

# Municipality of Lakeshore

## Regular Council Meeting Agenda



Tuesday, October 1, 2024, 5:30 PM  
Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Singing of O Canada
3. Land Acknowledgement
4. Moment of Reflection
5. Disclosures of Pecuniary Interest
6. Appointment of Councillor - Ward 2
  1. By-law 90-2024, Being a By-law to Fill a Vacancy for the Office of Councillor – Ward 2 6

**Recommendation:**  
By-law 90-2024 be read and passed in open session on October 1, 2024.
  2. Declaration of Office - Michael Hoffman
  3. Appointment to Dog Pound Committee

**Recommendation:**  
Appoint Michael Hoffman as Council representative on the Dog Pound Committee for the remainder of the 2022-2026 term.
7. Public Meetings under the Planning Act

**1. Zoning By-law Amendment; File ZBA-12-2024 (0 Rourke Line Road, Vacant Lot) and ZBA-14-2024 (1477 County Road 22)**

**Recommendation:**

Approve Zoning By-law Amendment Application ZBA-12-2024 (0 Rourke Line Road) to amend Zoning By-law 2-2012 as it relates to the lands legally described as Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R29307; Town of Lakeshore, being all of the Property Identifier Number 75021-1688(LT), to rezone the lands from the Mixed Use Exception 37 (MU-37(h30)) Zone to Mixed Use Holding Provision 30 (MU(h30));

Approve Zoning By-law Amendment Application ZBA-14-2024 (1477 County Road 22) to amend Zoning By-law 2-2012 as it relates to the lands legally described as:

(i) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore being all of the Property Identifier Numbers 75031-1690(LT) and 75031-1689(LT); and (ii) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore; being all of the Property Identifier Number 75031-0292(LT); and

Direct the Clerk to read By-law 92-2024 (0 Rourke Line Road) and By-law 93-2024 (1477 County Rd 22) during the Consideration of By-laws, all as presented at the October 1, 2024, Council meeting.

**8. Delegations**

## 1. Greenhouse Business Park Plan Study Update

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### Recommendation:

1. As there are limitations to selecting a single ideal site for a Greenhouse Business Park, direct Administration to not proceed to prepare an Official Plan amendment to identify a Greenhouse Business Park location;
  2. That Lakeshore request the County of Essex to make a modification to Section 6.2.1 (h) of OPA No. 18 (Greenhouse Official Plan Amendment) to state that: monitoring and review of the Official Plan policies will be undertaken to identify trends in greenhouse issues in the Region, to analyze the impact of future water main expansions, as well as trends in the price of land and demand for Large Scale Commercial greenhouses in Lakeshore. Reporting back to Council on the monitoring of the policies and issues will be in the form of annual briefings or status reports;
  3. That Administration revisit the Greenhouse Business Park concept and the Greenhouse Priority Area concept in five years to determine if further study or update of the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report is required;
  4. That should a Greenhouse operator come forward in the meantime to locate a Large Scale Greenhouse operation in Lakeshore, Administration use the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report to identify the high scoring parcels and the areas of constraint to inform land use planning decision making; and
  5. Direct Administration that no further public consultation on the Greenhouse Business Park concept take place at this time; all as presented at the October 1, 2024 Council meeting.
1. Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited

## 9. Consent Agenda

### Recommendation:

Receive the items as listed on the Consent Agenda.

1. **Changes to Land Use Planning in Ontario under the Recently Approved Provincial Planning Statement, 2024 (PPS, 2024)**

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2.	Planning Division File Status Update	55
3.	Zoning By-Law Consolidation	61
4.	Site Plan Agreements Executed 2023 - 2024	66
10.	Reports for Direction	
1.	S-A-01-2020 Draft Plan of Subdivision Application for Rourke Line and County Rd. 22 by MGV Development	70
	<b>Recommendation:</b> Direct Administration to advise the County of Essex that the Municipality of Lakeshore supports the draft plan of subdivision approval for Rourke Line Rd and County Rd. 22 by MGV Development Inc. as described in the report presented at the October 1, 2024 Council Meeting.	
2.	S-A-02-2023 Execution of Subdivision Agreement for River Ridge Phase 8 by 1156756 Ontario Ltd.	149
	<b>Recommendation:</b> 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.	
11.	Consideration of By-laws	
	<b>Recommendation:</b> By-laws 85-2024, 92-2024 and 93-20024 be read and passed in open session on October 1, 2024.	
1.	By-law 85-2024, Being a By-law to authorize the execution of a Subdivision Agreement with 1156756 Ontario Ltd. (River Ridge Phase 8)	169
2.	By-law 92-2024, Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-12-2024)	172
3.	By-law 93-2024, Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-14-2024)	175
12.	Committee of the Whole	

1. **Establishing a Municipal Heritage Committee and Heritage Act Changes (deferred from August 13, 2024 Council meeting)**

**Recommendation:**

Direct Administration to implement Option 2, for Council to continue to review Heritage matters; and issue a Request for Proposal to undertake a review of the Heritage List of properties, as required under Bill 23 and Bill 200, the cost of which is to be added to the Community Planning budget in 2025; and

Direct Administration to include \$5,000 for consideration in the 2025 budget for public education or promotional materials, events or public engagement activities to promote the benefits of designating Heritage properties, all as presented at the August 13, 2024 Council meeting.

13. **Addendum**

14. **Closed Session**

**Recommendation:**

Move into closed session in Council Chambers at \_\_\_\_ PM in accordance with:

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation affecting the municipality, advice that is subject to solicitor-client privilege and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality regarding Ontario Land Tribunal Appeal of Zoning By-law Amendment ZBA-14-2023.

15. **Adjournment**

**Recommendation:**

Adjourn the meeting at \_\_\_\_ PM.

# Municipality of Lakeshore

## By-law 90-2024

### Being a By-law to Fill a Vacancy for the Office of Councillor – Ward 2

**Whereas** following the passing of Councillor Paddy Byrne, Council declared the office of Councillor – Ward 2 vacant on September 10, 2024, as required by the *Municipal Act, 2001*, S.O. 2001, c. 25;

**And whereas** Council approved resolution #289-09-2024 directing that the vacancy be filled through Option #1 – appointment of the person with the next highest votes, as detailed in the report presented by the Division Leader – Legislative Services (Clerk) at the September 10, 2024 Council meeting;

**And whereas** the Clerk has confirmed that Michael Hoffman is the person with the next highest votes from the 2022 Municipal Election and is willing and qualified to hold the office of Councillor – Ward 2 pursuant to the *Municipal Act, 2001* and the *Municipal Elections Act, 1997*;

### Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. Michael Hoffman is hereby appointed to fill the vacant office for the position of Councillor – Ward 2 for the Municipality of Lakeshore for the remainder of the 2022-2026 Council term.
2. The appointment in Section 1 shall take effect immediately following the appointee taking the Declaration of Office.
3. This By-law comes into force and effect upon passage.

Read and passed in open session on October 1, 2024.

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**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council

**From:** Jonathan Derworiz, Planning Consultant (WSP)

**Date:** September 10, 2024

**Subject:** Zoning By-law Amendment; File ZBA-12-2024 (0 Rourke Line Road, Vacant Lot) and ZBA-14-2024 (1477 County Road 22)

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### Recommendation

Approve Zoning By-law Amendment Application ZBA-12-2024 (0 Rourke Line Road) to amend Zoning By-law 2-2012 as it relates to the lands legally described as Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R29307; Town of Lakeshore, being all of the Property Identifier Number 75021-1688(LT), to rezone the lands from the Mixed Use Exception 37 (MU-37(h30)) Zone to Mixed Use Holding Provision 30 (MU(h30));

Approve Zoning By-law Amendment Application ZBA-14-2024 (1477 County Road 22) to amend Zoning By-law 2-2012 as it relates to the lands legally described as:  
(i) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore being all of the Property Identifier Numbers 75031-1690(LT) and 75031-1689(LT); and (ii) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore; being all of the Property Identifier Number 75031-0292(LT); and

Direct the Clerk to read By-law 92-2024 (0 Rourke Line Road) and By-law 93-2024 (1477 County Rd 22) during the Consideration of By-laws, all as presented at the October 1, 2024, Council meeting.

### Strategic Objectives

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

### Background

An application from MGV Development Inc. (ZBA-14-2024) has been received to amend the Lakeshore Zoning By-law 2-2012 to facilitate development of the subject site as a mixed-use development comprised of residential uses and commercial plaza. Currently,

the subject lands are zoned Residential Type 1 (R1) Zone, By-law 4170-ZB-94, and Mixed Use Exception 37 (MU-37) Zone with Holding Provision 30 (H30). The applicant is proposing to rezone two portions of the subject site:

- The west and north portions of the property are to be rezoned to Mixed Use Exception (MU-39) Zone with Holding Provision (H30) to permit development of 41 townhouse/semi-detached dwellings and six-storey residential building containing approximately 90 dwelling units.
- The southeast corner of the site is to be rezoned to Mixed Use (MU) Zone with Holding Provision 30 (H30). This is to revert the zoning of the parcel back to Mixed Use (MU) Zone. The MU-37(H30) Zone was applied inaccurately as part of By-law 70-2022. It is to be noted that the former water tower property (approximately 14,746 ft<sup>2</sup>) has been declared surplus by the Municipality and a purchase of sale agreement has been signed. These lands will be transferred to the developer shortly.

Another application (ZBA-12-2024) has also been received by the Greater Essex County School Board for 0 Rourke Line Road to amend the split zoning of the property that was created as part of the severance application(s) that took place in 2020.

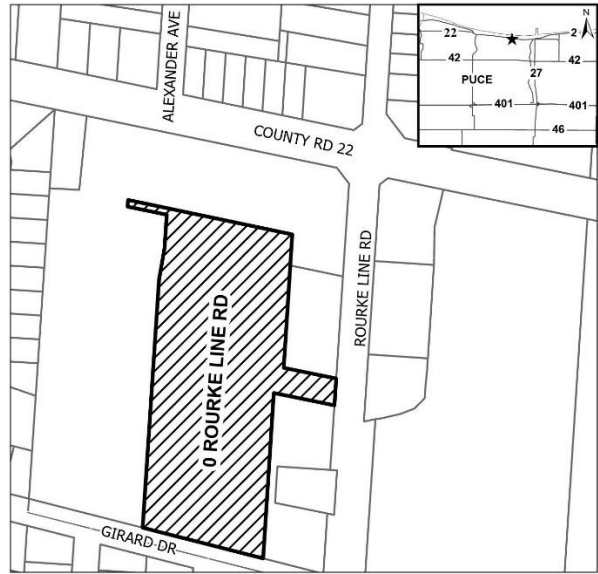
- This parcel is also known as the future school site and it is currently zoned as Residential Type 1 (R1) Zone, By-law 4170-ZB-94, and Mixed Use Exception 37 (MU-37) Zone with Holding Provision 30 (H30). The proposal is to rezone it to Mixed Use Holding Provision H30 (MU(h30)).

A summary of the Zoning By-law amendments ZBA-14-2024 and ZBA-12-2024 can be found in the table below:

<b>Reference:</b>	<b>ZBA-14-2024 – West and North Portions of the Subject Site</b> (see map below)	<b>ZBA-14-2024 – Southeast Corner of the Subject Site</b> (see map below)	<b>ZBA-12-2024 – 0 Rourke Line Rd.</b> (see map below)
<b>Subject Land:</b>	Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore	Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore and Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore	Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R29307; Town of Lakeshore
<b>Existing Use:</b>	Residential and Vacant/Agricultural	Vacant land, undeveloped	Vacant land, undeveloped
<b>Proposed Use:</b>	Mixed Use – Apartment & Subdivision	Commercial use	Institutional (Elementary School)

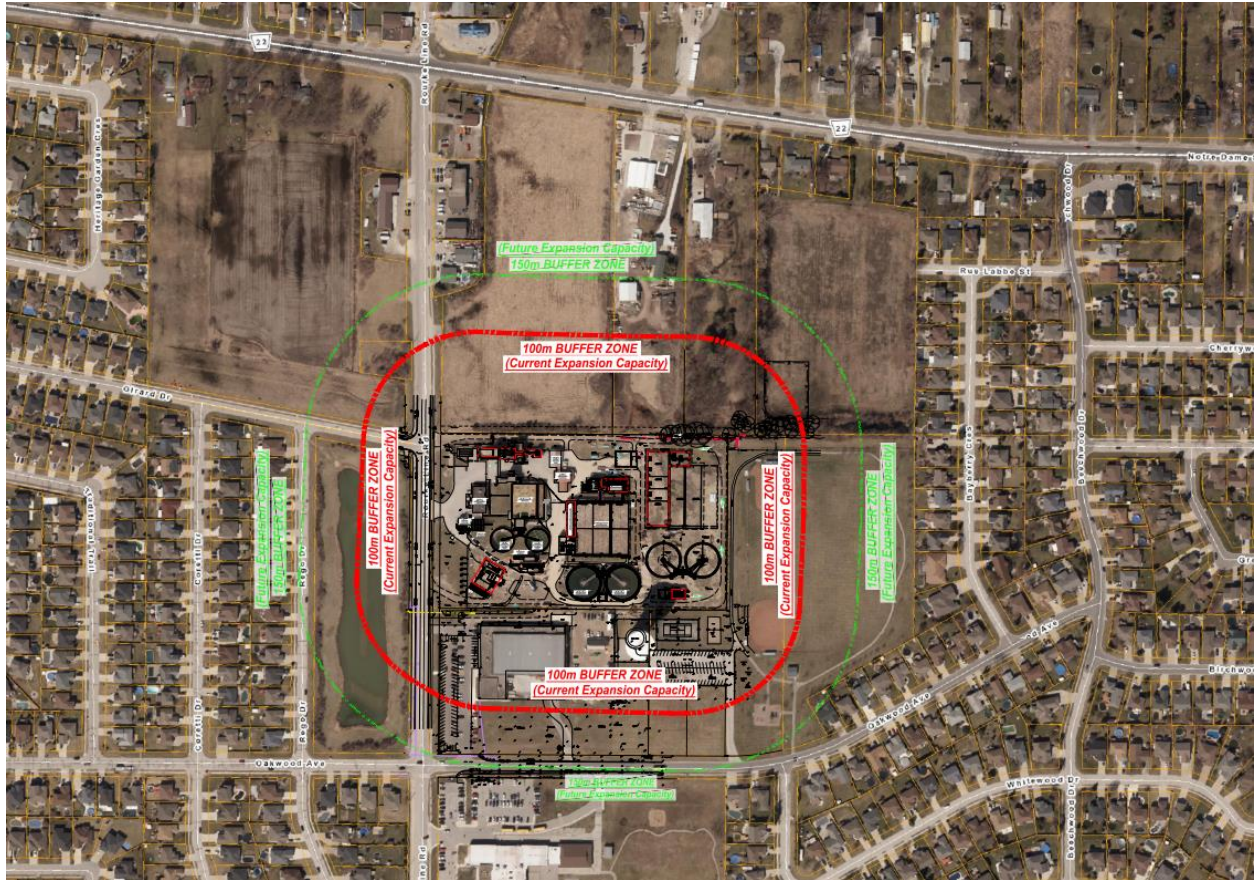


<b>Neighbouring Land Uses:</b>	North – Residential, commercial East – Commercial South – Residential West - Residential		
<b>Official Plan:</b>	Primary Settlement Area; Mixed Use		
<b>Existing Zoning:</b>	Residential Type One (R1) and Mixed Use Zone Exception 37 (MU-37)(H30)	Mixed Use Zone Exception 37 (MU-37)(H30)	Residential Type One (R1) and Mixed Use Zone Exception 37 (MU-37)(H30)
<b>Proposed Zoning By-law Amendment:</b>	Mixed Use Exception 39 Holding Provision 30 (MU-39(h30))	Mixed Use Exception 39 Holding Provision 30 (MU-39(h30))	Mixed Use Holding Provision 30 (MU(h30))
<b>Servicing</b>	Municipal: sewage, water, and stormwater		



In addition to the two proposed Zoning-by-law amendments detailed in this report, the development is also undergoing a plan of subdivision application review. It is also undergoing a Site Plan application for the future school development.

It is also to be noted that the southeast portion of the MGV lands (ZBA-14-2024), falls within the buffer zone for future sanitary plant expansion of the Denis St. Pierre Water Pollution Control Plant (refer to map below) and hence no residential uses will be permitted in this area. The applicant has taken this into account and changed the proposed use from initial residential use to commercial use.



## Comments

The following materials were submitted in support of this application:

1. Planning Justification Report (March 2024) was prepared by Dillon Consulting Limited. This report provides a review of the proposed Zoning by-law amendments and their alignment with relevant planning policies and considerations.
2. Stormwater Management Report (February 2024) was completed by Dillon Consulting Limited. The purpose of this report is to present the Storm Water Management (STM) strategy for the proposed development. The Stormwater Management Report addresses questions and comments submitted by the Essex Region Conservation Authority.
3. Functional Servicing Study (December 2023) was completed by Dillon Consulting Limited. This document outlines the servicing strategy including supporting studies and related information for the transportation, noise and odour, sanitary, stormwater management, and watermain servicing for the site.
4. Transportation Noise Memorandum (December 2023) was completed by Dillon Consulting Limited. The purpose of the memorandum was to address predicted transportation noise impacts and recommended noise control measures.

5. Transportation Impact Study (December 2023) was completed by Dillon Consulting Limited. The study documents the existing traffic operations within the vicinity of the site, as well as assesses the future traffic conditions both with and without the proposed development. The objective of this study is to determine the transportation impact of the development and whether any transportation infrastructure modifications are required to accommodate traffic generated by the development.
6. Stage 1&2 Archaeological Assessment (October 2019) was prepared for the subject site by Amick Consultants Limited to assess the archaeological potential of the subject site.
7. Phase 1 Environmental Site Assessment (March 2019) was prepared for the subject site by CT Soil & Materials Engineering Inc., to assess the potential contamination of the subject site.
8. Species at Risk Assessment (December 2019) was completed for the subject site by Anthony Goodban. It was determined that there are no species at risk on the subject site.
9. Engagement Summary (September 2022) was prepared by Dillon Consulting Limited. The Engagement Summary was prepared following the Public Information Centre (PIC) held on June 28, 2022. The feedback received from residents at the PIC contributed to changes in the proposed development.
10. Shadow Study (January 2022, Updated March 2024) was prepared by Dillon Consulting Limited to analyze and evaluate shadow impacts from the proposed development onto neighbouring properties and the public realm.
11. Safe Access Memo (April 2023) was prepared by Dillon Consulting Limited to verify that safe access can be provided to the proposed development during the regulatory flood event.
12. Reduced Setback from County Road 22 Memorandum (May 2023) was prepared by Dillon Consulting Limited. The analysis suggested that the proposed reduction in setback was appropriate.

## **Planning Services**

### **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.

According to Section 1.1.1 of the PPS, healthy, livable and safe communities are sustained by promoting efficient development and land use patterns, accommodating a range and mix of housing, including affordable housing, which sustain the financial well-being over the long term, and promote cost effective development patterns to minimize land consumption and servicing costs. The proposed development is consistent with these policies by proposing infill and intensification of land on underutilized lands, by seeking compatibility with the surrounding neighbourhood, and by creating opportunities for increased municipal taxes.

Section 1.1.3 of the PPS states that settlement areas should be the focus of growth and development and that their regeneration shall be promoted. The subject site is located within a settlement area and is in alignment with the objective of infill and intensification on vacant and underutilized lands.

Section 1.2.6 relates to land use compatibility and states that major facilities and sensitive land uses should be planned to ensure they are buffered and/or separated from each other. The surrounding area consists of a diverse mix of uses, including single detached dwellings to the west, north and south, and commercial uses to the north and east. The Denis St. Pierre Water Pollution Control Plant is located southeast of the proposed development site. To ensure that potential impacts related to noise, and odour are mitigated, the proposed townhouse dwellings and mixed use development are located at the furthest extent possible of the subject site.

Section 1.4.1 and 1.4.3 relate to providing for an appropriate range and mix of housing types and densities to meet projected needs of current and future residents within the regional market. The proposed development is consistent with these policies by proposing a total of 131 residential units, including 41 townhouse/semi-detached dwellings and one 6-storey multiple dwelling with approximately 90 dwelling units.

Section 1.5 relates to active transportation, and the promotion of healthy, active communities, Section 1.6.7 relates to transportation systems, while Section 1.8.1 relates to the ways in which land use and development patterns shall support active transportation and energy conservation. The proposed development includes frontages onto County Road 22, Rourke Line Road, and Girard Drive, with a proposal to create an extension of Coretti Drive north to provide access to the site from Girard Drive and create two new driveways to the multiple dwelling development with access via Rourke Line Road and County Road 22. The development will include a barrier-free pedestrian sidewalk network that will connect residents throughout the development to the existing sidewalks and trails in the neighbourhood. The subject site is located adjacent to a multi-use path which will encourage residents to utilize active transportation methods.

Section 1.6.6 relates to municipal sewage and water services. Due to the expansion of the Denis St. Pierre plant there is capacity available for this development. The development will ensure that sewage and water services will comply with all regulatory requirements and protect human health and the natural environment.

Section 1.7.1 relates to ways in which long-term economic prosperity should be supported. The proposed development optimizes the use of vacant lands, infrastructure, and public service facilities available to the subject site while enhancing the vitality of the neighbourhood.

The proposed Zoning By-law Amendments are generally consistent with the Provincial Policy Statement (2020).

### **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 Essex County Official Plan.

Section 1.5 relates to goals for a healthy County and includes directives for development located within settlement areas. Section 2.2 relates to growth management, with a particular emphasis on primary settlement areas as the focus of growth and development. According to Section 3.2.4.1, the subject site is designated as a primary settlement area, allowing for a broad range of land uses. Furthermore, Section 3.2.7 relates to intensification and redevelopment and encourages well-planned intensification development projects in settlement areas. The proposed development will make use of underutilized and vacant land through infill and intensification to bring new residential and commercial space to the settlement area, in order to meet the future growth and demand for additional residential options within the settlement area.

