



B/16 to 27/2023
Rochester Place Resorts Inc.
c/o Jackie Lassaline

NOTICE - The last day for appealing this decision is January 8th, 2024.

PROVISIONAL DECISION OF APPROVAL AUTHORITY WITH REASONS
RE: APPLICATIONS FOR CONSENTS
Planning Act, R.S.O. 1990, ss. 53(17)

MUNICIPALITY OF LAKESHORE COMMITTEE OF ADJUSTMENT

RE: APPLICATIONS BY: Rochester Place Resorts Inc.
c/o Jackie Lassaline

LOCATION OF PROPERTY: 923 County Road 2 and 981 County Road 2 (one property)
(see attached aerial map, Schedule B)

PURPOSE OF APPLICATIONS: Twelve (12) residential lot creations with lot frontage that range from approximately 35 metres to 47.6 metres, and lot area that ranges from approximately 2,003 m² to 2,370 m². Below is a table summarizing each lot to be created, its parts on the draft survey (Schedule C), and its consent application file number:

Lot #	File Number	Draft Survey	Approx. Area
1	B-16-2023	Part 1	0.2123 ha
2	B-17-2023	Part 2	0.2123 ha
3	B-18-2023	Part 3	0.2124 ha
4	B-19-2023	Part 4	0.2004 ha
5	B-20-2023	Part 5	0.2040 ha
6	B-21-2023	Part 6 & 28	0.237 ha
7	B-22-2023	Part 7 & 8	0.2247 ha
8	B-23-2023	Part 9 & 10	0.2241 ha
9	B-24-2023	Part 11 & 12	0.2249 ha
10	B-25-2023	Part 13 & 14	0.2369 ha
11	B-26-2023	Part 15, 16 & 17	0.237 ha
12	B-27-2023	Part 18 & 19	0.2369 ha

I/WE, the undersigned, in making the decisions upon the applications for consents, in addition to other matters, have had regard to the matters that are to be had regard to under subsection 51(24) of the Planning Act, R.S.O. 1990 and having considered whether a plan of subdivision of the land in accordance with section 50 of said Act is necessary for the proper and orderly development of the municipality.

CONCUR in the following decision and reasons for decision made on the 6th day of December 2023.

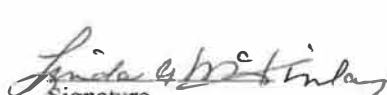
DECISION: GRANTED

CONDITIONS: Each consent has been granted subject to the following conditions:
SEE ATTACHED SCHEDULE A

YOU WILL BE ENTITLED TO RECEIVE NOTICE of any changes to the conditions of provisional consent if you have made written request to be notified of such changes.

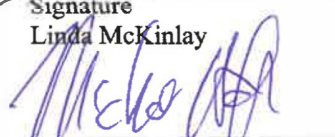
REASONS FOR DECISION:


The Application is in keeping with the Official Plan policies and Zoning By-law 2-2012 for the Municipality of Lakeshore.


Signature
Linda McKinlay


Signature
Mark Hacon


Signature
Jeremy Prince


Signature
Michael Hoffman


Signature
Nancy Flagler-Wilburn

CERTIFICATION
Planning Act, R.S.O. 1990

I, Ian William Search, Secretary-Treasurer of the Municipality of Lakeshore Committee of Adjustment, certify that the above is a true copy of the Decision of the Committee with respect to the application recorded therein.

Dated this 6th day of December 2023.



Ian William Search-Treasurer
Committee of Adjustment, Municipality of Lakeshore
419 Notre Dame Street, Belle River Ontario N0R 1A0
Telephone (519) 728-1975 ext. 246, isearch@lakeshore.ca



**SCHEDULE "A" TO
CONSENT APPLICATIONS B/16 to 27/2023**

MUNICIPALITY OF LAKESHORE

CONDITIONS – Each consent approval has been made subject to the following conditions:

