

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

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

Date: September 20, 2024

Subject: S-A-02-2023 Execution of Subdivision Agreement for River Ridge Phase 8 by 1156756 Ontario Ltd.

Recommendation

Direct the Clerk to read By-law 85-2024 during the “Consideration of By-laws” to authorize the Mayor and Clerk to execute a Subdivision Agreement with the Owner of River Ridge Phase 8, as presented at the October 1, 2024 Council meeting.

Strategic Objectives

This report does not relate to a strategic objective; however, it is related to the growth of the Municipality.

Background

In February of 1998, 1156756 Ontario Ltd. filed an application for approval of a Draft Plan of Subdivision to the Ministry of Municipal Affairs and Housing. As directed by the Ministry, the municipality held its regulatory public meeting to receive public input and forward the information to the Ministry to assist in its decision-making process regarding the subdivision application. On August 20, 1999 the River Ridge Subdivision received draft plan approval by the Ministry of Municipal Affairs and Housing in order to facilitate the development of the lands 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 has now come forward to execute the Subdivision Agreement for the lands referred to as “River Ridge Phase 8”; (legally described as Part 3, 9, 17 & 45, Registered Plan 12R-21144) (the Subject Lands”). 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 during a meeting on May 28, 2024. (Planning File No. ZBA-14-2020) (By-law 59-2024); it has been passed and in effect.

The Subject Lands are located north of Oakwood Avenue and south of Regency Crescent. The County of Essex (Approval Authority) had received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T-24004. A report to Council was presented on June 25, 2024 providing concurrence with the County's decision.

The Conditions of the Draft Plan Approval dated September 17, 2024 by the County of Essex (Appendix E) require that the Owner enter into a final Subdivision Agreement to be registered on title for the provision of services for the subdivision and to satisfy all other Lakeshore requirements, financial and otherwise, related to the Plan of Subdivision.

The subject site is designated as "Residential" within Lakeshore's Official Plan, and zoned as "Residential – Medium Density Zone Exception 28 Holding Symbol 31 (R2-28(h31))" in the Municipality's Zoning By-law 2-2012. 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). The Owner received Draft Plan Approval (County File number 37-T-24004) for a plan of subdivision prepared and certified by Roy Simone, O.L.S. dated December 12, 2023.

As part of the Applicant's complete application for the proposed 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:

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

The following is background information concerning the application:

Subject Lands to eventually be Developed	Overall Area: 7.08 hectares (17.48 acres) Existing Use: Vacant Proposed Use: Residential Subdivision – 22 blocks for 108 townhouse dwellings; 1 block for a storm water management facility Access: Regency Cres./St. Anne’s Drive Services: Full Municipal Services
Official Plan	Residential
Zoning By-law	R2-28(h31)

Adjacent Land Uses

North Residential
 South Institutional/Residential
 West Residential
 East Future Residential

Comments

Provincial Planning Statement (PPS)

The proposed subdivision development is consistent with the applicable policies of the PPS. The Subject Lands are located within an identified Settlement Area. Although it can be stated that the proposal supports and implements many of the document’s policies, the following important policies specifically apply to the proposal:

- Section 2.2, Housing – this section speaks to planning authorities providing for a range and mix of housing options and densities, and this entire section is applicable.
- Section 2.3.1 General Policies for Settlement Areas is applicable to this proposal as this section talks about the growth of Settlement Areas and the role of Municipalities in encouraging efficient use of land and resources. Specifically, the following sections apply the most to the proposal.
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- Section 2.3.1(1), General Policies for Settlement Areas, of the PPS states “Settlement areas shall be the focus of growth and development”
- Section 2.3.1(2a & b), General Policies for Settlement Areas, of the PPS states “Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) Optimize existing and planned infrastructure and public service facilities...”
- Section 2.3.1(3) “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by

planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”

- Section 2.4 Strategic Growth Areas – this section also speaks on intensification to encourage complete communities by providing a mix range of housing.

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 Lands 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 Lands have 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 Lands that can be applied to be removed at the time of executing a subdivision agreement.

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 (See Appendix C). 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 capacity for the plan
- 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.; and
- Requirement to submit a Construction Management Plan.

Others Consulted

The public has been previously notified of the zoning by-law amendment and the draft plan. No public notice is required for the consideration of a Subdivision Agreement.

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.

Administration supports the recommendation in this report and recommends that Council move forward with the executed subdivision agreement for River Ridge Phase 8.

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. A high-level estimate of the development charges revenue for 108 townhomes is \$3.8 million.

Attachments:

- Appendix A: Key Map
- Appendix B: Summary of All River Ridge Phases
- Appendix C: Draft Plan of Subdivision
- Appendix D: Draft Plan Approval Letter by County
- Appendix E: Notice of Decision and Conditions of draft approval from County of Essex

Report Approval Details

Document Title:	S-A-02-2023 Execution of Subdivision Agreement for River Ridge Phase 8 by 1156756 Ontario Ltd.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 - Draft Plan Approval Letter by County.pdf - Appendix E - Notice of Decision from County of Essex.pdf
Final Approval Date:	Sep 23, 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