Section 2.10 relates to sewage and water systems, with policies relating to development in settlement areas. The proposed development will take advantage of existing servicing connections and will not require an extension of municipally owned or operated infrastructure. The proposed development will take advantage of existing servicing connections and will not require an extension of municipally owned or operated infrastructure. The Denis St. Pierre Water Pollution Control Plant has been expanded and the proposed development can now be proceeded with.

Section 2.8 relates to transportation, including the facilitation of safe, energy efficient and economical movement of people and goods throughout the County. Section 2.13 relates to energy, air quality and green infrastructure, encourages efficient land uses and a mixture of uses and housing types where the development's design incorporates compact form. The proposed development promotes compact form and compact neighbourhood design, increased density, and enables the use of active transportation for residents through various pedestrian sidewalk networks.

Section 3.4 relates to natural environment. A Species-At-Risk screening was completed determining that the proposal will not be in contravention with the Endangered Species Act. Section 2.7 relates to archaeological resources, which are addressed in the Stage 1 & 2 Archaeological Assessment for the subject site in accordance with this section.

Section 4.6.1 relates to draft plan subdivision and Section 4.7 relates to site plan control. The development is undergoing a plan of subdivision application review. The proposed development is subject to site plan control and will be further reviewed upon approval of the Zoning By-law Amendment and Draft Plan of Subdivision in accordance with these sections. A Site Plan application will also be required for the apartments and townhomes once the rezoning has been passed and in effect.

The proposed zoning by-law amendments generally conform with the County of Essex Official Plan.

### **Municipality of 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 subject site is designated as Mixed Use in the Official Plan. The Mixed Use designation provides for a range of commercial and residential uses characteristic of a transit supportive and higher intensity mixed use corridor (Section 6.9). The proposed land uses are permitted under the existing zoning and the proposal is consistent with the intent of the Mixed Use Official Plan designation and will not require an Official Plan Amendment.

The subject site is located within the County Road 22 Mixed Use Corridor. As a mixed use corridor, County Road 22 is intended to provide a range of commercial and residential uses characteristic of a transit supportive and higher intensity mixed use corridor (Section 6.9). Growth within the corridor is expected to occur through infilling, intensification and redevelopment and the development of vacant and/or underutilized lands (Section 3.3.9).

Residential intensification is intended to allow for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of the Municipality's housing needs (Section 4.2.2, 4.3.1.2). The proposed development is in accordance with the objective of infill and intensification on vacant and underutilized lands, with the highest intensity use being proposed along County Road 22 in order to develop with more intense land uses.

Section 2.3.1 seeks to ensure the viability and long-term health of the Municipality's main streets, including County Road 22, while Section 2.3.2 relates to active transportation and seeks to improve the movement of goods and people, including improvements to County Road 22. The proposed development will have frontage onto County Road 22 for the multiple dwelling, to promote vitality along the urban arterial road accessibility to commercial and recreational opportunities through active transportation modes, and connections to two urban centres (2 km and 10 km from the site, respectively).

The subject site is designated under the County Road 22 Corridor Special Planning Area (Section 3.4.3). The County Road 22 Corridor Special Planning Area is to be subject to a Corridor Study in accordance with this section.

Section 8.3.3 relates to draft plan subdivision and Section 8.3.4 relates to site plan control. The development is undergoing a plan of subdivision application review. The proposed development is subject to site plan control and will be further reviewed upon approval of the Zoning By-law Amendment and Draft Plan of Subdivision in accordance with these sections.

Overall, the proposed Zoning By-law Amendments conform to the policies of the Municipality of Lakeshore Official Plan.

### Zoning By-law

#### ZBA-14-2024

The west and northern portions of the subject site are zoned Residential Type One (R1) Zone (By-law 4170-ZB-94) and Mixed Use Zone Exception 37 (MU-37(h30)) Zone. The applicant is requesting a Zoning By-law Amendment to a site-specific Mixed Use zone (MU-39(h30)) with the following site-specific provisions noted below as it relates to the apartment and townhomes:

	<b>Required (Mixed Use (MU) Zone)</b>	<b>Proposed</b>
Minimum Lot Area	N/A	12,219.39 m <sup>2</sup>
Minimum Lot Frontage	15.0 m	15.0 m
Maximum Lot Coverage	50%	52%
Minimum Landscaped Open Space	20%	37.4%
Maximum building height	10.5 m	24.0 m *assumed 4.0 m per storey
Minimum Front Yard Depth	Where the lot fronts on County Road 22, setbacks shall be in accordance with the County's minimum building setback requirement of 10 m.	26.0 m setback from centerline of County Road 22
Maximum Front Yard Depth	Shall be in accordance with Schedule B and the County Road 22 Street Frontage requirements of section 6.17	10.8 m

Minimum Interior Side Yard Width	7.5 m (where the yard abuts a residential, institutional or parks and open space zone)	7.5 m
Minimum Exterior Side Yard Width	4.5 m	5.0 m
Minimum Rear Yard Depth	10.5 m (where the yard abuts a residential, institutional or parks and open space zone)	10.5 m
Maximum Gross Floor Area	3,000 m <sup>2</sup>	2,078.0 m <sup>2</sup> x 6-storeys = 12,468 m <sup>2</sup>
Buffer Strip	4.5 m shall be provided in a yard abutting a residential, institutional or the parks and open space zone	1.5 m
Parking Rate	113 spaces	156 spaces
Accessible Parking	4	4
Loading Spaces	2	2

The proposed site-specific provisions are to accommodate the proposed 6-storey multiple dwelling building, accommodate an appropriate mix and range of unit types and sizes, and to allow for the site to develop in a manner that optimizes site circulation and appropriate site intensification along the County Road 22 Corridor. The proposed site-specific provisions are in keeping with the general intent of the Mixed Use Zone category.

In summary, to facilitate the development of the multiple dwelling residential rental building the following site-specific provisions are requested:

- An increase in maximum building height from 10.5 m to 24.0 m;
- an increase in maximum gross floor area from 3,000 m<sup>2</sup> to 12,500 m<sup>2</sup>;
- and a reduction to the required buffer strip in a yard abutting an institutional zone from 4.5 m to 1.5 m.

In addition to the multiple dwelling residential building, the applicant is also proposing semi-detached and townhouse dwellings. Currently, only existing semi-detached dwellings are permitted in the MU Zone while townhouse dwellings are permitted outright. The MU-39h(30) Zone would permit new semi-detached dwellings as well as increase the allowable lot coverage to facilitate the development as proposed. The site-specific request for an increase in maximum lot coverage from 50% to 52% is required to accommodate the proposed forty-one (41) townhouse/semi-detached dwellings along Street 'A'. The requested site-specific provision is in keeping with the general intent of the Mixed Use zone category.

Further, as part of the Zoning By-law Amendment, the applicant is requesting to rectify the zoning of the southeast corner of the subject site at the corner of the Rourke Line



Road and Girard Drive intersection. A Zoning By-law Amendment was approved following the severance of approximately 2.39 hectares (5.91 acres) of land from the original parcel for an institutional site. Following the change in zoning for the institutional parcel, it has been noted that the property previously identified as a stormwater pond (now envisioned for commercial uses) has been rezoned to institutional in error. As mentioned before, as this parcel falls within the future St. Denis Plant expansion boundaries, residential uses will not be permitted. The applicants have taken that into consideration and commercial uses have now been proposed. As part of this application, the applicant is requesting the parcel(s) be rezoned to correct the error made during the severance application.

### **ZBA-12-2024**

The applicant is requesting to rectify the split zoning of the subject site and propose a single zoning of Mixed Use Holding Symbol 30 (MU(h30)). As mentioned before a Zoning By-law Amendment was approved following the severance of the MGV lands and now the Greater Essex School Board Lands. This will help to fix the error and amend the zoning to reflect as one across the subject site.

The proposed Zoning By-law Amendment is reasonable for the subject site, and the proposed development is in keeping with the permitted uses of the zone and the surrounding neighbourhood characteristics and can be suitably designed to ensure compatibility with all surrounding land uses.

### **Conclusion**

It is recommended that Council approve Zoning By-law Amendment Application ZBA-14-2024 (By-law 93-2024) and Zoning By-law Amendment Application ZBA-12-2024 (By-law 92-2024) 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.

### **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, no written submissions have been received from members of the public.

### **Agency Comments**

#### **ZBA-12-2024 & ZBA-14-2024**

Cogeco:

- No concerns with the proposed rezoning.

Bell:

- No concerns with the proposed rezoning. As part of the Site Plan Agreement, the

following condition should be included: 1) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

County of Essex:

- Please be advised that the County has reviewed the aforementioned submission and the comments provided are engineering-related only. Based on the proposed change of zoning, there are no objections.
- The County requests to be consulted in the future development of both sites.

Essex Region Conservation Authority:

- Our office has no objection to ZBA-12 (0 Rourke Line Rd). As noted, the property owner will be required to obtain a Permit from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by Section 28 of the Conservation Authorities Act. Our office has received application for ERCA Permit # 269 - 24 for this development.

### **ZBA-14-2024**

Fire and Building indicated no issues with the proposed rezoning as the development is also subject to site plan approval.

Engineering comments – Appendix D.

### **ZBA-12-2024**

Fire: As we have addressed the fire truck turning issues, we have no further concerns with this project.

Engineering: We have no comments on this file as this file is under Site Plan Application to support a school building and we support a Site-Specific Zoning request.

Building: Signs applied under separate permits.

### **Financial Impacts**

There are no adverse financial budget impacts resulting from the recommendation. Additional costs may arise in the case of an appeal to the Ontario Land Tribunal.

### **Attachments:**

- Appendix A – Key Map – 0 Rourke Line Rd
- Appendix B – Key Map – 1477 County Rd 22
- Appendix C – Concept Plan – 1477 County Road 22
- Appendix D – Engineering Comments for ZBA-14-2024

## Report Approval Details

Document Title:	Zoning By-law Amendment ZBA-12-2024 (0 Rourke Line Road) and ZBA-14-2024 (1477 County Road 22).docx
Attachments:	- Appendix A - 0 Rourke Line Rd.jpg - Appendix B - 1477 County Rd. 22.jpg - Appendix C - Concept Plan - 1477 County Rd 22.pdf - Appendix D - Engineering Comments for ZBA-14-2024.pdf
Final Approval Date:	Sep 24, 2024

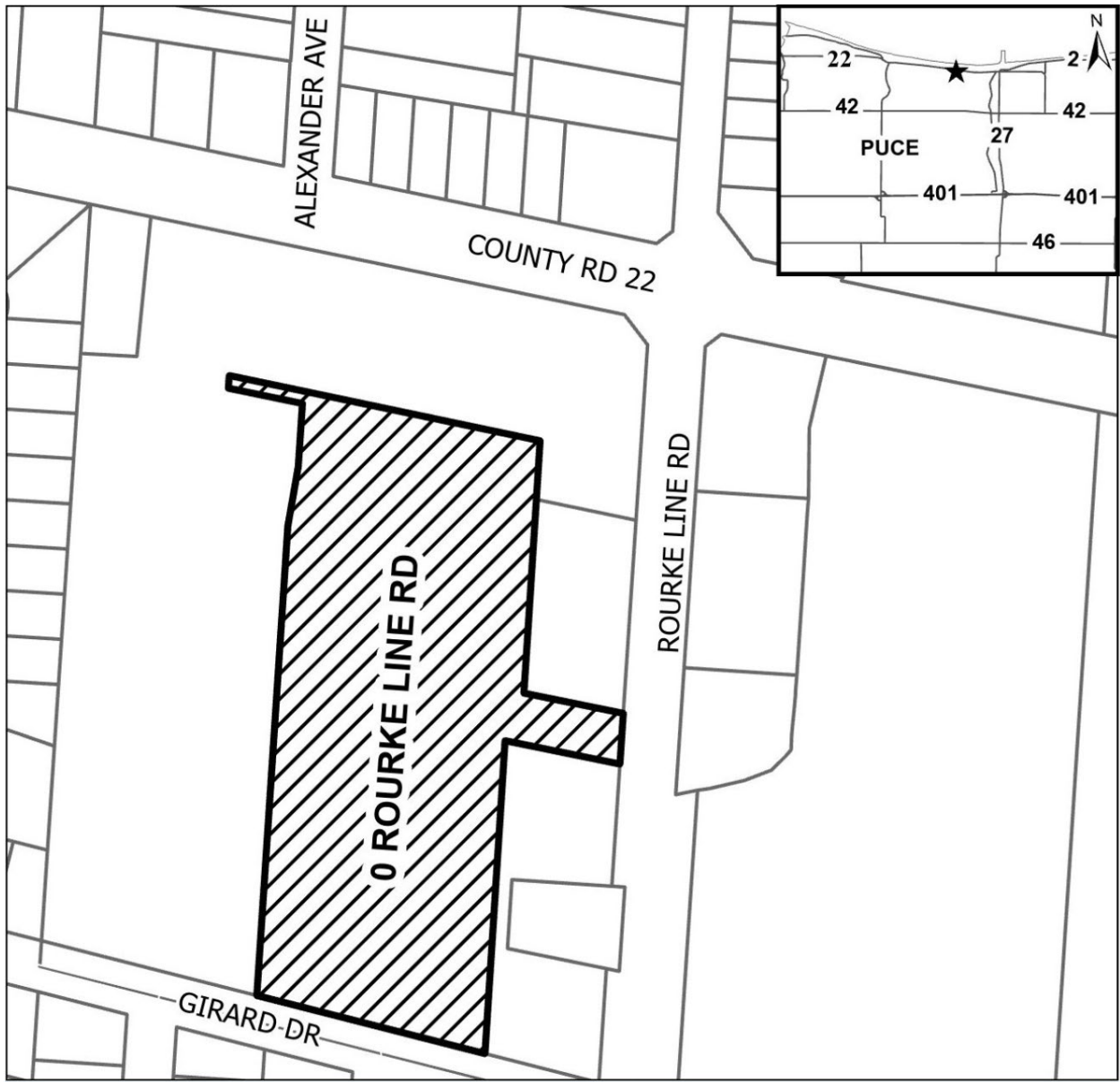
This report and all of its attachments were approved and signed as outlined below:

Jonathan Derworiz

Submitted by Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team

Appendix A – 0 Rourke Line



Appendix B – 1477 County Road 22





**MGV DEVELOPMENTS INC.**  
 COUNTY ROAD 22 AND ROURKE LINE ROAD

**FIGURE 5.0 - CONCEPTUAL DEVELOPMENT PLAN**  
 DECEMBER 1, 2023

MULTI-RESIDENTIAL DEVELOPMENT ± 3.29 ha (± 8.14 ac)	PROPOSED INSTITUTIONAL ± 2.39ha (± 5.91 ac)	TOWNHOUSE	APARTMENT DWELLING (±90 UNITS)	COMMERCIAL BUILDING	LANDSCAPED AREA
COMMERCIAL DEVELOPMENT ± 0.58 ha (± 1.43 ac)	10.9m SETBACK FROM PROPERTY LINE	COMMERCIAL GROUND FLOOR PATIO AREA	RESIDENTIAL GROUND FLOOR PATIO AREA	AMENITY AREA	PROPOSED SIDEWALK

File Location:  
 c:\pw working directory\projects 2020\dillon\_32snp\dms44244\20-3323 - concept plan - august 2023.dwg  
 December, 01, 2023 1:05 PM

SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)

MAP/DRAWING INFORMATION  
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
 CREATED BY: ESB / MRU  
 CHECKED BY: KDT  
 DESIGNED BY: ESB / MRU / SNP

SCALE: 1:2000



PROJECT: 20-3323  
 STATUS: DRAFT  
 DATE: 12/01/2023

## Municipality of Lakeshore

**Date:** September 20, 2024  
**From:** Engineering & Infrastructure Division  
**To:** Community Planning Division  
**Re:** ZBA-14-2024 – 1477 County Rd 22 – MGV Development  
Municipality of Lakeshore

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The request for comment was received from Lakeshore's Planning Division and have outlined our comments below:

- Increase in lot coverage to 52% is being requested. Based on the review of the Girard Pond it is identified that during the UST Storm events the pond overflows significantly and by adding this development it will impact significantly if considerations of UST storm are not adapted. Engineer to review and consider that the additional imperviousness, it is likely additional on-site storage will be required if the existing pond cannot accommodate this.

*Vaibhav Desai*

Team Leader – Development Engineering & Approvals

Approved by: Krystal Kalbol, P.Eng

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Community Planning



**To:** Mayor and Members of Council  
**From:** Tammie Ryall, RPP, Corporate Leader - Growth and Sustainability  
**Date:** September 11, 2024  
**Subject:** Greenhouse Business Park Plan Study Update

---

### Recommendation

- (1) As there are limitations to selecting a single ideal site for a Greenhouse Business Park, direct Administration to not proceed to prepare an Official Plan amendment to identify a Greenhouse Business Park location;
- (2) That Lakeshore request the County of Essex to make a modification to Section 6.2.1 (h) of OPA No. 18 (Greenhouse Official Plan Amendment) to state that: monitoring and review of the Official Plan policies will be undertaken to identify trends in greenhouse issues in the Region, to analyze the impact of future water main expansions, as well as trends in the price of land and demand for Large Scale Commercial greenhouses in Lakeshore. Reporting back to Council on the monitoring of the policies and issues will be in the form of annual briefings or status reports;
- (3) That Administration revisit the Greenhouse Business Park concept and the Greenhouse Priority Area concept in five years to determine if further study or update of the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report is required;
- (4) That should a Greenhouse operator come forward in the meantime to locate a Large Scale Greenhouse operation in Lakeshore, Administration use the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report to identify the high scoring parcels and the areas of constraint to inform land use planning decision making; and
- (5) Direct Administration that no further public consultation on the Greenhouse Business Park concept take place at this time; all as presented at the October 1, 2024 Council meeting.

### Strategic Direction

4 c) – Becoming an Economic Leader in Essex County – Plan and design the Greenhouse Business Park.



## Background

This report is intended to provide Council with an update on the study reviewing the development of a Greenhouse Business Park Plan located within Lakeshore. The consultant, Harry Cummings and Associates Inc. (HCA) and J. L. Richards & Associates Limited (JLR) will present their Report to Council at the October 1, 2024 meeting.

At the February 14, 2023, Regular Council meeting, the following motion was passed:

Direct Administration to bring a report describing the scope and estimated cost of a study to consider designating a Greenhouse Facility “Business Park”.

At the June 13, 2023 Regular Council Meeting, the following motion was passed:

Award the tender for the Greenhouse Business Park Report to the partnership of Harry Cummings and Associates Inc. (HCA) and J.L. Richards & Associates Limited (JLR) and approve up to \$65,000 funded from the Plans and Studies Reserve to cover the cost of the work, as presented at the June 13, 2023, Council meeting.

At the March 5, 2024 Regular Council Meeting, a report was presented to provide an update on the Official Plan Amendment No. 18 and Zoning By-law Amendment 2-2023 (the Official Plan and Zoning By-law amendments regulating the development commercial greenhouses) as well as an update on the Greenhouse Facility “Business Park” study. At that meeting, the following motion was passed:

“Direct Administration to continue discussions with the County of Essex and Provincial Ministries on Official Plan Amendment No. 18 to the Municipality of Lakeshore Official Plan and related Zoning By-law Amendment 2-2023, and report back to Council, as presented at the March 5, 2024 Council meeting; and Receive the update relating to the Greenhouse Business Park for information only at this time.”

Regarding the County review of Official Plan Amendment No. 18, and the related Zoning By-law amendment, Administration met after March 5, 2024 with the County, the Essex Region Conservation Authority and provincial representatives. The County of Essex Manager of Planning expects to issue a draft decision in the near future with suggested modifications for Lakeshore Council to consider. Administration will bring a report to Lakeshore Council on this matter later this fall.

## Comments

In April of 2023, the Municipality put out a request for proposals for a “Greenhouse Business Park Plan”. In late June of 2023, the Municipality of Lakeshore retained HCA and JLR to complete the works.

Administration has been working with the HCA and JLR team regularly through the summer of 2023 and into 2024.

As part of the work, the team met with the following stakeholders:

- A large-scale greenhouse farm operator which included a facility tour
- Hydro One
- Enbridge
- Leadership from other municipalities
- Ontario Greenhouse Vegetable Growers

The HCA and JLR team completed many elements of the proposed scope of work and completed the study to be presented at this meeting. Still outstanding is the potential for public consultation, and the creation of design and zoning guidelines for the development of a greenhouse business park.

## County of Essex Official Plan

It has also come to Administration’s attention that the County of Essex has a new Official Plan with policies added into the recent draft version that make references to the County completing a study on large scale commercial greenhouses.

The references are contained in policy 5A e) and 5.A.8.4 (emphasis added).

### “5.A – AGRICULTURE

This section contains the general directive, goals and policies for lands designated “Agricultural” on Schedule “A1” of this Plan. The “Agricultural” designation pertains to all of the lands that are not otherwise designated as “Settlement Areas” or “Natural Environment” ....

GOALS: e) **Completing a Greenhouse study for the County of Essex;**”

“5.A.8.4 The County shall complete a separate implementation study of Greenhouses in Essex County. This study is **to address the location needs, infrastructure needs, water quality impacts, road impacts and more related to the Greenhouse use and the Greenhouse economy.**”

It is anticipated that the County of Essex Official Plan will be adopted by County Council on October 16, 2024. It will not go into effect until approved by the Ministry of Municipal Affairs and Housing. Should the policies go into effect, a County wide Greenhouse study could potentially inform the future consideration of a Greenhouse Business Park in Lakeshore.

