce River Road (County Road # 25) and Renaud Line Road (see Appendix A). Throughout the last 25 years, various agreements have been entered into and phases have been completed. A detailed list of all the phases thus far can be seen in Appendix B.

The Applicant, 1156756 Ontario Ltd. c/o Jenny Coco has now applied to develop the next phase known as River Ridge Phase 8, legally described as Part 3, 9, 17 & 45, Registered Plan 12R-21144. The proposal is to permit the development of 108 townhouse dwellings with increased block coverage of 55% and a decreased minimum exterior side yard setback. The subject lands are currently undeveloped and have been

used for agricultural purposes and will be serviced fully on municipal services. A rezoning application pertaining to this request was taken to Council on May 28, 2024. (Planning File No. ZBA-14-2020)(By-law 59-2024).

The subject property, River Ridge Phase 8 is located north of Oakwood Avenue and south of Regency Crescent. The County of Essex (Approval Authority) has received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T-24004. The subject property is designated as “Residential” within Lakeshore’s Official Plan, and zoned as “Residential – Low Density Holding Symbol 4 (R1h(4))” in the Municipality’s Zoning By-law 2-2012. The Applicant has applied for approval of a Draft Plan of Subdivision to permit 108 townhomes and, as mentioned above, the rezoning application has been taken to Council and has been approved. The new lots will have access from Regency Crescent to the North and St. Anne’s Drive to the South (Appendix C – Draft Plan of Subdivision).

As part of the Applicant’s complete application for the Draft Plan of Subdivision to both the County of Essex and to the Municipality of Lakeshore, the following studies and reports in support of the proposal were submitted:

- Application form
- Draft Plan of Subdivision – November 2023;
- Planning Justification Report, Dillon Consulting, September 2023;
- River Ridge Phase 8 & 9 Functional Servicing Report, Dillon Consulting, August 2023;
- Stormwater Assessment Report; Dillon Consulting – September 2023;
- Stormwater Assessment Report Response to ERCA Comments; Dillon Consulting – February 2024
- Concept Plan; Dillon Consulting – December 2023; and
- Comment Response Matrix; Dillon Consulting – October 2023.

As a result of the changes to the *Planning Act* imposed under Bill 23, public meetings are no longer a legislative requirement to obtain approval of a Draft Plan of Subdivision. However, the Municipality is still required to give notice of application to the public, as directed by the County of Essex (see Appendix D). If the public has any questions or concerns regarding the Draft Plan of Subdivision, they are encouraged to contact the Manager of Planning at the County of Essex. A combined notice of the public meeting for the zoning change and the Draft Plan of Subdivision was mailed to land owners within 120 metres of the River Ridge Phase 8, as required under the *Planning Act*. A public meeting was held during the May 28, 2024 Council meeting. At that time, several members of the public spoke against the type and density of the proposed townhouse units, along with concerns about increased traffic and lack of pedestrian connectivity. No further public meeting or notice is required under the *Planning Act* or its regulations.

Comments

Provincial Policy Statement (PPS)

The subject lands, River Ridge Phase 8 is located within an identified Settlement Area as defined under the Provincial Policy Statement (PPS). The proposal supports and implements many of the policies contained in the PPS, the proposed subdivision supports the following important policies which are specifically highlighted:

- Section 1.1.3.1, Settlement Areas, of the PPS states “Settlement areas shall be the focus of growth and development”
- Section 1.1.3.2(a), Settlement Areas, of the PPS states “Land use patterns...efficiently use land and resources”
- Section 1.1.3.2(b), Settlement Areas, of the PPS states “Land use patterns...are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion”
- Section 1.4.3, Housing – this section speaks to planning authorities providing for a range of housing options and densities, and this entire section is applicable.

The subdivision application proposes 108 townhouse units, and such units will contribute to the range of housing options and densities which will be available in the Municipality.

As a result of the above, the proposed subdivision development is consistent with the applicable policies of the PPS.

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

The subject property has recently been rezoned from Residential- Low Density Holding Symbol 4 (R1(h4)) to Residential – Medium Density Zone Exception 28 Holding Symbol H Symbol 31 (R2-28(h31)). The site-specific rezoning permits the development of 108 townhouse dwellings and applies a modified R2 Zone with a minimum rear yard setback of 3.5 m and maximum lot coverage of 55% for townhouse dwellings. A Holding Symbol

is also applied to the subject property that will be removed at the time of executing a subdivision agreement.

Comments from internal departments

Building - has no comments at this stage.

Fire - has no comments at this stage.

Draft Plan Considerations to be forwarded to the County of Essex

Local Roads

The proposed development will include a local road network with a right-of-way width of 20.0 meters. This proposed network contains 2 streets continuing from the other phases named Charlotte Crescent and Vincent Crescent and 2 unnamed streets currently classified as Streets A and B. The Municipality will be recommending that these roads be dedicated, as public highways, to the Municipality.