- 1) That the applicant obtain a Reference Plan from an Ontario Land Surveyor for the severed lots to the satisfaction of the Municipality, and a proper survey that details the location of the existing access to the retained land east of the severed lots;
- 2) That a per lot Park Fee be imposed in the amount subject to the Parkland By-law at the time of payment, and that such fee shall be paid prior to the stamping of the Deed. As per the Parkland By-law, where there is a claim for previous conveyance or parkland payment, suitable evidence will need to be provided of such previous conveyance or CIL payment, to Lakeshore's satisfaction.
- 3) An archaeological assessment be completed by a licensed consultant archaeologist, to identify, evaluate, and protect archaeological resources on the project area where the severed lots are proposed. The consultant is required to hold a valid professional archaeological license issued by the Ministry of Tourism, Culture and Sport, and the report is to be entered into the register. The assessment will identify any additional recommendations that need to be implemented by the applicant to the satisfaction of Community Planning Division prior to the stamping of the Deed;
- 4) That the applicant complete a Drainage Report to the satisfaction of the Drainage Superintendent to establish a legal drainage outlet, that the plan for managing stormwater be submitted to the County of Essex, and that the applicant complete all drainage works for the outlet as required by the Drainage Superintendent and to the satisfaction of the Operations Division prior to the stamping of the Deed;
- 5) A detailed servicing and grading plan in accordance with Lakeshore's Development Manual is required to be submitted to the Municipality of Lakeshore for review and approval prior to the stamping of the Deed. The drawings must include:
 - The lot dimensions and resulting building envelope on each lot with all setbacks (including the required setbacks by the County of Essex from County Road 2);
 - All required services including storm drainage connection and water service connection. The storm drainage connections to the drainage enclosure are to include the installation of a clean out located at the lot line;
 - An overall grading plan for the severed lots including a detailed topographic survey of the subject and surrounding lands. The grades are to match the existing surrounding lands and/or the grading plan is to include any required retaining wall or other grading works, as required; and
 - Final driveway locations (as approved by the County of Essex)
- 6) Once the overall grading plan is reviewed and approved by the Municipality of Lakeshore, Private Drain Connection (PDC) sheets are required to be submitted for each severed lot and are to include all the above noted information (condition 5) to the satisfaction of the Municipality of Lakeshore.
- 7) That the applicant apply for and obtain a Zoning By-law Amendment to permit single detached dwellings on the severed lots to the satisfaction of Community Planning Division; and
 - a. To make sure the developer meets their legal obligations under the Ontario Heritage Act, the archaeological assessment must be completed, to the

satisfaction of Community Planning Division, prior to submission of the Zoning By-law Amendment application; and

- b. That the applicant complete all drainage works required by the Operations Division, and to the satisfaction of the Operations Division, prior to submission of the Zoning By-law Amendment application. Alternatively, the applicant may apply to rezone the severed lots into a holding symbol to the satisfaction of Community Planning, and will be required to obtain holding symbol removal prior to the stamping of the deed and following the completion of all drainage works required by the Operations Division and to the satisfaction of the Operations Division. To be clear, condition 7 a. must be completed prior to a rezoning to place a holding symbol on the severed lots.
- 8) That the applicant enter into an agreement to the satisfaction of the Municipality of Lakeshore, to be registered on title at the expense of the applicant, requiring: any necessary easements and/or agreements required by Enbridge for the provision of gas services, implementation of noise control measures and specified warning clauses from a noise and vibration assessment completed to the satisfaction of the Municipality of Lakeshore, adjoining accesses for the severed lots, development to be in accordance with the PDC sheets from condition 6 to the satisfaction of the Building Division at the Municipality of Lakeshore;
- 9) That all municipal taxes be paid in full prior to the stamping of the Deed;
- 10) That the Deed and a copy for our records be forwarded to the Secretary for stamping;
- 11) That certificate of consent cancellations be granted by the Committee of Adjustment and registered with respect to the eight vacant lots to the satisfaction of Community Planning Division;
- 12) That all conditions be met in accordance with Section 53(41) of the Planning Act, R.S.O. 1990 by December 7, 2025. Failure to fulfil the conditions by this date, shall deem the consent refused, as per the Planning Act.



SCHEDULE "B" TO
CONSENT APPLICATIONS B/16 to 27/2023
MUNICIPALITY OF LAKESHORE



Subject Property - 923 & 981 County Road 2



**SCHEDULE "C" TO
CONSENT APPLICATIONS
B/16 to 27/2023**