**Report Recommendations:**

The HCA and JLR report concludes that there are challenges to identifying a single Greenhouse Business Park location in Lakeshore due to various constraints. The following are quotes from the Recommendation Section of the Report. Administration has added comments in the right column with recommended timing for implementation.

The report states: “Given the current limitations to selecting a single ideal site for a LSGF, no Official Plan amendment is recommended at this time to establish a LSGF Business Park location. In lieu of this, we offer the following recommendations for the Municipality:”

HCA and JLR Recommendations	Response from Administration
<p>1. Reassess the need for a LSGF Business Park in five years’ time. In the interim, the Municipality should continue monitoring demand and interest in LSGFs. Should an operator come forward with interest in locating an LSGF in Lakeshore, the analysis of this report can be used to identify high scoring parcels and the areas of constraint.</p>	<p>Agree – revisit the Greenhouse Business Park concept in 5 years.</p> <p>Agree – if a greenhouse proposal comes forward, use the analysis of the report to inform decision making.</p>
<p>2. Consider further assessment of a LSGF Priority Area approach, similar to that of the Town of Kingsville, as an alternative to the Business Park model. This model would permit LSGF within the Agricultural Area Designation, with policy and incentives to encourage co-location in Priority Areas, with development subject to servicing and land use compatibility requirements, including the constraints identified within the above analysis.</p>	<p>Agree – to assess the Priority Area approach, but it is recommended that this be implemented in 5 years.</p>
<p>3. Request an amendment to Section 6.2.1 (h) of OPA 18 (LSGF Official Plan Amendment), to include the following statement:</p> <ul style="list-style-type: none"> <li>a. Monitoring and review of these policies will be undertaken to identify trends in greenhouse issues in the Region, to analyze the impact of future water main expansions as well as trends in the price of land</li> </ul>	<p>Agree – it is recommended that this be implemented immediately. This policy will commit Lakeshore to monitor the demand for greenhouses in Lakeshore and to be able to react to any trends or issues.</p>

HCA and JLR Recommendations	Response from Administration
and demand for Large Scale Commercial greenhouses in Lakeshore. Reporting back to Council on the monitoring of the policies and issues will be in the form of annual briefings or status reports.	
4. Conduct further assessment and consider policy to support private infrastructure innovation and partnerships for LSGF operations, with particular attention to water servicing.	Agree – this recommendation for further assessment can be implemented in 5 years, and the need be monitored on an annual basis.
5. Pass a By-Law to regulate light emission during particular hours of the day or night, taking lessons from Leamington and Kingsville experiences.	The need to pass such a By-law can be part of the monitoring.
6. Pass a By-Law for Temporary Farm Workers residences to regulate the design of large bunkhouses with adequate amenities as part of LSGF development plans. The practice of Kingsville and Leamington can again serve as a model.	The need to pass such a By-law can be part of the monitoring.

Based on the recommendations of the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report, and Administration’s responses, the following are in the Recommendation Section:

(1) As there are limitations to selecting a single ideal site for a Greenhouse Business Park, direct Administration to not proceed to prepare an Official Plan amendment to identify a Greenhouse Business Park location;

(2) That Lakeshore request the County of Essex to make a modification to Section 6.2.1 (h) of OPA No. 18 (Greenhouse Official Plan Amendment) to state that: monitoring and review of the Official Plan policies will be undertaken to identify trends in greenhouse issues in the Region, to analyze the impact of future water main expansions, as well as trends in the price of land and demand for Large Scale Commercial greenhouses in Lakeshore. Reporting back to Council on the monitoring of the policies and issues will be in the form of annual briefings or status reports;

(3) That Administration revisit the Greenhouse Business Park concept and the Greenhouse Priority Area concept in five years to determine if further study or update of the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report is report is required;

(4) That should a Greenhouse operator come forward in the meantime to locate a Large Scale Greenhouse operation in Lakeshore, Administration use the Harry Cummings and Associates Inc. and J.L. Richards & Associates Limited Report to identify the high scoring parcels and the areas of constraint to inform land use planning decision making; and

Due to the recommendation that an Official Plan amendment for the Greenhouse Business Park not proceed at this time, Administration is also recommending that no further public consultation on the Greenhouse Business Park concept be undertaken at this time as per Recommendation No. 5:

(5) Direct Administration that no further public consultation on the Greenhouse Business Park concept take place at this time.

Should Council wish to direct that a light emissions By-law and Farm Worker By-law be proactively advanced at this time, recommendations (6) and (7) could be added:

(6) Direct Administration to prepare a report regarding a By-Law to regulate light emission during particular hours of the day or night.

(7) Direct Administration to prepare a report regarding a By-Law to regulate the design of large bunkhouses with adequate amenities as part of LSGF development plans.

### **Next Steps**

If Council concurs, Administration will implement recommendations 1-5 as set out in the Recommendation Section. HCA and JLR will remove the two public engagement sessions from the workplan. In addition, HCA and JLR will complete and provide the design guidelines for Greenhouse Development, as set out in the workplan, for future use.

### **Financial Impacts**

The total approved budget for this project is \$65,000, with total spending to date of \$47,726.59. The available remaining funding is \$17,273.41. Any remaining funds will be returned to the Plans and Studies Reserve.

**Attachments**

Attachment 1 – Large Scale Greenhouse Facilities in Lakeshore Report – HCA and JLR

Attachment 2 – Link to County of Essex Draft Official Plan

<https://www.countyofessex.ca/en/doing-business/resources/Documents/20240808-Draft-OP-Consolidated-V4.pdf>

**Report Approval Details**

Document Title:	Greenhouse Business Park Study Update.docx
Attachments:	- Attachment 1 - Large Scale Greenhouse Facilities in Lakeshore Report - HCA and JLR.docx
Final Approval Date:	Sep 20, 2024

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

Prepared by Tammie Ryall

Approved by the Corporate Leadership Team

# Municipality of Lakeshore Large Scale Greenhouse Consultancy

## Draft Update Report

Prepared by:

Harry Cummings and Associates Inc.

[www.hcaconsulting.ca](http://www.hcaconsulting.ca)

J. L. Richards & Associates Ltd.

[www.Jlrichards.ca](http://www.Jlrichards.ca)

Interim report content



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## 1 Introduction

In May 2023, Harry Cummings & Associates Inc. (HCA), were retained by the Municipality of Lakeshore (hereafter, Lakeshore) to carry out a feasibility study, market analysis, and recommended site selection for a greenhouse business park within the Municipality. This interim report covers a consolidated summary of our work so far. We have conducted several studies and assessments as per our consultancy work plan. These include a review of studies and documents on Large Scale Greenhouse Farms (LSGFs), a market and growth study of the LSGFs, a field visit to an LSGF in Kingsville and a site visit to the Lakeshore and surrounding LSGF expansion areas, discussions with key stakeholders including water suppliers and municipal staff responsible for LSGF oversight in Kingsville and Leamington, a site selection study of areas of potential for LSGF Business Park; and a study of co-located battery energy storage system potential.

This report provides a summary of the major findings to date and concludes with recommendations for the Municipality.

## 2 The LSGF Market Growth Prospects in Canada and Ontario

The Canadian greenhouse industry is broadly classified into food crop and floriculture groups, which recorded \$2 billion and \$809.9 million in exports in 2021, respectively. Roughly 1656 establishments employ more than five people, most of which are LSGFs. Of these LSGFs, 39% are situated in Ontario. Most (75%) of Ontario's greenhouse production is concentrated in southern Ontario in the counties/regions located around the western end of Lake Ontario (Niagara and Hamilton) and the counties along the north shore of Lake Erie. The vegetable and mushroom industry takes the lion's share of the total industry by contributing 85% of the greenhouse industry exports (\$1.7 billion) and recording \$2.7 billion in farm gate sales in 2021.

The five-year greenhouse vegetable industry trend (2017-2021) showed that the number of establishments had decreased slightly (0.5%). However, the harvested area increased by about 18%, production volume increased by 17%, and farm gate price increased by 43%. The increase in farm gate prices includes an inflationary rise. The fact that production area and volume of production increased despite the reduction in the number of establishments shows a shift to large-scale greenhouse farms in the industry. This parallels changes happening in agriculture more generally. In Ontario, greenhouse vegetable establishments employed 6,186 permanent employees in 2021, which increased from 4,438 in 2017 and 4,266 seasonal employees in 2021, which increased from 3,550 in 2017. Canada maintained a positive trade balance between 2017 and 2021, which nearly doubled for both vegetables and mushrooms (from \$747,897 to \$1,233,583). Most (90%) of greenhouse exports go to the United States.

According to the Ontario Greenhouse Vegetable Growers study (2023)<sup>1</sup>, the greenhouse vegetable industry is projected to grow at a 5% rate for the next decade. Using this projection with a baseline acreage of 3800 acres in 2022 for Ontario, it indicates a growth to a maximum of 6,200 acres by 2032, expanding by about 2,400 acres. Most of this expansion is expected to happen on the shores of Lake Erie, in the Leamington, Kingsville, and Chatham-Kent municipalities, which offer LSGFs a conducive cooler climate and favourable cold irrigation water of Lake Erie. There is already a concentration of LSGFs in the Leamington and Kingsville areas.

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<sup>1</sup> Ontario Growth and Sustainability Study 2023, available online at <https://www.producegrower.com/news/ontario-greenhouse-vegetable-growers-growth-sustainability-study/>

In a Draft Update to the County of Essex Official Plan released August 11, 2024, new policies highlight the importance of LSGF farming for the agricultural industry and the County's commitment to conduct a Greenhouse study for the County (Section 5.A(e)).

### 3 The Leamington and Kingsville Experience

The municipalities of Leamington and Kingsville have acquired a lot of learning and adaptation to the management and governance of LSGFs for the last several years. We have conducted a discussion with the Town of Kingsville, conducted document reviews and field visits to gain an understanding of the LSGFs operations and the management approaches of these municipalities. Some of the key findings are included in this section.

#### 3.1 LSGFs Priority Area

The unplanned expansion of LSGFs has been problematic for both Kingsville and Leamington. Challenges include damage to feeder roads, light pollution, water pollution concerns, temporary foreign worker (TFW) residences, and LSGF installation's impact on the landscape's view in both residential and rural neighbourhoods. In Essex County the terrain is very flat, therefore large structures have a greater visual impact on the rural landscape as compared to other locations in Ontario.

**Commented [TR1]:** Perhaps reword to make the intent clearer - i.e. visual impact on the landscape in both residential neighbourhoods and the rural areas(?)

The Town of Kingsville has incorporated an article in its 2023 Official Plan – 5 Year Conformity Review, deciding to promote a “Greenhouse Farming” Priority Area. Section 3.1 permits Greenhouse Farming within the Agriculture Designation and includes policies to encourage location of greenhouse development within a priority area (in proximity to existing similar development and associated servicing).

The Kingsville Official Plan Section 3.1.2.1 is stated as follows:

##### 3.1.2.1 Greenhouse Farming

*Greenhouse farming and associated support facilities such as packing, shipping, and cogeneration are permitted in the 'Agriculture' designation subject to the following:*

- a) greenhouse development shall be subject to the Site Suitability criteria of Section 2.8 of the Plan;*
- b) greenhouse development will be encouraged to locate in close proximity to existing greenhouse development more specifically south of Road 5 E and east of Division Rd N. New greenhouse development not located within this area shall be required to provide justification of compliance with Section 2.8 (map 3.1);*
- c) greenhouse development shall be subject to site plan control;*
- d) greenhouse development shall be encouraged to provide active transportation linkages to existing and future active transportation corridors including the CWATS and Greenways;*
- e) the internal recycling of fertigation water by greenhouse farms shall be encouraged in order to reduce primary water use, in accordance with the policies of this Plan, including Section 6.3.5; and*
- f) that required facilities will be installed such as, but not be limited to, on-site water storage and rate-of-flow control facilities as listed under Sub-Section 6.4.5 and complete Stormwater management facilities as listed under Sub-Section 6.4.6 of this Official Plan and a water taking permit process to the province.*

Further, within Section 6.4.5, the policies for Water Supply and Distribution state:

*d) the Town recognizes that greenhouse farming is permitted in all "Agriculture" designated and zoned areas, but encourage their establishment and operation in locations where servicing is demonstrated to be consistent with Section 2.8.*

The Town's approach is to incentivize LSGFs to develop in the priority areas by facilitating or developing essential infrastructure within a concentrated area. Therefore, the Town can prioritize gas, hydro and water main expansion projects in the priority area. The Town, through policy, forces private mains to pump septic/sewer from greenhouses (and associated bunkhouses) to the sewer treatment facility during off-peak hours. In addition, LSGFs have the opportunity to share the cost of additional infrastructure, such as side roads and stormwater management, which makes it cheaper to concentrate in the priority greenhouse area.

### 3.2 Buffer strip

One of the challenges of LSGF installations [in both the Leamington and Kingsville experience](#) is the variety of designs and looks that, when scattered through the rural landscape or close to suburban neighbourhoods, have undesirable visual effects on the surrounding countryside. Some LSGFs applied a visual buffer by planting trees around the LSGF installations, particularly facing the roadside.

It is recommended that LSGF construction plans include a buffer strip with tree planting to create a visual screen and enhance scenery. This practice, along with the application of Greenhouse Priority or Business Area, will help to protect the integrity of the rural landscape in Lakeshore.

### 3.3 Infrastructure

Gas, hydro, water, and side roads are the most essential infrastructure for LSGFs. Kingsville and Leamington's experience shows that the development of LSGFs so far has been utilizing existing infrastructure. Gas and Hydro providers have been upgrading infrastructure to catch up with demand, and a similar effort is being made to upgrade water infrastructure.

Water, gas, and hydro infrastructure constraints have been part of Kingsville's instrument to govern LSGF development within the boundaries of the Greenhouse Priority Area, as described in section 3.1 above. Recent upgrades of hydro and gas supply in the Kingsville Priority Greenhouse Area helped promote LSGF development in the priority area in Kingsville. In addition, municipalities have more control over upgrading water supply systems, as they co-own the water suppliers and hold approval rights regarding who gets water.

LSGF operations involve significant truck traffic that transport inputs to the farms and products out of the farms. These trucks reportedly have damaged municipal roads connecting LSGF farms with regional and provincial highways. As LSGF [are classified \(MPAC\) for taxation purposes](#) as agricultural [and industrial](#) activities [means a small tax for municipalities the taxes collected do not match the Municipal services provided. T](#), the cost of road maintenance caused by LSGF truck traffic has been problematic for Kingsville and Leamington. The Municipalities collaborated with LSGFs to pay for side roads heavily utilized by the LSGFs. One of the advantages of the designation of an LSGF Business Park or Priority Area is the [potential for](#) cost-sharing for road infrastructure by LSGF farms, which reduces the cost of LSGF development.

### 3.4 Waste Management

Both organic waste from crop residue and the inorganic waste/garbage from the growing medium are significant burdens that require innovative management and technology. Options include,

- Bio-digester to manage the excess biomaterial from LSGFs. The financial feasibility of investment in bio-digestors depends on the ability to sell the excess power generated. Currently, there is no mechanism to sell excess power into the grid. The Greenhouse executive we talked to informed us that his company currently crushes organic crop residue and sells it to local farmers for organic fertilization of their farms. LSGFs are interested in collaborating with researchers to make the growing medium organic or easily recyclable. This includes creating a new type of growing medium or innovative use of the waste instead of disposing it in landfill.
- Proper stormwater management- recommended to be an integrated regional approach.
- Access to services for temporary farm workers: We have learned that investors prefer to maintain a bunkhouse when they can. LSGF provides scheduled transport for service and shopping, and workers use bikes to commute to the nearest towns at other times. There is a need for a reasonable distance to access basic services. Temporary farm workers could enhance economic activity in the nearby cities for basic needs such as groceries.

### 3.5 Temporary Foreign Workers (TFWs) Residence

Temporary workers live in either bunkhouses within the farm or rented spaces in closer communities. Some LSGFs prefer the in-farm bunkhouses for the efficiency and logistical costs of transporting farmers to and from residential areas to the farm, as well as unfavourable contractual conditions put on them by developers or owners of rental accommodations. When workers live in bunkhouses, operators arrange scheduled visits to the nearest municipalities to access financial services and purchase groceries. In some cases, there is evidence of new service facilities, such as restaurants and grocery shops, emerging in communities near the LSGFs that target temporary farm workers.

The Town of Kingsville has updated TFW housing guidelines in consultation with the Ontario Human Rights Council, which resulted in the removal of the term bunkhouse, replacing it with boarding, lodge, and rooming houses in all documents, and introducing some critical standards that improved the human rights situation of TFWs. Kingsville commissioned a TFWs study in 2022, which guided the development of OPA 13.<sup>2</sup> The updated OP text distinguishes between Agricultural and Residential “Boarding, Lodging and Rooming Houses”. The former are permitted in the Agricultural Designation, subject to site plan control, and may contain any number of occupants. The latter are permitted anywhere residential uses are permitted and are restricted to 10 or fewer occupants. Boarding, Lodging and Rooming Houses are to be designed with adequate amenities and transportation arrangements to the city to be provided by LSGFs to improve the living conditions of TFWs. Section 2.10 also states that the Town may implement a licencing framework for Boarding, Lodging, and Rooming Houses and subject to inspection by the Windsor-Essex Country Health Unit, The Town of Kingsville Fire Department, and the Town of Kingsville Building Department minimum standards.

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<sup>2</sup> By-Law 52-2022 is introduced as an amendment to By-law No. 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville. The By-Law was approved by the County of Essex on November 7, 2022.

### 3.6 Light abatement

The municipalities of Leamington and Kingsville have implemented by-laws to enforce light abatement curtains as a requirement for greenhouse operations (Leamington By-law 41-22 and Kingsville By-law 96-2020). As a result, the issue of light nuisance is managed effectively. For example, opening curtains during hot weather (in the summer) creates a 10% light emission. This light is considered minimal, radiates horizontally and does not light the night sky.

Kingsville follows a cost-effective approach to enforce light abatement guidelines. The Town does not conduct routine monitoring or checks but responds to inquiries or complaints from residents. Rather, it uses drones to review greenhouse locations and zoning requirements.

## 4 Critical Resources and Infrastructure

Flat land, water, gas, and electricity are the key resources and infrastructures needed for LSGFs establishment. Infrastructure capacity in the Kingsville and Leamington municipalities is currently at full capacity, and infrastructure is being upgraded to meet the growing demand for LSGFs. For this reason, a moratorium is imposed on water supply applications from LSGFs in Kingsville.

### 4.1 Flat land

LSGF developers are interested in flat land, with a minimum of 30 acres considered ideal for economies of scale. LSGF infrastructure is interested in flat land with access to water, gas, and electricity and a quick connection to the highway. Currently, land prices range from CAD 25,000 to CAD 60,000 per acre, depending on location. The cost of land is primarily determined by its closeness to the coast of Lake Erie due to associated productivity. Therefore, the price of land in Lakeshore is likely to be on the lower end.

### 4.2 Water

We assessed two types of water supply systems for LSGFs. The first is direct irrigation from Lake Erie, currently supplied to a small number of LSGFs in Leamington by the Leamington Area Drip Irrigation Incorporated (LADII). The second is through a municipal water supply system, mainly the Union Water Supply Inc.

#### 4.2.1 Leamington Area Drip Irrigation Incorporated (LADII)

The Leamington Area Drip Irrigation (LADI) Limited Liability Company (Ltd) was established by field tomato farmers who jointly built irrigation infrastructure to supply water to their farms. It later became incorporated as an irrigation water supply company. It provides direct untreated water for a small number of LSGFs [up to seven] and field tomato farmers who are its shareholders. This direct, cold, untreated water supply is preferable for LSGFs for maximum productivity and reduced need for chemical treatment. However, LADII is currently at full capacity and cannot receive new applications from LSGFs. Increasing LADII's pump and main capacity to supply Lakeshore LSGF customers would require heavy investment and is not under consideration.

#### 4.2.2 Union Water Supply Systems Inc (UWSS Inc)

Union Water Supply Systems (UWSS) is a municipal service corporation co-owned by the municipalities of Essex, Lakeshore, Leamington, and Kingsville that provides potable water to the population of these municipalities. UWSS is the main irrigation water supplier for LSGFs in Kingsville and Leamington municipalities. LSGFs use the same potable water as households and businesses for irrigation. This requires LSGFs to treat the chlorine before applying it for

irrigation, unlike the LSGFs that use LADII water that is not chemically treated. However, current Municipal regulations do not differentiate between residential and LSGF water charges, making municipal water relatively inexpensive for greenhouse operations.

Due to the growth of the LSGFs in the last several years, particularly in Leamington and Kingsville, the UWSS has reached maximum capacity. Hence, in 2021, UWSS put a three-year moratorium on the water supply for LSGFs.

The UWSS is currently undergoing several infrastructure upgrading projects to serve more customers. A phased expansion plan is ongoing, with the first phase of a 40 ML expansion (a 30% increase) starting in 2024 and expected to be fully developed in three years. The next phase will add another 40 ML. It is anticipated that 50% of the expansion capacity will be supplied to LSGFs and the other 50% to other clients. Applicants already in the queue are likely to consume the current expansion capacity.

Another upgrade is at the concept stage and is being discussed between UWSS and Windsor Utilities. This concept envisages improving interconnection and providing redundancy between Windsor and UWSS infrastructure. This upgrade is expected to cost over 50M and is significant for the water security of the municipalities of Southwestern Ontario.

If this plan proceeds, it could supply water for potential LSGFs growth in Lakeshore.

The UWSS prioritizes serving residential growth as its primary mandate but cannot decide who gets water. However, it can impose a moratorium on new LSGF irrigation water supply applications. Consequently, a three-year moratorium was put in place in 2021 on grounds of depleted supply capacity.