In accordance with Zoning By-law 2-2012, as amended, site triangles are required on all corner lots and must conform to the guidelines set out in section 6.53. Visibility triangles are not the responsibility of the Municipality and are to be maintained by the owners/occupants of the lots in which they reside.

Traffic and Signalization

No Traffic Impact Assessment was required as IBI Group Inc. constructed an impact assessment for the creation of the Emeryville Secondary Plan with anticipation of future development within the subjected area known as River Ridge phase 8. No issues arose as a result of such assessment and, as such, no future traffic assessment or considerations are needed.

Pedestrian Facilities

As per the Municipality's Development Manual, sidewalks will be required on one side of the right-of-way on all local roads (excluding cul-de-sacs) internal to the proposed subdivision. Pedestrian connectivity has been made available through a walkway around the stormwater pond all the way to St. Anne's Drive. This will provide easier access to nearby educational institutes.

Parkland

Section 51 of the *Planning Act* provides that the Municipality may acquire up to 5% of the lands being developed through the plan of subdivision approval process for park purposes. Alternatively, the Municipality may choose to instead collect the cash value of 5% of the property in lieu of parkland dedication. In the case of development or

redevelopment where land has not been conveyed or has not been required pursuant to sections 51.1 or 53 of the *Planning Act*, the Municipality shall require the conveyance of land as a condition of development or redevelopment prior to building permit issuance in accordance with section 42 of the *Planning Act*.

The developer has opted, and Administration agrees, to pursue Cash-in-Lieu of parkland on a per unit rate, as per the Municipality's prevailing parkland dedication and cash-in lieu by-laws. It should be noted that By-law 90-2022 is currently being reviewed and Administration intends to present an amended by-law this year.

Site Servicing

According to the proposed development location within a primary settlement area, services such as water supply and sewage disposal shall be provided by the Municipality. Administrative comments confirm both that municipal water supply and sanitary sewer services are available to service the subject lands. Sanitary servicing for the site will be through the existing municipal sanitary sewer system. The 2003 Oakwood Trunk Sanitary Sewer reserves sanitary treatment capacity to these lands until 2023. Water servicing for the site will be through the existing municipal watermain system. Detailed review will be undertaken through the submission of more detailed engineering drawings, following approval of the Draft Plan of Subdivision. Electrical distribution, telecommunications and natural gas are available for the site from the existing right-of-ways.

Stormwater Management

To satisfy the requirements of the storm water management plan for River Ridge Phase 8 development and implementation of both quantitative and qualitative protection measure will have to be constructed. Protection measures include on-site source controls, conveyance system controls, end of pipe controls, and construction period runoff quality protection. This storm water management plan will allow an orderly development of the current phase of River Ridge Phase 8 Development without significant implications on the existing stormwater management system.

Affordable Housing

As per section 4.3.1.3 of the Municipality's Official Plan (2010), the Municipality will encourage the provision of affordable housing and the Municipality will work with the County of Essex to identify targets for housing that is affordable for low- and moderate-income households.

Under the 2021 Official Plan (currently pending County Approval), the Municipality will seek to achieve 20% of all new residential development on an annual basis, to meet the Municipality's definition of affordable housing, which may include ownership housing or rental housing.

Affordable: in the case of housing, means:

- a) in the case of ownership housing, the least expensive of:
 - i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

- b) in the case of rental housing, the least expensive of:
 - i) a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area. (Source: PPS, 2020)

At this time, there is no information on how the proposed subdivision will meet the affordability criteria. We assume that the lots will not be affordable.

Noise and Vibration

As a condition of draft approval, a Noise and Vibration Impact Assessment may be required.

We request the County of Essex to put a lapsing period of 3 years in the conditions of Draft Approval that would lapse in 3 years if the conditions are not met.

Conclusion

Administration supports the recommendation in this report that Council direct Administration to forward a resolution of support to the County of Essex.

Others Consulted

The County of Essex will be providing the Municipality with written comments from the external agencies such as Canadian Pacific Railway (CPR), Canada Post, utility companies, Essex Region Conservation Authority (ERCA), etc.

The Municipality will provide comments from various municipal divisions to the County of Essex prior to draft conditions being prepared by the County of Essex. As the approval authority, the County of Essex may grant draft approval to the plan and include conditions of approval which must be fulfilled by the developer within three years.

Financial Impacts

Upon completion of the subdivision there will be development charges and building permit fees collected, as well as additional taxation, water, and wastewater revenue.

Attachments:

- Appendix A: Key Map
- Appendix B: Summary of all River Ridge Phases
- Appendix C: Draft Plan of Subdivision
- Appendix D: County of Essex letter of direction

Report Approval Details

Document Title:	River Ridge Phase 8 - Draft Plan of Subdivision .docx
Attachments:	- Appendix A - Key Map - River Ridge Subdivision.pdf - Appendix B Summary of All River Ridge Phases.docx - Appendix C - Draft Plan of Subdivision.pdf - Appendix D - County of Essex Lettter of Direction.pdf
Final Approval Date:	Jun 18, 2024

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

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Submitted by Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team