#### 4.2.3 Innovation by LSGFs in Irrigation Water

LSGFs are required to build on-site water storage capacity and manage their water flow to prevent overdrawn during peak seasons, ensuring a steady water supply for the rest of the population. LSGFs primarily used municipal water for irrigation but have been constantly innovating to reduce their reliance on Municipal water supply. These included recycling, using groundwater, and capturing rainwater. As a result, many LSGHs consume less than 50% of their approved capacity. Some LSGFs applied to transfer their unused capacity for new LSGFs or expansions. UWSS currently accepts if a latent capacity is used for expansion in the same area but does not transfer unused capacity into a new LSGF in another area.

**Commented [TR2]:** Who requires? The Municipality requires on-site water storage?

#### 4.2.4 Water Supply for The Municipality of Lakeshore

Lakeshore's current infrastructure, specifically the water main from the Union Water system, is insufficient to supply LSGFs. Expansion of the mains would require agreement on funding, and the current expansion plan of UWSS does not account for upgrading the main to Lakeshore, thus not considering LSGFs' supply in Lakeshore. Upgrading the water main would require an investment of about \$30 million.

**Commented [TR3]:** Edit if needed.

Innovation is crucial as water supply is currently the bottleneck for LSGFs' growth. LSGFs are continuously innovating to overcome the water constraint by using a combination of rainwater harvesting and recycling. Several LSGFs are already using these approaches, resulting in the use of less water from the municipal supply than their approved capacity. A pilot project is being tested for LSGFs to use water from the system only during the off-peak season, storing water to fulfill their needs from May to September (peak season).

There are several possibilities for LSGFs in Lakeshore. One is realizing the Windsor UWSS partnership, which has about a 50-50 chance and would take around five years. Another possibility is innovative approaches, such as LSGFs proposing to use only 20-25% of the supply during the off-peak season, which could be considered after the moratorium is lifted.

#### 4.2.5 Innovation

The Greenhouse industry has demonstrated innovativeness and is piloting innovative approaches to overcome the constraints hindering it from growth, particularly water use. This includes innovation around water recycling and water harvesting techniques. Most LSGFs have already achieved reliance on recycling and rainwater harvesting for 50% of their need. It is expected that this could further increase and release more capacity to provide municipal water services to additional customers.

### 4.3 Hydro and Gas

LSGFs require a relatively large supply of hydro and gas for photosynthesis, lighting, and heating (winter production). Currently, both Leamington and Kingsville infrastructure is stretched to full capacity, and the growth of LSGF depends on the speed of hydro and gas infrastructure expansion, which is the same as for water.

Lakeshores LSGF potential areas bordering the Kingsville and Leamington Municipalities require gas and hydro infrastructure upgrades. Kingsville's experience suggests that allocating infrastructure upgrades to Priority Greenhouse Areas is a good practice, which also helps govern the LSGF's growth in specific areas of concentration. Therefore, a business park concept in Lakeshore would require a similar effort to facilitate the expansion of this essential infrastructure in the designated area.

## 5 Desirable Conditions for LSGF Development

### 5.1 Geographic and climate

The HCA team visited field sites and conducted several discussions with people who knew the industry, including LSGF executives.

Lake effect cooling and the supply of relatively colder water for irrigation on the shores of Lake Erie results in up to 7 °C cooler temperatures on the LSGFs located at the shores compared to LSGFs located further inland. This translates into the productivity of LSGF's vegetable crops, which increase by 1 kg per square meter on the shores of Lake Erie due to cooler temperatures resulting from lake-effect cooling. This increase in yield brings additional tens to hundreds of thousands of dollars in revenue per production cycle per crop for LSGFs located on the shores of Lake Erie. The shore of Lake Erie has these desirable effects because of its depth and ability to offer excellent climate and water resources.

On the other hand, Lake St Clair is considered warmer, shallower, and dirtier water and is not seen as similarly desirable by LSGFs.

This reality is the primary driver to the LSGF growth and expansion on the shores of Lake Erie and will continue to influence future growth of LSGFs to concentrate on the shores of Lake Erie, exhausting available land in Leamington and Kingsville and expanding towards the Municipality of Chatham-Kent, east of Leamington. However, recent zoning restrictions have been placed on the expansion of LSGFs to Chatham-Kent.

The price of land per acre ranges from 25,000 to 65,000 based primarily on distance from the shore.

## 5.2 Supportive Conditions

LSGFs have climatic advantages for expanding on the shores of Lake Erie, so they are expanding to the direction of Chatham-Kent. However, LSGFs do not experience a similar level of support and a welcoming environment from all municipalities in the County of Essex. LSGFs have already established strong linkage with the municipalities of Leamington and Kingsville.

In their policy “Planning for Large Scale Greenhouse Development – Study Update and Recommendations to Mayor and Council, April 27, 2021” Chatham Kent has adopted policies for Greenhouse abatement and identified growth areas to be restricted from greenhouse development until a new policy review is completed.

### 6. Energy Storage Opportunity

The Municipality of Lakeshore had interest in investigating the potential for additional uses within the Greenhouse Business Park, such as Battery Energy Storage Systems (BESS) and utility corridors. BESS are a form of energy storage which can provide additional power to the electrical grid during periods of high demand and recharge during periods of low demand. In addition to BESS, thermal energy storage (TES) is also increasingly integrated into the energy systems of large-scale greenhouses, in the form of insulated water tanks. A TES can support the collection and storage of summertime sunlight and heat to maintain a warm environment for plant growth year-round. JLR provided a review of BESS systems and TES systems and their business case for a LSGF Business Park. The detailed Energy Storage Study is included as an Appendix to this report. There is increasing interest in BESS systems and rationale to suggest implementation of a BESS system may pose a lower-cost alternative for major expenditures to upgrade the existing grid. The summary concludes, however, that current information is limited to identify the value of a BESS or TES system for a LSGF and provides next steps for further data collection and analysis. The report recommends ongoing review as new market opportunities for BESS continue to emerge and to practice early consultation with the grid operator when considering suitability and opportunity for implementation.

### 7. Priority LSGF Business Park Locations in Lakeshore

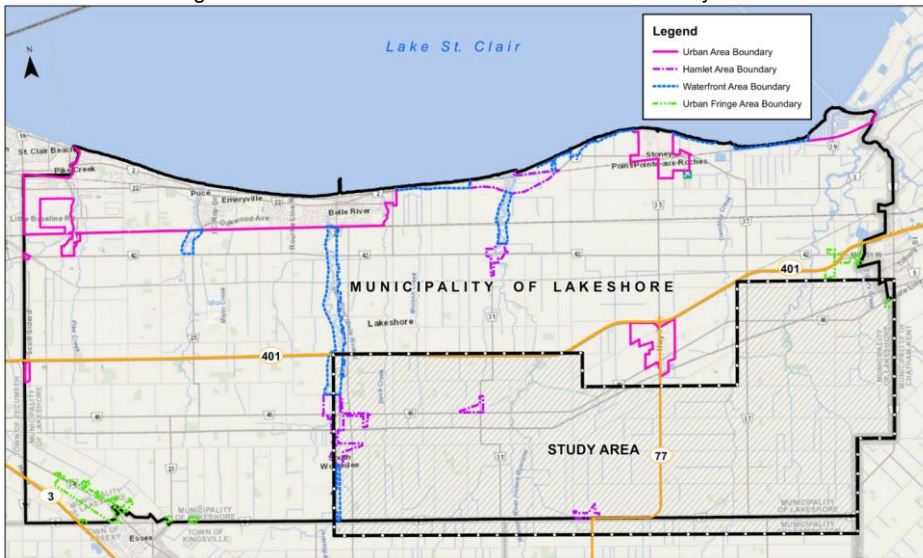
A study area for the project, focusing on the area east of County Road 27 and south of Highway 401, was selected through discussion with Municipal Staff (Figure 1). Areas of the Municipality located further north and west were eliminated early from the study due to:

- The Lakeshore Official Plan, as amended by OPA 18, states in Section 6.2.1(h)(vi) that commercial greenhouse farms shall be prohibited on all lands North of County Road 42, between Manning Road and the north/south leg of County Road 22;
- proximity to urban settlement areas of Lakeshore or the neighbouring Town of Essex;
- Input gathered through discussion with utility providers and neighbouring municipalities that water sourced from Lake Erie was preferable for greenhouses use than that of Lake St. Clair;
- The presence of Highway 401 running east-west through the Municipality, inconveniences efficient north-south transportation and extension of infrastructure; and



- The area of potential natural gas infrastructure expansion identified by Enbridge Gas is located in the southeast, in the area of Rochester Townline Road and County Road 46.

Figure 1. Lakeshore Greenhouse Business Park Study Area



Within this area, JLR conducted an analysis of the land conditions, servicing, and municipal and County policy to further identify preferred sites for a cluster of greenhouses. Initial criteria, described in Table 1, were ranked based on background review, into a simple high-medium-low matrix to determine priorities for discussion with municipal staff. As a note, a low-ranking priority might indicate that there is little variation across the study area, rather than solely implying low significance to siting decisions.

**Table 1 Initial Study Criteria, Priority Status, and Rationale**

<b>Criterion</b>	<b>Priority Level</b>	<b>Considerations/Constraints</b>
Proximity to settlement area	High	<ul style="list-style-type: none"> <li>The Municipality of Lakeshore Zoning By-law (via amendment 2-2023) requires that Commercial Greenhouse Farms are setback 1000 m from all settlement areas.</li> <li>Class 3 Industrial Uses are required by the Ministry of Environment Conservation and Parks (D-Series guidelines) to maintain a minimum 300 m setback from a sensitive land use. The Lakeshore Greenhouse Study recommends maintaining the minimum 300 m setback from residential areas. Prior to amendment 2-2023, the Zoning By-law required that greenhouse farm structures be setback a minimum of 300 m from residential areas.</li> <li>Where requirements for safety and compatibility can be ensured, siting within some proximity (up to the 300 m per D-series guidelines) of a settlement area can be beneficial for access to existing infrastructure and for employment purposes.</li> </ul>
Proximity to the Hallam Observatory	High	<ul style="list-style-type: none"> <li>The Municipality of Lakeshore Zoning By-law (via amendment 2-2023) requires that Commercial Greenhouse Farms are setback 5000 m from the Hallam Observatory.</li> <li>A buffer area of 5 km from the observatory will be included on mapping to identify constrained parcels.</li> <li>Parcels within the setback could apply for a Zoning By-law amendment to permit LSGF uses subject to mitigation measures. Alternatively, criteria could be developed through a future Zoning By-law Amendment to decrease the setback subject to dark sky lighting mitigation measures.</li> </ul>
Residential Dwellings (MPAC)	High	<ul style="list-style-type: none"> <li>The study area contains many farm parcels with existing residential dwellings, as reported through MPAC data.</li> <li>Parcels and groupings of contiguous parcels without an existing residential dwelling will be prioritized.</li> <li>MPAC data provides a general indication of the type of land use for preliminary analysis. At later stages of analysis, the presence of an existing residence can be verified for each parcel.</li> </ul>
Parcel size	Medium	<ul style="list-style-type: none"> <li>Larger parcels are better suited to accommodate the scale of large greenhouse operations and will be prioritized.</li> <li>Eligible contiguous parcels which could be consolidated will also be considered higher priority.</li> </ul>
Servicing connectivity - Gas	Medium	<ul style="list-style-type: none"> <li>Enbridge shared an estimated priority servicing area which has been applied to the GIS mapping.</li> <li>Parcels in proximity to this area will be prioritized, however this area is constrained by the above setback requirements.</li> <li>More information from Enbridge may provide greater context to increase the priority level of this criterion.</li> </ul>

Servicing connectivity - Hydro	Medium	<ul style="list-style-type: none"> <li>Definitive Hydro infrastructure information has not been provided, however JLR is aware of a transformer station in the area around County Road 46, just east of Ruscom Station.</li> <li>Parcels in proximity to this existing Hydro infrastructure are prioritized.</li> <li>It is understood that this transformer would not have sufficient capacity to accommodate a greenhouse park and would require upgrading.</li> </ul>
Proximity to former waste disposal site	Medium	<ul style="list-style-type: none"> <li>Per the Lakeshore OP (section 5.4.2.4) all development within 500 m of active or closed waste disposal sites require a study demonstrating MOE guideline requirements can be met.</li> <li>Proximity to the site will require additional expenses on the part of development and so will be deprioritized.</li> </ul>
Provincially Significant or Other Natural Heritage Features	Medium	<ul style="list-style-type: none"> <li>The study area includes two Provincially Significant Wetlands (PSWs): Ruscom Wetland Complex and Tilbury West Wetland Complex.</li> <li>The Official Plans for the Municipality (Section 5.2) and the County (Section 3.4) prohibit development within a PSW. Development may only be considered on lands adjacent to a PSW (120 m), where an environmental impact study (EIS) can be undertaken and demonstrate that development will not have negative impacts to the ecological feature or function of the wetlands.</li> <li>Parcels within the PSWs will be removed from consideration. A 120 m buffer will be applied to the wetlands and parcels outside of this buffer will be prioritized.</li> <li>Areas within the 120 m buffer may also be considered, recognizing that development in these areas will have associated development costs to conduct an EIS and respond to any required mitigation measures.</li> <li>No other major constraints related to provincially significant natural heritage features are present in the study area.</li> </ul>
Servicing connectivity - Water	Low	<ul style="list-style-type: none"> <li>Existing greenhouses in Leamington source water privately from Lake Erie to the South, however there is insufficient supply to extend this source further north to the study area.</li> <li>Information from Union Water (municipal servicing for Kingsville and parts of Lakeshore) is currently being collected to determine capacity for connection to municipal services. It is likely that all water mains will require upgrading to service demand from new greenhouses, regardless of location, hence the low ranking assigned to this criterion.</li> <li>Proximity to existing or planned water mains will be prioritized, however the limitations to potential service expansion limit identifying particular areas of opportunity at this time.</li> </ul>

Intake and Source Protection	Low	<ul style="list-style-type: none"> <li>• Municipal OP schedule B1-1 demonstrates that the study area is within Belle River IPZ 3, Stoney Point IPZ 3, and LTVCA IPZ3. For each, the IPZ boundaries closely follow stormwater channels throughout the study area.</li> <li>• Most parcels will be affected, so proximity to a particular area is not a priority consideration.</li> <li>• For Stoney Point and Belle River IPZ 3, Section 5.1.1 of the OP states: <ul style="list-style-type: none"> <li>○ “the handling and storage of liquid fuels (containing benzene) in quantities greater than 15,000 L shall be restricted in accordance with Section 59 of the Clean Water Act for any commercial, agricultural and industrial land uses”.</li> <li>○ A notice from the Risk Management Official in accordance with Section 59(2) of the Clean Water Act is required for all development.</li> </ul> </li> <li>• LTVCA IPZ 3 is subject to the regulation of the Lower Thames Valley Conservation Authority.</li> </ul>
Municipality of Lakeshore and County of Essex Official Plan Designation/Policies	Low	<ul style="list-style-type: none"> <li>• Parcels with the Agricultural land use designations within the Municipality of Lakeshore Official Plan and County of Essex Official Plan will be prioritized.</li> <li>• Lakeshore OPA 18 includes a new definition for LSGF and prohibits them as a use until the following can be completed: <ul style="list-style-type: none"> <li>○ Regional stormwater assessment;</li> <li>○ Implementation of a water discharge quality monitoring program.</li> <li>○ Completion of Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) study regarding greenhouse lighting and other adverse effects;</li> <li>○ Determination of financial impact on Lakeshore.</li> </ul> </li> </ul>
Municipality of Lakeshore Zoning By-law Zone/Provisions	Low	<ul style="list-style-type: none"> <li>• By-law 2-2023 was adopted March 7, 2023, prohibiting Commercial Greenhouse Farms in the Agriculture Zone.</li> <li>• An amendment to the Zoning By-law will be required to permit the proposed greenhouse park within the Agriculture Zone.</li> </ul>
Distance to Provincial Highways	Low	<ul style="list-style-type: none"> <li>• The Lakeshore Greenhouse Study identifies a setback of 1000 m distance from provincial highways as best practice for locating large scale greenhouses.</li> <li>• However, as neighbouring greenhouses in Leamington are located in close proximity to Provincial Highway 77, this criterion shows less local relevance.</li> <li>• In addition, there are several County Roads which are also designed and suitable for truck traffic from which greenhouses could locate.</li> </ul>
Slope	Low	<ul style="list-style-type: none"> <li>• There is minimal variation in terrain elevation across the study area</li> </ul>
Land Classification (CLI Mapping)	Low	<ul style="list-style-type: none"> <li>• There is minimal variation as most lands involve crop cultivation</li> </ul>

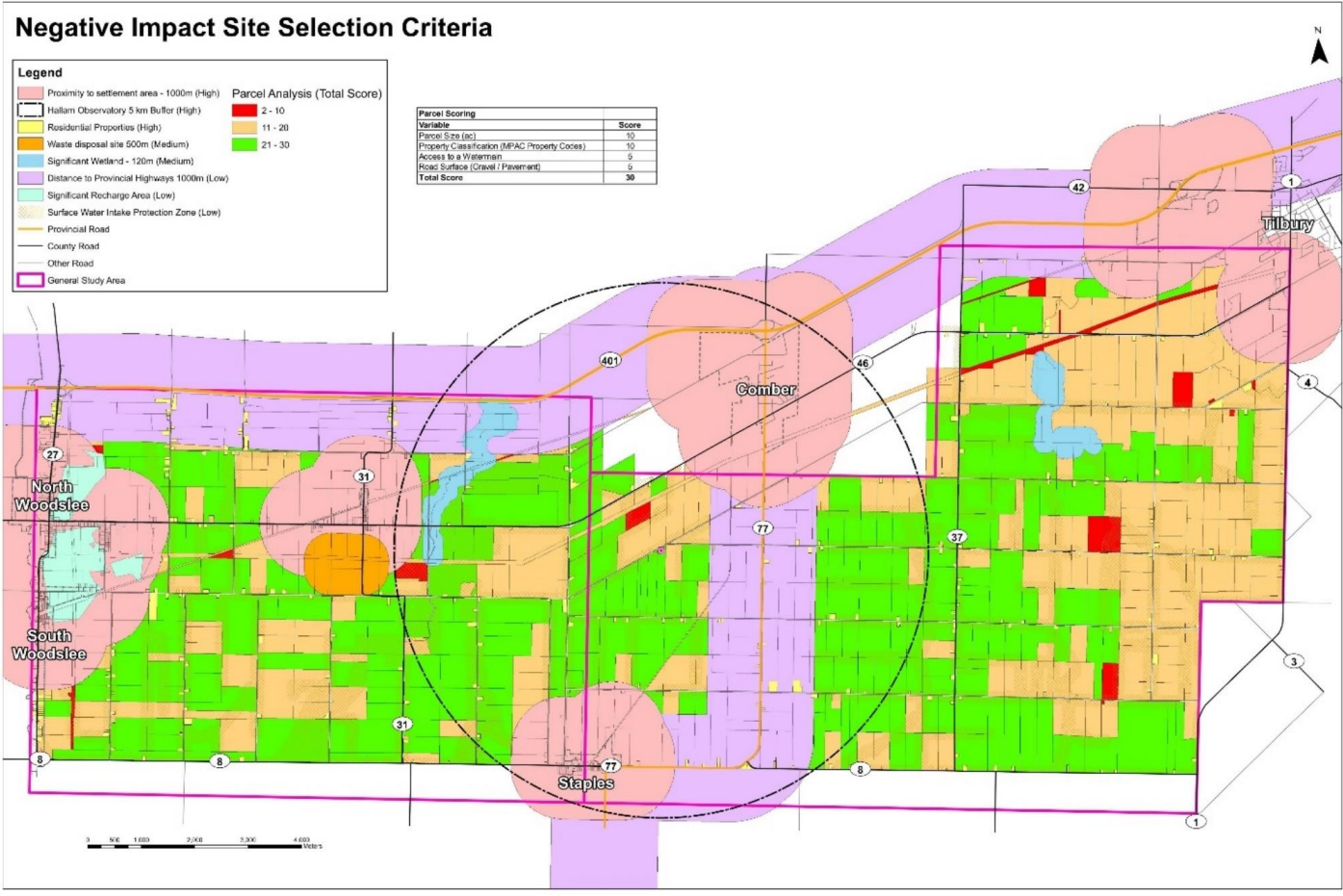
Following discussion with municipal staff, the primary criteria of interest were quantified, and parcels were scored according to each criterion. Values were assigned to parcels based on lot size (up to 10 points), existing use as identified by MPAC property code (10 points), proximity to an existing watermain (5 points), and paved road surface (5 points). Parcels were colour-coded red, orange, or green to indicate a total score out of a possible 30 points. The constraints identified from Table 1 were then added to this parcel scoring, as shown in Figure 2.

Green parcels unencumbered by constraints indicate the highest potential for an LSGF, as determined by the ranked criteria of parcel size, existing use, paved road surface, and proximity to a watermain. In sum, there is a total of 6,560 ha of unconstrained high-scoring parcels available within the study area for potential LSGF development. A further 4,566 ha of parcels received a mid-range score, indicating potential for greenhouse operations, subject to mitigation or resolution of site-specific limitations.

As is visible on Figure 2, these high-scoring parcels are geographically dispersed. It is also important to note that individual parcels may be less desirable for LSGFs looking to invest and grow operations long-term. However, multiple high-scoring parcels can be clustered, such as in the areas south of South Middle Road and east of Lakeshore Road 225, as well as on the southeast side of the study area, surrounding County Road 37. The results of Figure 2 demonstrate that there may be no single ideal area of high candidacy for an LSGF Business Park, but rather there several clusters of parcels which would be more conducive to LSGF investment.

As discussed in Section 4.2, given the widespread constraint of water capacity for LSGF expansion or growth in the Municipality, and the preference of greenhouse operators for water from Lake Erie, the most logical areas to encourage LSGF development would be in clusters to the south of the study area, in proximity to existing LSGF development of Kingsville and Leamington.

Figure 2. Parcel Analysis for Lakeshore Greenhouse Business Park Site



## 8 Conclusions and Recommendations

### 8.1 LSGFs Business Park Alternatives

Findings from the above analysis identify multiple clusters of high-scoring parcels in the areas south of South Middle Road and east of Lakeshore Road 225, as well as on the southeast side of the study area, surrounding County Road 37. Constraints noted in other sections of this document remain present and pose limitations to the selection of a single ideal site for a large-scale greenhouse business park.

Despite the constraints to identifying a single LSGF Business Area, it is still feasible for the Municipality to encourage LSGF development. This might be done through the identification of a Priority LSGF Area(s) as could be demonstrated on Official Plan Schedules with accompanying policies in the Official Plan to encourage the siting of new LSGF in areas of high-scoring available agriculturally designated land, with proximity to existing greenhouse development, and subject to consideration of the constraints identified in the above analysis. This would model the approach taken by the Town of Kingsville, as described in 3.1.

A Priority Area could also act as an incentive tool for LSGF operators by making developing in the Priority Area cheaper or attractive. This would be achieved primarily through the Municipality's prioritizing infrastructure development in these areas, particularly water infrastructure. In addition, the provision of municipal services and the benefit of sharing costs by a cluster of LSGFs, such as side road maintenance, will also be attractive for LSGFs to operate in business areas/priority areas.

The Municipality may also consider potential supplementary incentives to encourage LSGF development within these areas. For example, the Municipality might consider a Community Improvement Plan targeted towards one or more LSGF Priority Areas, with funding to encourage investment, rehabilitation, or innovation, particularly in the areas of water or energy use.

### 8.2 The LSGF Market and Growth Trend

The Canadian greenhouse industry, divided into food crop and floriculture sectors, had exports of \$2 billion and \$809.9 million in 2021. The industry is dominated by LSGFs, with 39% in Ontario. The vegetable and mushroom sector is the largest contributor, accounting for 85% of exports (\$1.7 billion) and \$2.7 billion in farm gate sales in 2021. Despite a 0.5% decrease in establishments from 2017-2021, there was an 18% increase in harvested area, a 17% increase in production volume, and a 43% increase in farm gate price, indicating a shift towards LSGFs. Employment also increased, with 6,186 permanent and 4,266 seasonal employees in 2021. Canada's trade balance nearly doubled from 2017-2021 for vegetables and mushrooms, with 90% of exports going to the U.S.

Ontario, accounting for 66% of Canada's greenhouse vegetable value by farm gate, dominates 71% of the harvested acres. The sector generates significant revenue locally and internationally, with Southern Ontario as a major hub. The industry provides over 32,000 jobs. According to the OGVG Association report 2023, the sector is projected to grow 5% annually for the next decade. In 2021, 3407 acres of land were under LSGF development in Ontario. With the projected growth

rate, an additional 2400 acres could be developed by 2033, totalling nearly 6190 acres, assuming infrastructure and necessary conditions for LSGF development catch up to demand.

The 2400-acre growth in the next decade could mostly be absorbed primarily in Leamington and Kingsville because of the advantages of LSGFs and already expanding infrastructure in the two municipalities. On the contrary, the infrastructure in Lakeshore is not yet ready to attract LSGFs. As Lakeshore plans for future growth of the Municipality, demand for LSGF growth and the servicing required, will be a critical consideration. When the infrastructure conditions in Lakeshore do become attractive, the Municipality has a sufficient 6,560 ha. of high-priority land available to meet demand.

### 8.3 Recommendations

Given the current limitations to selecting a single ideal site for a LSGF, no Official Plan amendment is recommended at this time to establish a LSGF Business Park location. In lieu of this, we offer the following recommendations for the Municipality:

1. Reassess the need for a LSGF Business Park in five years' time. In the interim, the Municipality should continue monitoring demand and interest in LSGFs. Should an operator come forward with interest in locating an LSGF in Lakeshore, the analysis of this report can be used to identify high scoring parcels and the areas of constraint.
2. Consider further assessment of a LSGF Priority Area approach, similar to that of the Town of Kingsville, as an alternative to the Business Park model. This model would permit LSGF within the Agricultural Area Designation, with policy and incentives to encourage co-location in Priority Areas, with development subject to servicing and land use compatibility requirements, including the constraints identified within the above analysis.
3. Request an amendment to Section 6.2.1 (h) of OPA 18 (LSGF Official Plan Amendment), to include the following statement:
  - a. Monitoring and review of these policies will be undertaken to identify trends in greenhouse issues in the Region, to analyze the impact of future water main expansions as well as trends in the price of land and demand for Large Scale Commercial greenhouses in Lakeshore. Reporting back to Council on the monitoring of the policies and issues will be in the form of annual briefings or status reports.
4. Prepare Design Guidelines to provide visual direction for future LSGF design. These design guidelines can inform the site plan control process for future greenhouse proposals.
5. Conduct further assessment and consider policy to support private infrastructure innovation and partnerships for LSGF operations, with particular attention to water servicing.
6. Pass a By-Law to regulate light emission during particular hours of the day or night, taking lessons from Leamington and Kingsville experiences.  
Pass a By-Law for TFW residences to regulate the design of large bunkhouses with adequate amenities as part of LSGF development plans. The practice of Kingsville and Leamington can again serve as a model.



# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council

**From:** Jacob Dickie, Planner II

**Date:** October 1, 2024

**Subject:** Changes to Land Use Planning in Ontario under the Recently Approved Provincial Planning Statement, 2024 (PPS, 2024)

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### Recommendation

This report is presented at the October 1, 2024 Council meeting, for information only.

### Strategic Objectives

This report provides an overview of the recently approved Provincial Planning Statement, 2024 as it affects the way in which planning and development services are provided to the residents of Lakeshore. All municipal decisions that relate to a planning matter shall be consistent with the new policies of the Provincial Planning Statement. This is not a core municipal service; however, the new policy changes affect the services that are provided to the residents within the Municipality. The potential financial impacts to the Municipality are also highlighted below.

### Background

On August 20, 2024, the Province of Ontario released the final approved version of the *Provincial Planning Statement, 2024* (PPS, 2024) which will become the primary policy document that governs land use planning in Ontario once it comes into effect on October 20, 2024. The new policy document replaces the *Provincial Policy Statement, 2020* (PPS, 2020) and the *Growth Plan for the Greater Golden Horseshoe* (Growth Plan, 2020) by integrating them into a single document. The Growth Plan, 2020 does not currently apply to the Municipality of Lakeshore, however many of its policies are being carried over to the new PPS, 2024 which will apply to the Municipality of Lakeshore once it comes into effect. This report provides an overview of the new PPS, 2024 and outlines key policy changes from the PPS, 2020 and the Growth Plan, 2020 as it pertains to the future of land use planning in Lakeshore.

## Comments

### Provincial Planning Statement, 2024

The PPS, 2024 provides policy direction on matters of provincial interest related to land use planning and development, including but not limited to, the following matters:

- to the adequate provision of a full range of housing,
- the efficient use of sewage, water and waste management systems,
- the protection of agricultural resources and natural features,
- public health, safety,
- and economic well-being.

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with the policy statements issued by the Province. The test of consistency with the policies of the new PPS, 2024 will apply to any decision made on a planning matter made on or after October 20, 2024. As such, it is important for members of Council and the public to be aware of this new policy document as it will help to guide their decision making.

Most of the policies in the new PPS, 2024 are either taken directly or remain similar to the policies found in the PPS, 2020 and the Growth Plan, 2020. Both of which will cease to exist on October 20, 2024 once the new PPS, 2024 comes into effect. However, there are some significant changes that are worth noting as it pertains to the future of land use planning in the Municipality of Lakeshore. These changes are highlighted below:

### Growth Forecasts

The PPS, 2024 will require municipalities to base population and employment forecasts on the Ministry of Finance's 25-year growth projections, which may be modified as appropriate. Despite this requirement, the PPS, 2024 also permits municipalities to continue to use population and employment growth forecasts previously issued by the Province for the purposes of land use planning. Under the PPS 2020, municipalities could prepare their own projections without strictly adhering to the Ministry of Finance's projections.

The PPS, 2024 requires that sufficient land must be made available at the time of creating a new Official Plan, or for each Official Plan update, to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years. Planning for infrastructure, public service facilities, strategic growth areas, and employment areas may extend beyond the 30 year time horizon. This is a departure from the PPS, 2020 which referred to a time horizon of up to 25 years.

## **Settlement Areas and Settlement Area Boundary Expansions**

Municipalities will be able to consider new settlement areas and changes to settlement area boundaries at any time, whereas previously such considerations could only occur through a municipal comprehensive review. Private applicants will be able to submit applications to alter settlement area boundaries. For settlement area expansions, the applicant will need to demonstrate that there is a need for additional land to accommodate an appropriate range and mix of land uses, sufficient capacity in existing or planned infrastructure and public service facilities, avoidance of prime agricultural lands and consideration of the minimum distance separation formulae.

## **Strategic Growth Areas and Intensification**

The concept of “Strategic Growth Areas” from the Growth Plan has been integrated into the PPS, 2024. Municipalities are encouraged to identify Strategic Growth Areas in Official Plans which should be the focus of significant population and employment growth. Strategic Growth Areas are intended to support the achievement of complete communities, provide for a range and mix of housing options while also promoting intensification, and more mixed-use development.

The PPS, 2024 supports intensification in general and requires municipalities to establish and maintain minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

The PPS, 2024 contains specific minimum density targets for Major Transit Station Areas and the 29 Large and Fast-Growing Municipalities. Such requirements do not apply to the Municipality of Lakeshore or other municipalities in the County of Essex. However, the City of Windsor is identified as a large and fast-growing municipality.

## **Employment Areas**

Municipalities will now be able to remove lands from employment areas at any time, whereas the PPS, 2020 only allows for employment conversions to occur through a municipal comprehensive review. Private applicants will be able to submit applications for the removal of land from employment areas, provided that they can demonstrate that there is an identified need for the removal and the land is not required for employment area uses over the long term.

The “Employment Area” policies also contains new language regarding the need to address land use compatibility between employment areas and sensitive land uses. Any development on lands within 300 metres of employment areas must avoid, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas.

## **Agricultural Areas**

Municipalities are now “required” instead of “encouraged” to adopt an agricultural system approach, to maintain and enhance a continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the agri-food network. Provincial guidance such as guidelines and technical criteria may be issued from time to time to support the implementation of this policy.

Where a residential dwelling is permitted on a lot in the prime agricultural area, up to two additional residential units (ARUs) will now also be permitted in addition to farm help housing. Where two ARUs are proposed on an agricultural lot, at least one must be located within or attached to the primary residential building, while the other ARU can be located within an accessory structure. The additional residential units will be required to have appropriate sewage and water services; but there is no mention of connecting to municipal services. As mentioned above, provincial guidance in the form of guidelines or technical criteria may be issued from time to time to support the implementation of this policy.

There are no new policies or changes with regard to providing guidance for large scale greenhouse facilities.

There is one change to the residential lot creation policies. The PPS, 2024 states that a surplus farm dwelling severance is limited to one new residential lot per farm consolidation, whereas before, more than one surplus farm dwelling per farm consolidation could occur.

There are no references to renewable energy storage facilities, specifically battery storage facilities. However, there was a recent announcement in the media that guidelines will be released by the province.

## **Aviation Safety Hazard**

Land uses which may cause a potential aviation safety hazard in relation to airports are now prohibited, whereas previously they were discouraged.

## **Cultural Heritage and Archaeology**

PPS, 2024 strengthens the Cultural Heritage and Archaeology policies by requiring planning authorities to engage “early” with Indigenous communities when identifying, protecting and managing not only archaeological resources but also built heritage resources and cultural heritage landscapes.

## **Economy and Energy Conservation**

It is noted that the previous section on Long Term Economic Prosperity has been removed. There is no explanation as to why this section was dropped. In addition, the section on Energy Conservation, Air Quality and Climate Change contains fewer policies.

There is no specific reference in the PPS, 2024 to short term rental accommodation. It is noted that the appeal of Lakeshore's short term rental accommodation by-law amendment included reference to the section on Long Term Economic Prosperity as one of the reasons for the appeal.

## **Transition**

The Province posted a consultation notice on the Environmental Registry of Ontario website requesting feedback as to whether transition regulations are needed to implement the PPS, 2024. The posting closed on September 20, 2024. If transitional regulations are released, it may impact development applications that are currently under appeal.

## **Conclusion**

The new policies outlined in the PPS, 2024 will require the County of Essex and the Municipality of Lakeshore to review the policies in both the proposed County Official Plan and the Lakeshore Official Plan documents to consider whether changes are needed to ensure consistency with the new PPS, 2024. In addition, the Lakeshore Zoning By-Law may also require changes to implement the new policies of the PPS, 2024 particularly after guidance documents have been released concerning the prime agricultural areas. The Lakeshore Planning Division will look to the County planning department for direction and support on when the Lakeshore Official Plan review should occur, as it is tied to the timing of when the County Official Plan review will go into effect. Overall, the various new policy changes trigger the need for Administration to review procedures to efficiently process development applications and analyze the financial impact of these changes.

## **Financial Impacts**

The Planning Services Division is anticipating that there will be an increased number of planning applications as a result of the new PPS, 2024 policies, especially with respect to expanding settlement area boundaries and employment area conversions. This will create revenue for the municipality in the form of planning application fees. However, due to the technical nature of these more complex applications, it is expected that the review time from staff will be much longer and require more work. Further, due to additional residential dwellings (e.g. ARUs) now being permitted in prime agricultural areas, the Municipality can expect to see an increase in the number of building permits issued and an increased population growth in the rural areas of Lakeshore.

## Report Approval Details

Document Title:	Changes to Land Use Planning in Ontario under the Recently Approved Provincial Planning Statement, 2024 (PPS, 2024).docx
Attachments:	
Final Approval Date:	Sep 19, 2024

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

Prepared by Jacob Dickie

Submitted by Urvi Prajapati, Ryan Donally and Tammie Ryall

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Ryan Donally, Chief Growth Officer  
**Date:** September 12, 2024  
**Subject:** Planning Division File Status Update

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### Recommendation

This report is presented at the October 1, 2024 Council meeting, for information only.

### Strategic Objectives

3b) Modernizing and Enhancing Municipal Functions - Revise business processes to establish and employ a risk management framework, improved workflow management, and financial modelling to inform management of reserves

### Background

This report is to provide a summary of all Planning Act applications received and processed from January 1, 2021, to September 15, 2024.

The following applications are included as part of this review:

- Pre-consultation (PCN)
- Site Plan Control Application (SPC)
- Temporary Patio (SPC-Temp Patio)
- Zoning By-Law Amendment Application (ZBA)
- Part Lot Control Application (PLC)
- Condominium Application (C-A)
- Subdivision Application (S-A)
- Minor Variance Application
- Consent Application

## Planning Application Overview

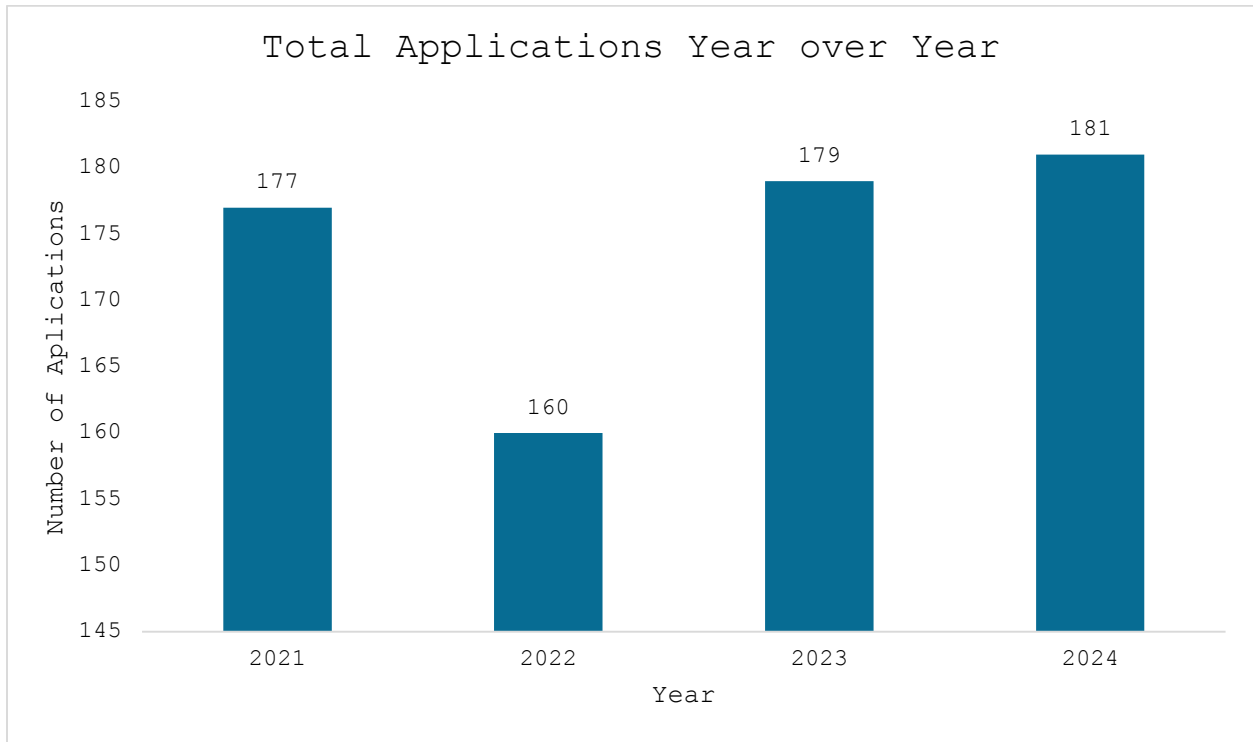


Figure 1: Total applications received to date by year.

Figure 2 illustrates the total number of applications received to date from January 2021 to September 2024. The number of applications received this year already exceeds the total number of applications from the previous three years. If current application trends continue, the total applications for 2024 projects to over 225. Further, additional application may be encouraged through the finalization of the Water and Wastewater Master Plan.



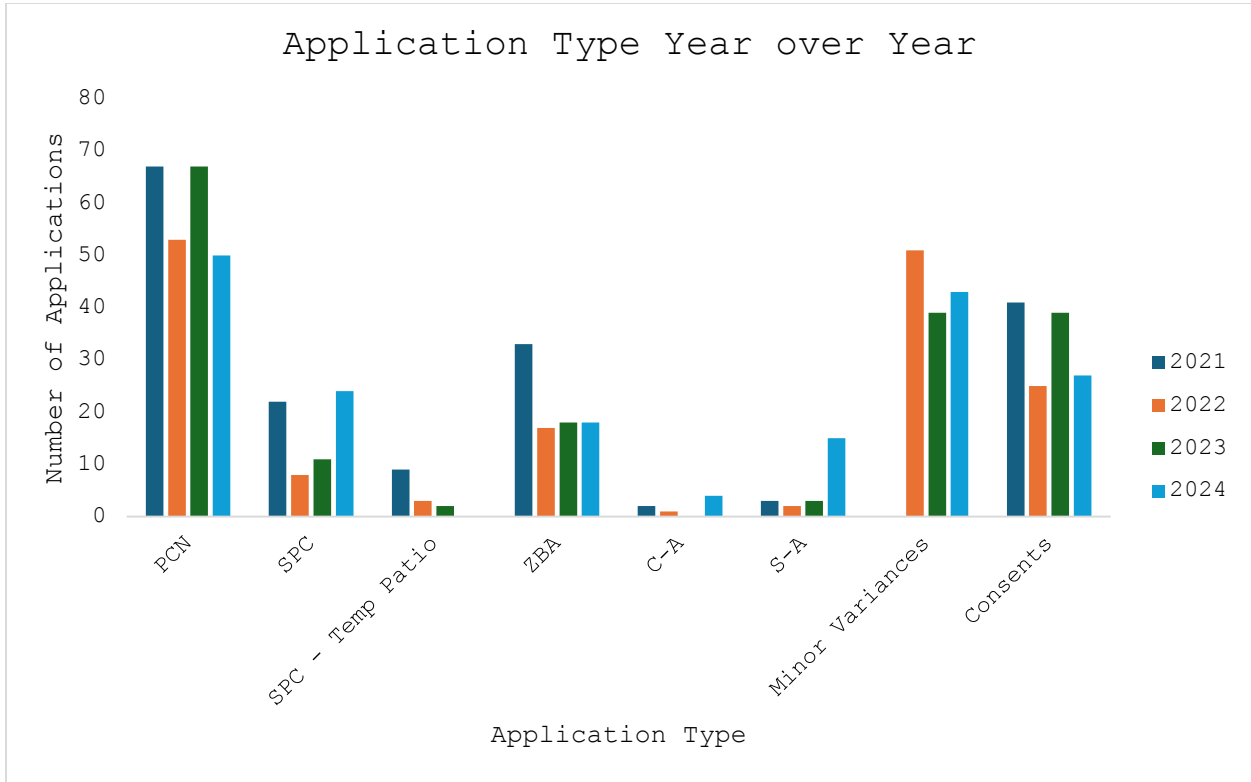


Figure 2: Number of each application type received to date by year.

Figure 2 demonstrates the total number of various types of applications that were received since January 1, 2021 up until September 15, 2024. It is to be noted that some Site Plan applications have been carried over from 2023 into 2024 due to staff turnaround and in an effort to clear the back log.

Of note, there is a significant number of subdivision applications that have been made in 2024. Administration believes that this is caused by the availability (or near availability) of sanitary conveyance capacity being unlocked to the various sites and two, the shifting external macro-economic trends related to interest rates and housing stock.

### Planning Stabilization Team

In Q1, 2024, the CAO formed a “Planning Stabilization Team” with the mandate of improving the planning application process, process mapping, and overall file management for the Community Planning Division. The three-person team consisted of the Division Lead of Planning (acting), a Financial Analyst and an Administrative Assistant. One of the main project deliverables was to bring the entire planning application process online through the Cloud Permit software. The project team completed its work in April of 2024 and the members returned to their home departments. This work generally ran in parallel to the Service Delivery Review project

conducted by Strategy Corp. Implementation of recommendations from that report will continue to be integrated into the development process.

#### Cloudpermit:

Cloudpermit has made file management and tracking easier as the progress is shared across the department, which further helps with accountability. Moreover, it is easier to request comments from internal departments and has allowed for efficient service delivery to applicants. The transparency and ability to self-upload files has been received positively by the development community.

From a challenge perspective, the learning curve to adapt to a new software is more challenging to the average resident who is looking for a minor planning application. This occasionally leads to planning staff walking the resident through the process over the phone, by email, or at the in-person workstation at Town Hall.

Additional challenges of the program include the requirement of repetitive workflow, occasional interruption of process management, and some limitations of service delivery. Currently, no external agencies utilize Cloudpermit. As a result, during the time of circulations for application review, staff must still use traditional email circulation. This can lead to version control issues of files and disruption of workflows.

In general, the adaptation by both staff and applicants has been relatively smooth. Staff is in regular contact with Cloudpermit to provide feedback for improved service.

Lakeshore's Building Division and Community Planning Division are both "live" with Cloudpermit. The Bylaw Division is in the process of onboarding to Cloudpermit.

### **Development Timelines**

The average timeline for any planning application can vary greatly depending on several internal and external factors. For the purpose of highlighting approximate timelines in this report, we will suggest that the quality of submissions by the application are of average to good quality and the applicant is responsive to required amendments.

#### *Pre-consultation (PCN)*

- 2 to 3 weeks from first point of contact until meeting is held
- 2 to 4 weeks from meeting until Preconsultation notes are shared with the applicant.

It is extremely important for the applicant to understand that the Preconsultation is not an application. In multiple instances, applicants believe the application to be made as the Preconsultation meeting is held. The Preconsultation meeting is intended to highlight what work needs to be completed for the file to be deemed a complete application. The timeline from Preconsultation to actual application can vary widely and

is solely in the hands of the applicant to complete the required plans, studies, and the formal application.

Once all of the plans and studies have been completed and included in the application, the application can be deemed complete. The following timelines are based on when an application is deemed complete.

Of importance, a significant amount of time is added to the applications below through the “circulation” and “revision” process. For Site Plans, Zoning Amendments, Subdivisions and Condominiums, there is an average of 3-4 rounds of revisions (or circulations). This number can grow based on the applicant and their consultant’s attention to detail, and willingness to address the issues highlighted. Each circulation takes approximately 5-6 weeks. Traditionally, after the first or second revision, the only remaining outstanding issues to address are based on engineering comments. In most instances, engineering comments are sent to a third-party for engineering review. Lakeshore has an agreement for three-week turnaround from these third-party firms.

The timelines below are approximate.

#### Site Plan Control Application (SPC)

- 6+ months
  - o Does not require Council approval

#### Temporary Patio (SPC-Temp Patio)

- 2 weeks
  - o All reviews are completed internally
  - o Does not require Council approval

#### Zoning By-Law Amendment Application (ZBA)

- 4 + months
  - o Requires Council approval

#### Part Lot Control Application (PLC)

- 2 months
  - o Requires Council and County of Essex approval

#### Condominium Application (C-A)

- 4+ months
  - o Requires Council and County of Essex approval

#### Subdivision Application (S-A)

- 6+ months (usually 1 year +)
  - o Requires Council and County of Essex approval

#### Minor Variance Application and Consent Application

- 3 to 4 months
  - o Requires Committee of Adjustment approval.

As the file is nearing the completed state, and when applicable, Administration and the applicant begin drawing-up and reviewing the various agreements and by-laws required to execute the completed application. Additionally, and when applicable, the Building Division begins review of the submitted drawings to best shorten the timeline for the entire development process.

**Financial Impacts**

As this is a report for information, there are no direct financial impacts.

**Report Approval Details**

Document Title:	Planning Division File Status Update.docx
Attachments:	
Final Approval Date:	Sep 20, 2024

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

Prepared by Ryan Donally

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Urvi Prajapati, Team Leader – Community Planning  
**Date:** September 5, 2024  
**Subject:** Zoning By-Law Consolidation

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### Recommendation

This report is presented at the October 1, 2024 Council meeting, for information only.

### Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

### Background

This is an Administration-led initiative as part of the Planning Act requirements to keep all policies up to date and in line with the Provincial changes. The last consolidation of amendments to the current Comprehensive Zoning By-law took place five years ago, in 2019, and since then approximately 125 amendments have taken place within the Municipality. Moreover, there have been various Provincial changes to the Planning Act, the Provincial Policy Statement (PPS), and the draft Lakeshore Official Plan in the last few years and it is important for local municipalities to keep up with it and reflect the same in its practices. An up-to-date Zoning By-Law will help to provide better services to its residents.

Zoning plays an essential role in shaping development across the Municipality. It is a tool that is used to regulate the use of land and buildings within a Municipality.

The Zoning By-law is a legal document that is used to implement the policies of the Official Plan. It contains many regulations and standard to guide development; including but not limited to:

- use of land and buildings,
- building heights,
- massing and density,

- lot size and dimensions,
- parking requirements,
- lot coverage, and
- the location and size of accessory structures

As such, the Zoning By-Law must be clear and easily interpreted in order for it to be effective. It is used by landowners, members of the public, Municipal staff and Council to inform development decisions. Section 34 of the Planning Act authorizes Municipalities to pass Zoning By-laws and requires that local plans and by-laws meet provincial plans and policies, as well as identify matters of Provincial interest.

Council Adopted the Town of Lakeshore Zoning By-Law 2-2012 on January 10, 2012; and it was last consolidated on December 2, 2019. Since then, many Zoning by-law amendments have taken place within different land uses to permit the development and growth of the municipality as well as mapping changes. This report is being brought forward to consolidate all updates to August 31, 2024. This will in turn help Administration to align the By-law with the new draft Official Plan, keep conformity with the Planning Act, the Provincial Policy Statement (PPS), and the County of Essex Official Plan.

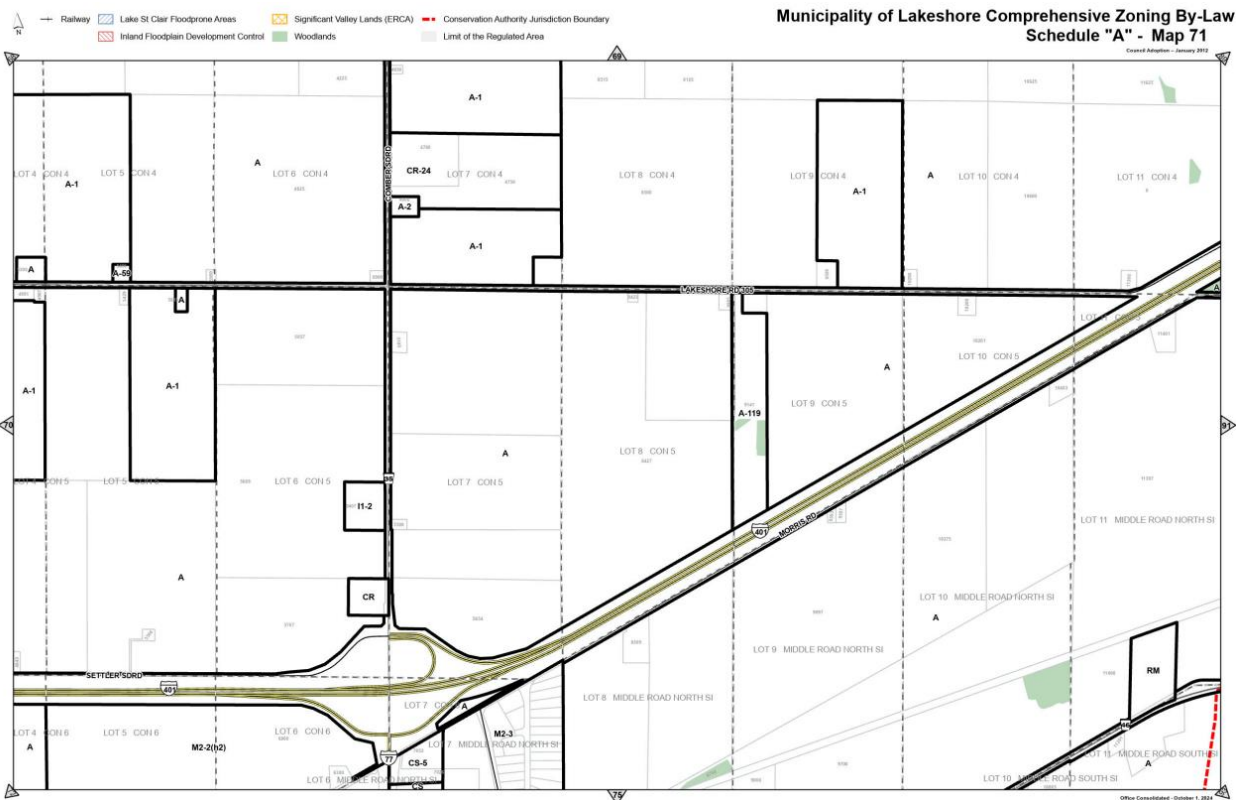
Moreover, keeping an up-to-date Zoning By-law will assist the Planning, Building and By-law Divisions with carrying out their day-to-day work, including responding to inquiries from the public. The consolidation will assist staff to provide evidence in Court and at Ontario Land Tribunal (OLT) matters.

An example of a by-law that is added to the consolidated Zoning By-law would be:

### 9.20.119 “Agriculture Zone Exception 119 (A-119) (Map 71)”

- a) Permitted Uses: Notwithstanding Section 7, Table 7.1, or any other provision of this by-law to the contrary, a single unit dwelling shall be prohibited. All other uses are permitted.
- b) Permitted Buildings and Structures: Notwithstanding Section 7 or any other provisions of this by-law to the contrary, a single unit dwelling shall be prohibited. Buildings and structures for the permitted uses are permitted.
- c) Zone Regulations: Notwithstanding Section 8.9 of this By-law to the contrary, the Minimum Lot Area shall be 9.3 hectares and the Minimum Lot Frontage shall be 38 metres.”

Schedule A map below shows the rezoning that has been implemented from Agriculture (A) zone to site specific Agriculture Zone Exception 119 (A-119) north of highway 401 south of Lakeshore Road 305.



The consolidated version will be posted on the Lakeshore website to assist members of the public to access information on the zoning on various properties shortly after October 1<sup>st</sup>, 2024. Members of the public can come access the consolidated by-law and updated Schedule Maps at anytime during this transition.

## **Comments**

### Provincial Planning Statement 2024

The new Provincial Policy Statement comes into effect on October 20, 2024 and it will replace the existing PPS that came into effect on May 1, 2020. The consolidated by-law will conform to the existing PPS as well as the new PPS through its consolidation of the various By-law amendments and definitions.

### County of Essex Official Plan

This update is consistent with Section 1.1 of the County Official Plan, specifically paragraph b) about the County Official Plan providing framework to the local Zoning By-laws.

### Lakeshore Official Plan

The new draft Official Plan is currently being reviewed and the most up-to-date Zoning By-Law will help to implement the new policies that are anticipated in it. Along with this it will also conform to the existing Official Plan.

### Zoning By-Law

All local policies and documents need to conform to the changing provincial policies and this update will help to provide continued implementation of the Official Plan policies and support the growth and development of the Municipality.

It is to be noted that this is not a re-adoption of the Zoning By-Law, rather a consolidation to the existing to recognize the already passed amending By-Laws from 2019 up until August 31, 2024.

Administration intends to continue to monitor all changes and consolidate the Zoning By-law on a regular basis in the future.

## **Others Consulted**

There is no requirement to hold a public meeting. Hence no appeal rights apply in this case.

## **Financial Impacts**

There are no financial impacts from this initiative, as this was undertaken by internal staff.



### Report Approval Details

Document Title:	Zoning By-law Consolidation .docx
Attachments:	
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 Tammie Ryall

Approved by the Corporate Leadership Team

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council  
**From:** Urvi Prajapati, Team Leader – Community Planning  
**Date:** September 12, 2024  
**Subject:** Site Plan Agreements Executed 2023 - 2024

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### Recommendation

This report is presented at the October 1, 2024 Council meeting, for information only.

### Strategic Objectives

This report is to provide Council with the required information report on the Site Plan Development Applications that have been approved by the Division Leader – Community Planning for 2023 and 2024. Although this is not directly related to a Strategic Objective, it is a core service to the Municipality as it relates to the effective services provided to the residents of the Municipality.

### Background

The passing of the *More Homes for Everyone Act, 2022* (Bill 109) resulted in the addition of section 41(4.0.1) to the *Planning Act* which states:

(4.0.1) A council that passes a by-law under subsection (2) shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection (4).

Subsection 4 refers to the approval of site plan applications. Previously, the section stated that the Council of a municipality approve Site Plan Applications. As a result of Bill 109 and the changes to the *Planning Act*, Council passed a By-law to delegate site plan approval authority to the Division Leader – Community Planning at the June 14, 2022, Council meeting.

At the same meeting, By-law 62-2022 was adopted, establishing a site plan control area for the Municipality and to adopt rules for the processing of site plan development applications. Section 13 of the By-law states that Council shall be informed of the exercise of authority delegated through presentation of an information report to Council on a quarterly basis.

The last report came forward in Q3 of 2023. This report will provide a recap of 2023 and all agreements that have been registered up until August 30, 2024.

## Comments

To be included in this quarterly report of executed site plan, the following conditions need to be met:

- 1) site plan control agreement signed by the owner or member of the corporation who has the authority to bind the company;
- 2) agreement signed by the Clerk;
- 3) agreement signed by the Mayor;
- 4) securities collected by Lakeshore (currently at the set value of \$4,000.00 for Minor Site Plan Agreements and \$25,000.00 for Major Site Plan Agreements); and
- 5) the Legal division confirms that the agreement is registered on title.

During 2023, the Division Leader – Community Planning exercised the delegated authority of site plan approval for the following applications:

- 1) Site Plan Amending Agreement (file SPC-09-2022) was fully executed on March 6, 2023, over lands known as 538 Blanchard Park Dr. The purpose of the amendment was to allow for the constriction of additional building space for the expansion of the existing manufacturing business.
- 2) Site Plan Amending Agreement (file SPC-07-2022) was fully executed on March 3, 2023, over lands known as 904 County Rd 8. The purpose of the amendment was to allow for the construction of a new warehouse on the property as an expansion to the existing business.
- 3) Site Plan Agreement (file SPC-13-2020/S-A-02-2020) was registered on title on February 3, 2023, over lands known as 191 Puce Rd. The purpose of this development was for the construction of 12 Units Stacked Townhomes.
- 4) Site Plan Agreement (file SPC-22-2021) was registered on title on August 23, 2023, over lands known as 1628 Essex County Rd. 22. The purpose of this development is to construct a 3-storey Long Term Care Facility (160 beds.)
- 5) Site Plan Amending Agreement (file SPC-24-2021) was fully executed on January 27, 2023, over lands known as 6305 Main St. in the community of Comber. The amendment allows the existing mixed-use building to be renovated into a bakery/bistro at ground level and include two residential units on the upper level, with parking in the rear of the building.
- 6) Site Plan Agreement (file SPC-05-2023) was registered on title on September 20, 2024, over lands known as 395 Patillo Rd. The purpose of this development is to construct a new 186,000sq ft. warehouse plant and office use for Can Art

Aluminum Extrusion Inc.

- 7) Site Plan Agreement (file SPC-07-2024) was fully executed on January 30, 2024, over lands known as 226 East Pike Creek Road. The purpose of the development was to upgrade the existing private on-site sewage works.

Agreements nearing registration:

- 1) Site Plan Agreement (file SPC-01-2023) affects 981 County Rd. 2. The purpose of the development is to permit a cart storage building with associated new berm and landscaping for the existing golf cart facility.
- 2) Site Plan Amending Agreement (file SPC-02-2023) affects 472 Blanchard Drive and the amendment will permit the construction of Phase 2 of their original Site Plan executed in 2016. The applicant will recognize Building A as two separate buildings, whereas it was planned and depicted as one building on the original site plan. It will also permit the construction of Building D, E, and G as part of Phase 2.
- 3) Site Plan Agreement (file SPC-03-2023) affects 266 Patillo Rd and the development is for public storage units without any office space.
- 4) Site Plan Agreement (file SPC-04-2024) affect 216 Renaud Line Road. The purpose of this development is to permit the construction of Phase 3 Med Art Plaza which consists of the construction of a new 10,000 sq ft commercial building.
- 5) Site Plan Agreement (file SPC-06-2023) affects 7032 Ford St. The proposal is to make improvements to the existing warehouse buildings on site and continue the use as storage in the warehouse.
- 6) Site Plan Amending Agreement (file SPC-08-2023) affects 904 County Road 8. The proposal is to permit a reservoir building on the property.
- 7) Site Plan Amending Agreement (file SPC-10-2023) affects 390 Talbot St. N and the proposed development will permit the expansion of the existing service garage with 4 additional bays.
- 8) Site Plan Agreement (file SPC-01-2024) affects 1650 Manning Rd and the proposal is for the development of 10 townhomes.
- 9) Site Plan Amending Agreement (file SPC-04-2024) affects 465 Jutras Dr. and the proposal is to address the already built storage facility used for storage of extra lease held equipment until it is processed within the facility.

### Financial Impacts

There are no financial impacts as a result of this report. The Municipality collects the appropriate building permit fees and development charges at the building permit stage. After the complete build-out of the project there will be an increase in the assessed property value, resulting in an increase in municipal taxation.

### Report Approval Details

Document Title:	Site Plan Agreements Executed (2023 - 2024).docx
Attachments:	
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

# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Planning Services



**To:** Mayor and Members of Council

**From:** Urvi Prajapati, Team Leader – Community Planning

**Date:** September 10, 2024

**Subject:** S-A-01-2020 Draft Plan of Subdivision Application for Rourke Line and County Rd. 22 by MGV Development

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### Recommendation

Direct Administration to advise the County of Essex that the Municipality of Lakeshore supports the draft plan of subdivision approval for Rourke Line Rd and County Rd. 22 by MGV Development Inc. as described in the report presented at the October 1, 2024 Council Meeting.

### Strategic Objectives

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

### Background

An application has been received from MGV Development Inc. c/o Mike McMahon for a draft plan of subdivision application for lands legally described in Appendix E.

The proposal is for the development of 5 blocks for 10 semi-detached dwelling units, 8 blocks for 31 townhouse dwelling units, one block for 90 rental apartment units and one block for an easement.

The subject lands are currently vacant and have been used for residential and agricultural purposes and will be serviced fully on municipal services.

The subject lands are located on the southeast corner of the Rourke Line Road and County Road 22 intersection (Appendix 1). The County of Essex (Approval Authority) has received and deemed complete an application for a Draft Plan of Subdivision, File No. 37-T-24005. The subject property is designated as "Mixed Use" within Lakeshore's Official Plan, and zoned as Residential Type 1 (R1) Zone, By-law 4170-ZB-94 and Mixed Use Exception 37 (MU-37) Zone with Holding Provision 30 (H30) ((MU-37) (h30)) in the Municipality's Zoning By-law 2-2012. The applicant has applied for a rezoning of

the entirety of the subject site to a site-specific Mixed-Use zone (file number: ZBA-14-2024, By-law 93-2024) as presented at the October 1<sup>st</sup>, 2024 Council meeting to permit the proposed development.

Previously the rezoning was considered by Council on July 12, 2022. The plan of subdivision was not considered by Council at that time. The proponent has addressed the earlier comments of Council including:

- changing from 2 apartment buildings to 1;
- removing the commercial use from the apartment building;
- removing the originally proposed stormwater pond to be replaced with commercial building on the southeast side of the proposed development.
- The applicant conducted a public engagement meeting as requested by Council and the results can be found in Appendix F.

It is also to be noted that Council has determined a small parcel of land as surplus and a purchase of sale agreement has been signed between MGV Development and the Municipality. This will affect the parcel on the southeast side of the proposal and it will be acquired by MGV in the near future. The rezoning application will cover all of the parcels included in the concept plan (Appendix D).

The Applicant has applied for approval of a Draft Plan of Subdivision to permit the development of 10 semi-detached dwelling units, 31 townhouse dwelling units, and 90 rental apartment units. The rezoning application has been taken to Council in this same meeting and it will address the following provisions through a site-specific Mixed-use zone amendment:

- 1) Semi-detached dwellings, townhouses, and multiple dwelling buildings as a permitted use;
- 2) an increase in maximum building height from 10.5m to 24.0m;
- 3) a reduced buffer strip in a yard abutting an institutional zone from 4.5m to 1.5m;
- 4) an increase in maximum gross floor area from 3,000m<sup>2</sup> to 12,500 m<sup>2</sup>;
- 5) an increased maximum lot or block coverage to 52% as it relates to the semi-detached and townhouse

The new lots will have access from Girard Drive to the south, County Road 22 to the north and Rourke Line Rd to the east (Appendix B – 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 – December 2023;
- Planning Justification Report, Dillon Consulting, March 2024;
- Functional Servicing Report, Dillon Consulting, December 2023;
- Stormwater Assessment Report; Dillon Consulting – February 2024;

- Stormwater Assessment Report Response to ERCA Comments; Dillon Consulting – February 2024
- Concept Plan; Dillon Consulting – December 2023; and
- Phase 1 Environmental Site Assessment, Soil and Materials Engineering Inc. – March 2019
- Species at Risk Screening, Goodban Ecological Consulting Inc. - December 2019
- Traffic Impact Study, Dillon Consulting – March 2023
- Traffic Memo, Dillon Consulting – March 2023
- Transportation Noise Assessment, Dillon Consulting – February 2024
- Reduced County Road Setback Request, Dillon Consulting – February 2024
- Safe Access Memo, Dillon Consulting – April 2023
- Engagement Summary – September 2022

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 C). 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 landowners within 120 meters of the MGV Development Inc., as required under the *Planning Act*.

## Comments

### Provincial Policy Statement (PPS)

The subject lands, 1477 County Rd. 22 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 10 semi-detached dwelling units, 31 townhouse dwelling units, and 90 apartment 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 Primary 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 is currently zoned as Residential Type 1 (R1) Zone, By-law 4170-ZB-94, and Mixed Use Zone Exception 37 with Holding Provision 30 (MU-37(h30)).

The rezoning application will allow the proposed development through a site-specific mixed-use rezoning. Once passed and adopted the site-specific rezoning will be the following: Mixed Use Zone Exception 39 Holding Symbol 30 (MU-39(h30)).

### **Comments from internal departments**

**Building** - has no comments at this stage.

**Fire** - has no comments at this stage.

**Engineering** - please see Appendix G.

### **Draft Plan Considerations to be forwarded to the County of Essex**

#### **Local Roads**

As an extension to Coretti Drive from the intersection of Girard Drive and Coretti Drive (named as Street A); the proposed development will include a local road network with a right-of-way width of 20.0 meters. 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**

Traffic Impact Assessment was completed by Dillon Consulting Ltd. All traffic requirements should follow Lakeshore's guidelines along with coordination of County of Essex for necessary approvals before the complete build-out of the site.

## **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 on County Road 22.

## **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. The current rate is \$2,000.00 per unit. It should be noted that By-law 90-2022 is currently being reviewed and Administration intends to present an amended by-law this year.

There is a designated amenity area indicated on the Concept Plan (Appendix D) for residents of the apartment building. This area could also serve as space for scooter and bicycle parking. As part of the County Rd. 22 Corridor Enhancement, the south side of County Road 22 will incorporate a multi-use path and a sidewalk on the north side with separated bicycle lanes to support active transportation within the corridor. Hence it will be important for the development to provide space for bike storage to encourage the use of active transportation. It is also to be noted that the site is within walking distance to Maidstone Park.

## **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, storm sewers and sanitary sewer services are available to service the subject lands along the Girard Drive through connection to existing infrastructure. Sanitary servicing for the site

will be through the existing municipal sanitary sewer system. Sanitary Sewer reserves sanitary treatment capacity to these lands until October 1, 2027. Water servicing for the site will be through the existing municipal water main 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 and site servicing**

To satisfy the requirements of the storm water management plan development and implementation of both quantitative and qualitative protection measures 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 without significant implications on the existing stormwater management system.

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. 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.

### **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)

As mentioned before the proposal is for the development of 5 blocks for 10 semi-detached dwelling units, 8 blocks for 31 townhouse dwelling units, one block for 90 apartment units and one block for an easement.

At this time, there is no information on how the proposed subdivision will meet the affordability criteria. We will request the County of Essex (approval authority) to provide detailed information on affordability as part of their review.

### **Noise and Vibration**

As a condition of draft approval, the recommendations of the Noise and Vibration Impact Assessment will be required and it is to be implemented due to the proximity of the rail lines.

### **Conclusion**

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

### **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: Draft Plan of Subdivision
- Appendix C: County of Essex Letter of Direction
- Appendix D: Concept Plan of Subdivision
- Appendix E: Legal Description
- Appendix F: Engagement Summary
- Appendix G: Engineering Comments

### Report Approval Details

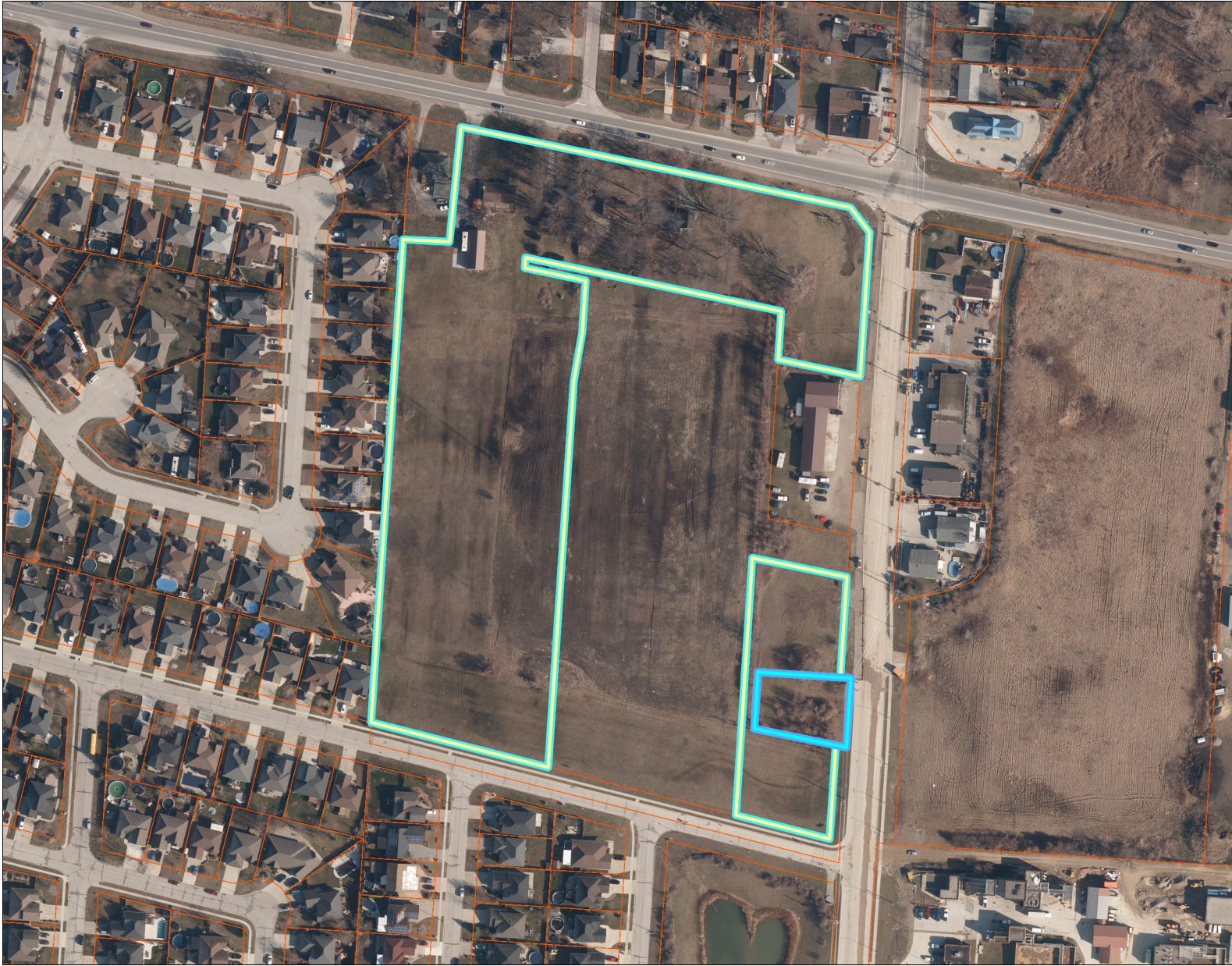
Document Title:	S-A-01-2020 Draft Plan of Subdivision Application for Rourke Line and County Rd. 22 by MGV Development Inc. .docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix A - Key Map.pdf</li><li>- Appendix B - Draft Plan of Subdivision.pdf</li><li>- Appendix C - County of Essex Letter of Direction.pdf</li><li>- Appendix D - Concept Plan of Subdivision.pdf</li><li>- Appendix E - Legal Description.pdf</li><li>- Appendix F - Engagement Summary.pdf</li><li>- Appendix G - Engineering Comments.pdf</li></ul>
Final Approval Date:	Sep 24, 2024

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



Prepared by Urvi Prajapati

Submitted by Ryan Donally

Approved by the Corporate Leadership Team



**Legend**

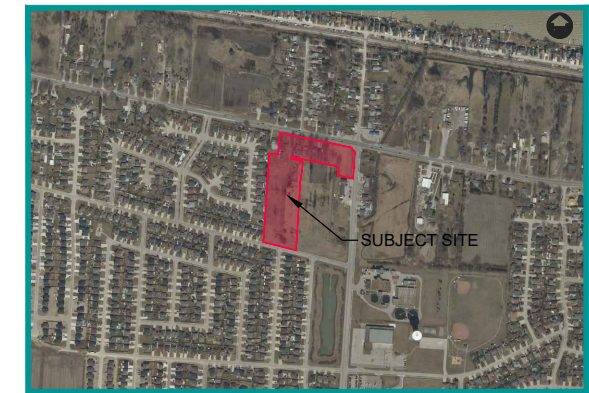
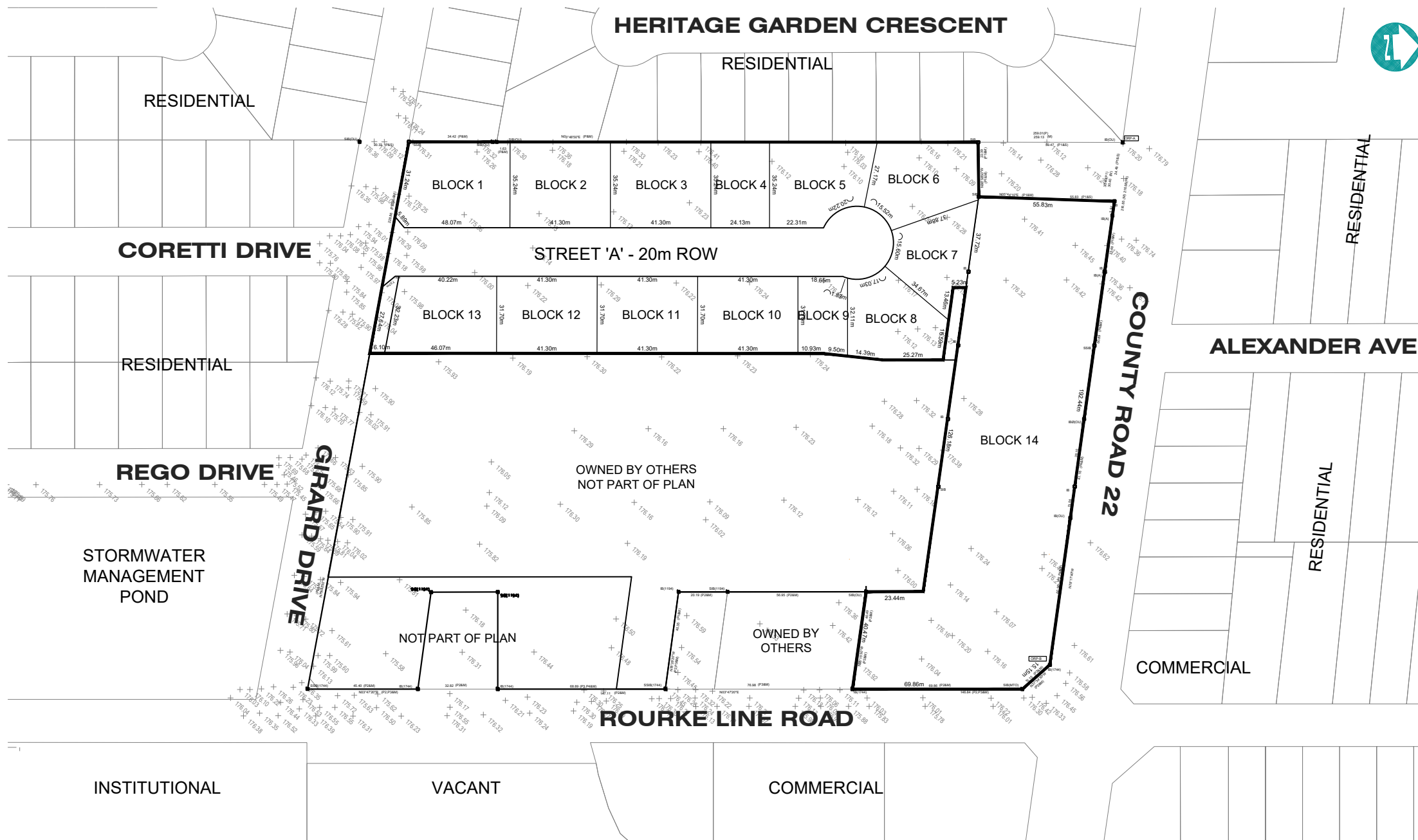
-  Tax Parcel
-  WorkingParcel

1:2,847



Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION



KEY PLAN  
N.T.S.

SOURCE: COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

**LEGEND AND NOTES:**  
BEARINGS ARE UTM GRID DERIVED FROM OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK OBSERVATIONS AND ARE REFERRED TO UTM ZONE DISTANCES ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF **0.99983027**

**INTEGRATION DATA**

COORDINATES ARE DERIVED FROM GRID OBSERVATIONS USING THE CAN-NET NETWORK SERVICE AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010.0). COORDINATE VALUES ARE TO AN URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) O. REG 216/10

POINT ID	NORTHING	EASTING
ORP-A	N4683934.57	E356800.95
ORP-B	N4683890.56	E357013.37

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

FOR BEARING COMPARISON, A ROTATION OF 01°15'40" CLOCKWISE WAS APPLIED TO (P) AND (P1) TO CONVERT TO GRID BEARINGS.

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- PB DENOTES PLASTIC BAR
- CP DENOTES STEEL PIN
- WIT DENOTES WITNESS
- M DENOTES MEASURED
- J DENOTES PERPENDICULAR
- S DENOTES SET
- M DENOTES MEASURED
- ORP DENOTES OBSERVED REFERENCE POINT
- BF DENOTES BOARD FENCE
- WF DENOTES WIRE FENCE
- CLF DENOTES CHAIN LINK FENCE
- ALL SET SSIB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF O. REG. 525/91.
- (OU) DENOTES ORIGIN UNKNOWN
- (P) DENOTES PLAN 12M-427
- (P1) DENOTES PLAN 12R-21086
- (P2) DENOTES PLAN 12R-25029
- (P3) DENOTES PLAN 12R-25107
- (P4) DENOTES M.T.O. PLAN P-2966-33
- (1744) DENOTES VERHAEGEN LAND SURVEYORS
- (MTO) DENOTES MINISTRY OF TRANSPORTATION, ONTARIO
- (1194) DENOTES JOHN B. SMEETON INC., O.L.S.
- DENOTES C.G.R. ARMSTRONG, O.L.S.
- (D) DENOTES DEED



"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Dec 01, 2023 - 10:16am C:\Users\32snp\Desktop\20-3323 - Rourke Line - DPS (December 1, 2023).dwg



**Draft Plan of Subdivision**  
PLAN OF SURVEY OF PART OF LOT 1 LAKESHORE RANGE BETWEEN PUCE RIVER AND BELLE RIVER GEOGRAPHIC TOWNSHIP OF MAIDSTONE NOW IN THE TOWN OF LAKESHORE COUNTY OF ESSEX, ONTARIO

Scale: 1:2000 (11x17)

**OWNER'S CERTIFICATE**  
I CERTIFY THAT:  
I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT APPROVAL.

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
MGV DEVELOPMENT INC.

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: \_\_\_\_\_ SIGNED: \_\_\_\_\_  
ROY A. SIMONE  
ONTARIO LAND SURVEYOR

**ADDITIONAL INFORMATION REQUIRED UNDER S. 51(17) OF THE PLANNING ACT**

- (a) SHOWN ON PLAN
- (b) SHOWN ON PLAN
- (c) SHOWN ON PLAN
- (d) RESIDENTIAL
- (e) SHOWN ON PLAN
- (f) SHOWN ON PLAN
- (g) SHOWN ON PLAN
- (h) PIPED WATER TO BE INSTALLED BY DEVELOPER
- (i) WAUSEON SANDY LOAM
- (j) SHOWN ON PLAN
- (k) SANITARY & STORM SEWERS TO BE INSTALLED BY DEVELOPER
- (l) SHOWN ON PLAN

**STATISTICS**

TOWNHOMES RESIDENTIAL	=	BLOCKS 1 TO 13	
APARTMENT	=	BLOCK 14	
EASEMENT	=	BLOCK 15	
<b>AREAS</b>			
TOWNHOMES RESIDENTIAL	=	1.62 ha ( 4.00 acres)	= 49.24%
APARTMENT	=	1.22 ha ( 3.01 acres)	= 37.08%
EASEMENT	=	0.02 ha ( 0.05 acres)	= 0.61%
RIGHT-OF-WAY	=	0.43 ha ( 1.06 acres)	= 13.07%
<hr/>			
TOTAL AREA	=	3.29 ha ( 8.13 acres)	

June 28, 2024

**VIA EMAIL ONLY**

Municipality of Lakeshore  
Attention: Ms. Brianna Coughlin  
Legislative and Legal Services  
419 Notre Dame St.  
Belle River, ON, N0R 1A0

**Subject: Notice of an Application and  
Request to Notify the Public and Public Bodies  
Municipality: Municipality of Lakeshore  
Location: PT LT 1 Lakeshore Range Between Puce River and Belle River  
(Geographic Township of Maidstone)  
Applicant: MGV Development Inc.  
File No: 37-T-24005 – Rourke Line and County Road 22**

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Dear Ms. Coughlin:

Pursuant to Subsection 51(19.1) of the Planning Act, the County of Essex advises the Municipality of Lakeshore that the attached proposed draft plan of subdivision, County of Essex File No. 37-T-24005 has been deemed complete.

It is also requested that you give Notice of the Application in accordance with Subsection 51(19) of the Planning Act and Subsection 4 of Ontario Regulation 544/06 as amended by Regulation 298/19. The regulation provides that the approval authority may require the local municipality to provide public notice of the receipt of an application on its behalf.

Notice of the application shall be given to the public and identified agencies in accordance with Subsection 4 of Ontario Regulation 544/06. The public notice shall include the below information:

- (i) include a description of the proposed plan of subdivision;
- (ii) include a description of the subject land or a key map showing the location of the land proposed to be subdivided;
- (iv) indicate where and when additional information regarding the proposed plan of subdivision will be available to the public for inspection;



- (v) if applicable, a request that the notice be posted by the owner of any land that contains seven or more residential units in a location that is visible to all of the residents;
- (vii) include the following statement:

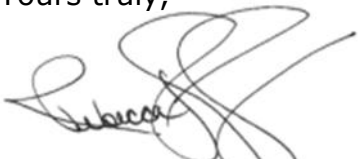
For more information about this matter, including the information about preserving your appeal rights, contact the Manager, Planning Services, County of Essex, 360 Fairview Avenue West, Essex, ON, N8M1Y6, or at [rbelanger@countyofessex.ca](mailto:rbelanger@countyofessex.ca), indicating the County of Essex file number.

Further, based on Subsection 51(22) Notice of the application should also advise that “any person or public body may make written submissions to the approval authority before the approval authority makes its decision under subsection (31) of the Act”.

We would also request that this application be brought to an upcoming Council Meeting seeking a resolution of support and provide the same to the County, along with any requested conditions of approval as in Subsection 51(25) of the Planning Act.

Thank you for your assistance in this matter.

Yours truly,



**REBECCA BELANGER, MCIP, RPP**  
Manager, Planning Services

- |                   |                |              |
|-------------------|----------------|--------------|
| c.c. Mike McMahon | Karl Tanner    | Ryan Donally |
| Tammie Ryall      | Urvi Prajapati |              |



**MGV DEVELOPMENTS INC.**  
 COUNTY ROAD 22 AND ROURKE LINE ROAD

**FIGURE 5.0 - CONCEPTUAL DEVELOPMENT PLAN**  
 DECEMBER 1, 2023

MULTI-RESIDENTIAL DEVELOPMENT ± 3.29 ha (± 8.14 ac)	PROPOSED INSTITUTIONAL ± 2.39ha (± 5.91 ac)	TOWNHOUSE	APARTMENT DWELLING (±90 UNITS)	COMMERCIAL BUILDING	LANDSCAPED AREA
COMMERCIAL DEVELOPMENT ± 0.58 ha (± 1.43 ac)	10.9m SETBACK FROM PROPERTY LINE	COMMERCIAL GROUND FLOOR PATIO AREA	RESIDENTIAL GROUND FLOOR PATIO AREA	AMENITY AREA	PROPOSED SIDEWALK

File Location:  
 c:\pw working directory\projects 2020\dillon\_32snp\dms44244\20-3323 - concept plan - august 2023.dwg  
 December, 01, 2023 1:05 PM

SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)

MAP/DRAWING INFORMATION  
 THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
 CREATED BY: ESB / MRU  
 CHECKED BY: KDT  
 DESIGNED BY: ESB / MRU / SNP

SCALE: 1:2000



PROJECT: 20-3323  
 STATUS: DRAFT  
 DATE: 12/01/2023

**Legal Description for 1477 County Road 22**

Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore; PIN 75031-0292(LT)

Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore; PIN 75031-1689(LT)

Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore; PIN 75031-1690(LT)



**MGV DEVELOPMENTS INC.**

## **Engagement Summary**

**Rourke Line Road & County Road 22 Mixed Use Development**

**September 2022**

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## 1.0 The Public Information Centre

This Public Information Centre (PIC) was held following an application for Zoning By-Law Amendment and Draft Plan of Subdivision to the Municipality of Lakeshore for a proposed mixed-use development located at the corner of Rourke Line Road and County Road 22. The development proposed on the site includes the following:

- 6 storey apartment building with approximately 90 residential units and 300m<sup>2</sup> ground-floor commercial;
- 40 townhouse units;
- An Institutional use for an Elementary French Immersion School; and
- Stormwater management pond.

A Public Meeting was held for the Zoning By-law Amendment application (ZBA-8-2020) on June 28, 2022, directing the applicant to host a PIC. The purpose of the PIC was to provide additional information to residents on the proposed development and review the changes made based on comments received, as well to provide an opportunity for feedback and to ask questions to the attending representatives of the Municipality, Dillon Consulting and the developers.

### 1.1 Format

The PIC was held in-person at the Atlas Tube Centre in the Municipality of Lakeshore on August 18, 2022 from 6:30pm-8:00pm. The PIC was conducted in a drop-in format, with presentation boards displaying the following information: (1) Contextual Location of the Site, (2) Conceptual Development Plan, (3) Town of Lakeshore Official Plan, (4) Town of Lakeshore Zoning By-law, (5) Surrounding Land Uses, (6) Proposed Townhouse Front Elevation, and (7) Proposed Mixed Use Building Conceptual Rendering.

Resident feedback was attained in the following ways:

- Visiting location map – residents were asked to identify with a sticker where they were visiting from in relation to the site;
- Sticky notes – residents were asked to leave comments on individual presentation boards;
- Individual discussions conducted throughout the evening between residents and the planning consulting representatives from Dillon Consulting; and
- Comment forms – collected in-person at the PIC, with the option to be mailed or emailed following the PIC.

A copy of the Notice of PIC is provided in **Appendix A**.

1.2

**Attendance**

Approximately 96 residents attended the PIC. A copy of the written feedback received (visiting map, sticky notes and comment forms) has been included in this summary as **Appendix B**.

## 2.0 Feedback Summary

### 2.1 Visiting Map

Residents were encouraged to place markers on the contextual location maps to indicate proximity of their visiting location in relation to the site. Please see **Appendix B** for inputted visitor maps.

There were a total of 38 markers inputted by attendees which demonstrate the following relationship to the site:

- **66%** (25/38) within 200m of property
- **74%** (28/38) within 400m of property
- **97%** (37/38) within 800m of property

### 2.2 Sticky Notes

Residents were provided the option to leave sticky note comments on the seven presentation boards displayed for feedback to the development team. A total of 53 sticky notes were collected throughout the PIC (see **Appendix B**). The following topics were highlighted by the sticky note comments received:

#### Density

- Happy to see new growth in the community;
- Concern that height of the apartment proposed will take away “small town feel” and is not compatible with the surrounding context; and
- Too much density is being proposed on-site and would prefer a lower density alternative.

#### Traffic

- Speed enforcement is needed near the site to mitigate ongoing traffic concerns;
- Concern with the driveway access being proposed from County Road 22 and its potential traffic implications; and
- Need for street improvements on County Road 22.

#### Flooding

- Concern with site location within an existing flood zone; and
- Existing flooding issues noted by residents proximate the site on Heritage Garden Crescent and Coretti drive.

#### Affordable Housing

- Looking for affordable housing options in the area and happy to see the inclusion of new unit types (apartment, townhouses).



**Pedestrian Connection**

- Need for further sidewalks and trails in the community.

**Neighbouring Impacts**

- Concern the building massing and architectural character will not be compatible with the surrounding community;
- Concern the surface parking areas will provide illumination impacts to the properties parallel the site on County Road 22 and Girard Drive; and
- Would like to see additional visitor parking provided on-site to control parking demands on nearby streets.

**Open Space/Landscaping**

- Note of existing trees currently lacking in the community; and
- Need for more park spaces to serve the surrounding area.

**Setbacks**

- Would like to see further setback from the townhouse units to the existing properties on Heritage Garden Crescent.

**Commercial**

- Like the inclusion of a commercial destination point provided at the corner intersection of Rourke Line Road and County Road 22; and
- Do not want to see commercial uses at this location.

**Stormwater Management Pond**

- Would like more information about the stormwater management pond proposed.

**2.3 Comment Form**

A total of 34 comment forms were collected by receipt through in-person drop-box, by email and mail (see **Appendix B**). The below outlines the frequent topics observed through the comments received and the development teams response to each:

Topic	Comments	Response
Traffic	<ul style="list-style-type: none"> <li>• Note of existing traffic and speeding in the area.</li> <li>• Concern to the increased traffic volumes associated with the new uses proposed.</li> <li>• Need for additional traffic mitigation measures on Rourke.</li> <li>• Like the addition of a stop light at the intersection at Rourke/County 22.</li> <li>• Concern with a potential driveway access from County 22.</li> </ul>	<ul style="list-style-type: none"> <li>• The PPS encourages developments that promote a dense land use pattern which minimizes the length and number of vehicle trips, and encourages the use of transit and active transportation methods (PPS, 1.6.7.4 &amp; 1.8.1 (b)).</li> <li>• A Traffic Impact Study was completed by Dillon Consulting (dated December 2021) to determine the transportation impact of the proposed development and whether any transportation infrastructure modification are required to accommodate traffic generated by the development. Conclusions of the submitted study are as follows: <ul style="list-style-type: none"> <li>➤ The intersection of County Road 22 and Grandview Boulevard is forecasted to continue operating below capacity until 2028 with the estimated vehicle trips associated with the proposed development.</li> <li>➤ The Town of Lakeshore has requested that Essex County introduce a traffic signal at the intersection of County Road 22 and Rourke Line Road to manage existing and future demand. Study demonstrates with a traffic signal introduced, the introduction would operate in an excellent or good manner.</li> <li>➤ The proposed driveways and site accesses are anticipated to operate in an excellent to acceptable manner.</li> <li>➤ Northbound queues on Rourke Line Road approaching County Road 22 are not projected to conflict with the proposed driveway location.</li> </ul> </li> <li>• As recommended, a proposed traffic signal is displayed at the intersection of County Road 22 and Rourke Line Road</li> </ul>

Topic	Comments	Response
Density/ Compatibility	<ul style="list-style-type: none"> <li>• Compatibility of proposed uses with the surrounding built form of single family dwellings.</li> <li>• Concern for height of the building and its associated impacts (shadowing etc.)</li> <li>• Density does not fit small town feel.</li> <li>• Concerned with the surface parking proposed along County Road 22 and its impacts to the parallel properties.</li> <li>• Desire for exterior appearance of the apartment building to be compatible with the surrounding community.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed development is consistent with PPS policies to provide for an appropriate range and mix of housing types and densities in order to meet projected needs or current and future resident (PPS 1.4.1) as well a dense land use pattern which efficiently uses land and resources, and supports active transportation (PPS 1.8.1).</li> <li>• The proposed development promotes growth and vitality within the Settlement Area (County OP 2.2).</li> <li>• The proposed development is in alignment with the objective of infill and intensification on vacant and underutilized lands in the County Road 22 Corridor (Lakeshore OP 3.3.9).</li> <li>• The proposed development supports a gradual transition in building height and massing (Lakeshore OP 3.3.9f). The height and density proposed will gradually increase from the existing single detached dwellings at the west, to townhouses and then to the proposed apartment buildings on the eastern half of the subject site.</li> <li>• The proposed development is consistent with the Town’s urban design policies, with specific design aspects to be addressed at the detailed design stage.</li> <li>• A Shadow Study was completed by Dillon Consulting (dated January 2022) to analyze impacts with the proposed development. The Study concluded limited shadowing resulting from the proposed development overall due to the short duration of shadows forecasted limited to select times of the year.</li> </ul>
Infrastructure	<ul style="list-style-type: none"> <li>• Note of existing flooding in the area and concern to potential flooding increases associated with the proposed development.</li> <li>• Need for a complete community that is walkable, supplies housing options and provides access to transit.</li> <li>• Need for pedestrian infrastructure in the area to service the site.</li> </ul>	<ul style="list-style-type: none"> <li>• The development will ensure that sewage and water services will comply with all regulatory requirements and protect human health and the natural environment (PPS, 1.6.6 (a) (b)).</li> <li>• The proposed infill development will take advantage of existing servicing connections and will not require an extension of municipally owned or</li> </ul>

Topic	Comments	Response
	<ul style="list-style-type: none"> <li>Concern for existing servicing capacity to accommodate the proposed development.</li> </ul>	<p>operated infrastructure (PPS, 1.6.6.2; County OP, 2.10 (a); Lakeshore OP, 3.3.9, (e), 7.3.1.1, (a), (c), (d)).</p> <ul style="list-style-type: none"> <li>The Town may wish to apply a holding symbol on a portion of the proposed development until such time as municipal sewage capacity is available (Lakeshore OP, 7.3.1.1 (f)).</li> <li>A Functional Servicing Study was completed by Dillon Consultation (dated December 2021) to assess servicing associated with the proposed development.</li> <li>A Stormwater Management Report (dated December 2021) to prepare a stormwater management strategy for the proposed development. Strategies proposed by the submitted study include: <ul style="list-style-type: none"> <li>Lowering existing water level of Girard Subdivision Pond recommended to accommodate additional runoff volumes from the site (additional analysis at time of detailed design)</li> <li>Proposed institutional block will provide on-site SWM controls to limit potential runoff</li> <li>Dry offline storage area located at the southeast corner of the site to control peak outflows to regional pond (additional analysis at time of detailed design)</li> </ul> </li> <li>Existing multi-use path is currently available on Rourke Line Road, with new sidewalks and pedestrian connection to be introduced as part of the proposed development.</li> <li>A multi-use path is proposed along County Road 22 within the study area according to the County-Wide Active Transportation Study (CWATS) Master Plan and Essex County is currently undertaking a study to determine future upgrades and construction along the County Road 22 corridor. These upgrades would likely improve walking and cycling conditions around the site.</li> </ul>

Topic	Comments	Response
Open Space	<ul style="list-style-type: none"> <li>Existing trees impacted by the proposed development, lack of existing trees in the area.</li> <li>Desire to see outdoor amenity areas on the site.</li> <li>Lack of parks and open spaces in the community.</li> </ul>	<ul style="list-style-type: none"> <li>Existing vegetation found on the site is minimal, focused along the north and east property line. Enhanced landscape treatments will be proposed as part of the detailed design stage.</li> <li>The ZBL requires a minimum 20% landscape open space on the site, with 25% currently contemplated by the proposed development.</li> <li>The Town may require the conveyance of land for park purposes or the equivalent cash-in-lieu (4.3.3.3), calculated based on the total gross area of land within the plan of subdivision.</li> <li>An outdoor amenity area is proposed adjacent the 6 storey apartment dwelling for use by future residents.</li> <li>The site is approximately 450 metres (6 minute walk) to Maidstone Park with a play structure and two ball diamonds, as well 600 metres (7 minute walk) to Girard Park.</li> </ul>
Affordable Housing	<ul style="list-style-type: none"> <li>Need more affordable housing options in the community.</li> <li>Lack of housing options in the community.</li> </ul>	<ul style="list-style-type: none"> <li>The PPS speaks to providing for an appropriate range and mix of housing types and densities in order to meet projected needs of current and future residents within the regional market (PPS, 1.4.1).</li> <li>The growth of housing in this area supports a mix of housing types and residential intensification within the urban area (Lakeshore OP 4.2.2, 4.3.1.2).</li> <li>The introduction of medium density housing types (townhouse units, &amp; apartment units) to the existing neighbourhood will help intensify the area by introducing denser housing forms. It is anticipated that the proposed dwelling units will provide needed housing for aging residents looking to downsize to smaller properties, as well provide accommodation for young families looking for their first home in the neighbourhood.</li> </ul>

## 3.0 Summary

The PIC for Rourke Line Road and County Road 22 was held August 18, 2022 regarding the submitted applications for a Zoning Bylaw Amendment and Draft Plan of Subdivision. The in-person PIC provided project information via presentation boards with opportunities for questions and feedback from the public (individual discussions, visiting map, sticky note comments and comment forms). Based on the feedback received, the top concerns at the PIC related to the following: traffic, density and flooding.

In addition to the comment responses in Section 2.3, further discussion to these items have been addressed in the below revised report/studies:

- Planning Justification Report;
- Traffic Impact Study;
- Stormwater Management Report;
- Functional Servicing Report; and
- Shadow Study.

Based on a review of the planning policy framework and supplementary technical reports, the proposed development is considered appropriate for the site and consistent with good planning principles. The proposed development has regard for the PPS as it encourages the use of underutilized lands by proposing an intensification that exist in harmony with the surrounding land uses and makes efficient use of the existing municipal infrastructure. The proposed development conforms with the County OP and Lakeshore OP as it promotes a compact form along a Mixed Use Corridor and will provide additional housing units that will diversify the housing options currently available in the Municipality.

### 3.1 Next Steps

All feedback from the PIC will be considered by the development team through a resubmission of the application and Council Meeting anticipated for Fall 2022.

As the project progresses there will be additional opportunities for the surrounding land owners to provide comments and concerns, which is a statutory requirement under the Planning Act. These meetings will offer the public, local residents and interested stakeholders the opportunity to review the project and continue to offer feedback.

## **Appendix A**

### ***Notice of Resident's Meeting***

# Public Information Session

Proposed Mixed-Use Development  
Essex County Road 22 & Rourke Line Road

On behalf of our client, MGV Developments Inc., Dillon Consulting Limited is hosting a Public Information Session to introduce a proposed mixed-use development.

This meeting is the first step in the planning process to permit the proposed development of these lands for townhomes, institutional and a 6-storey mixed-use apartment building.

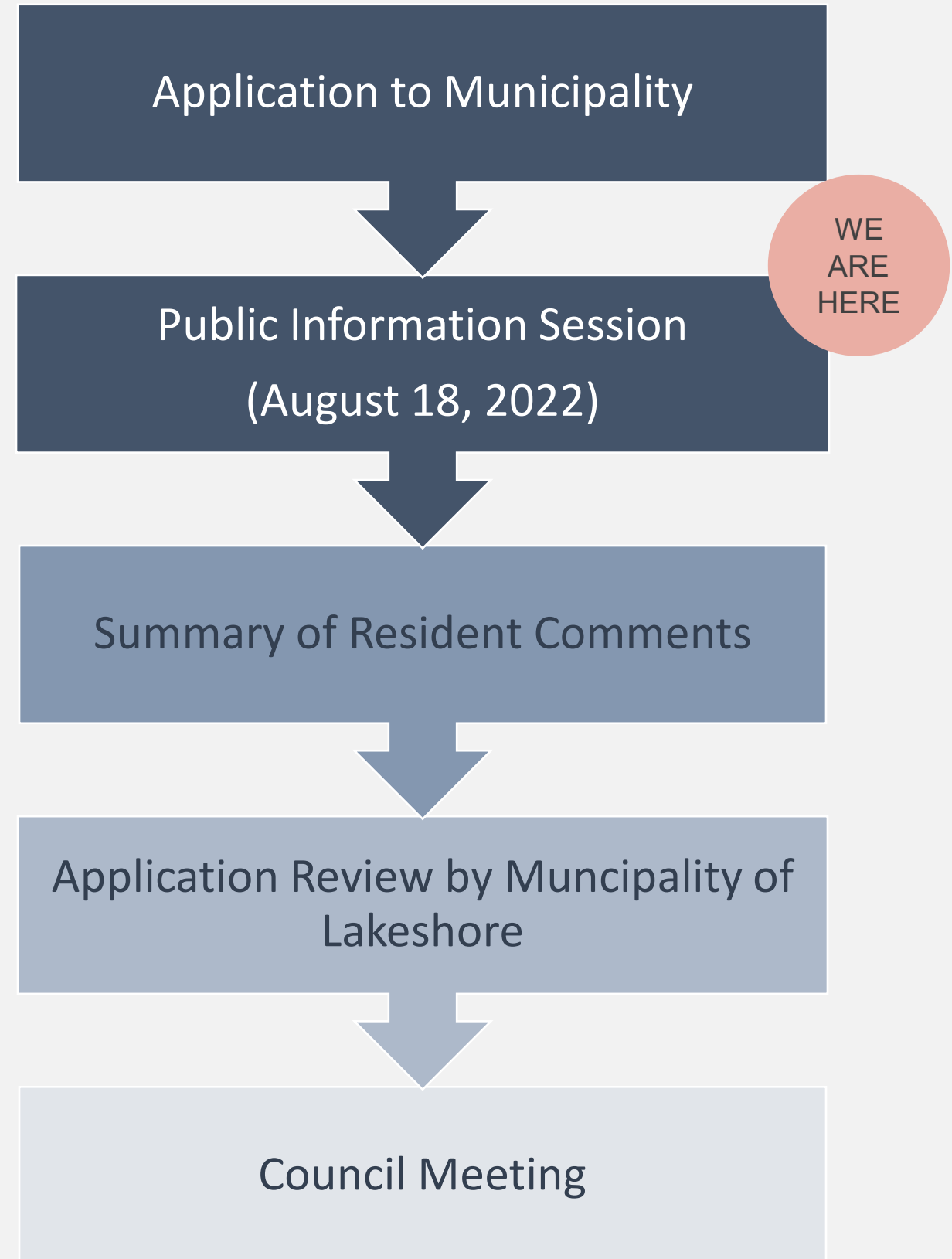
The meeting is open to all members of public.

Public Information Session  
Held at the Atlas Tube Centre (447 Renaud Line)  
in the Renaud Room  
August 18, 2022 from 6:30pm-8:00pm

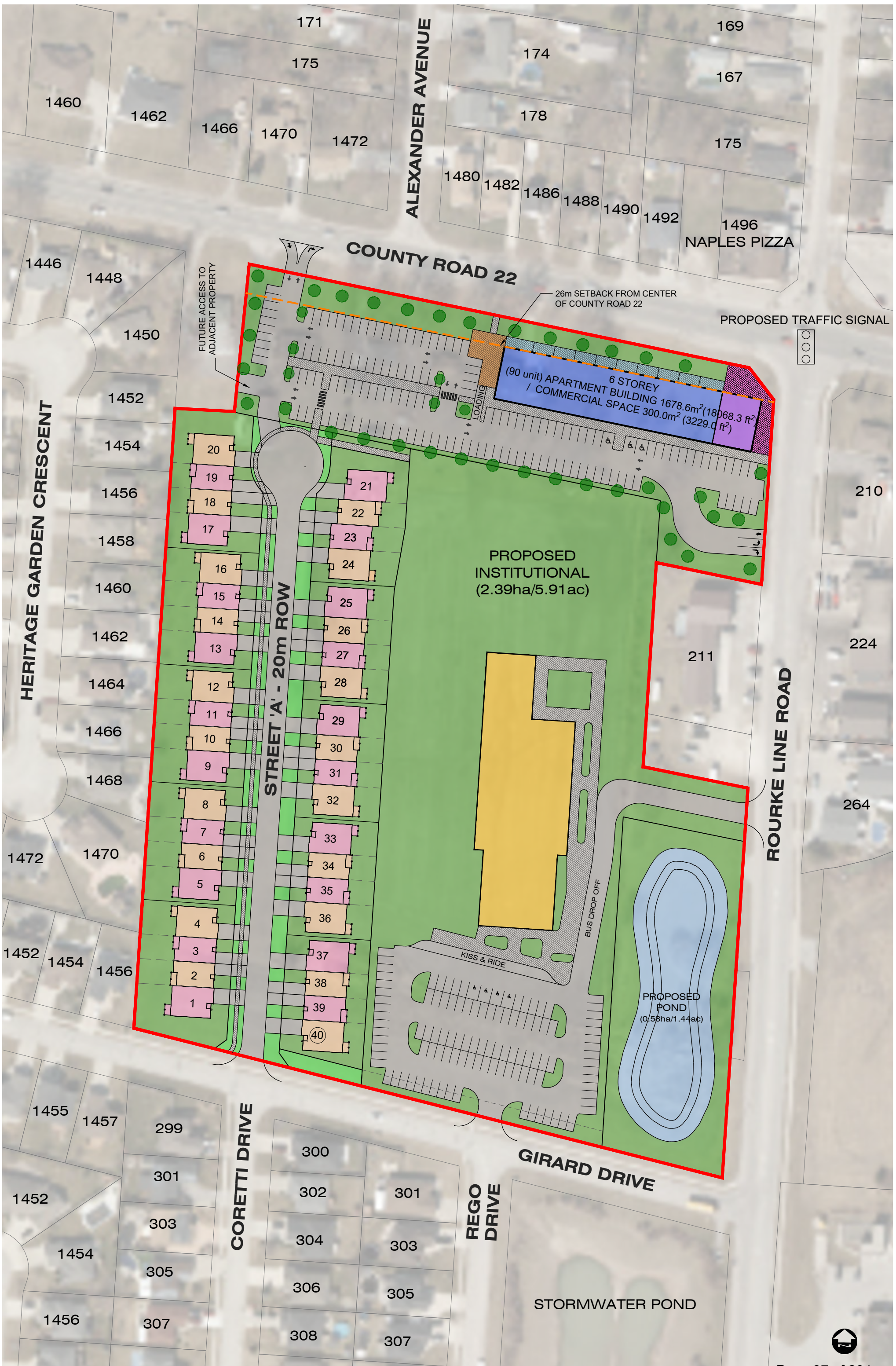
Contact:  
Zoe Sotirakos, Project Planner  
Dillon Consulting Limited  
T – 519.571.9833 x3177  
zsotirakos@dillon.ca



We are looking for your input and comment!

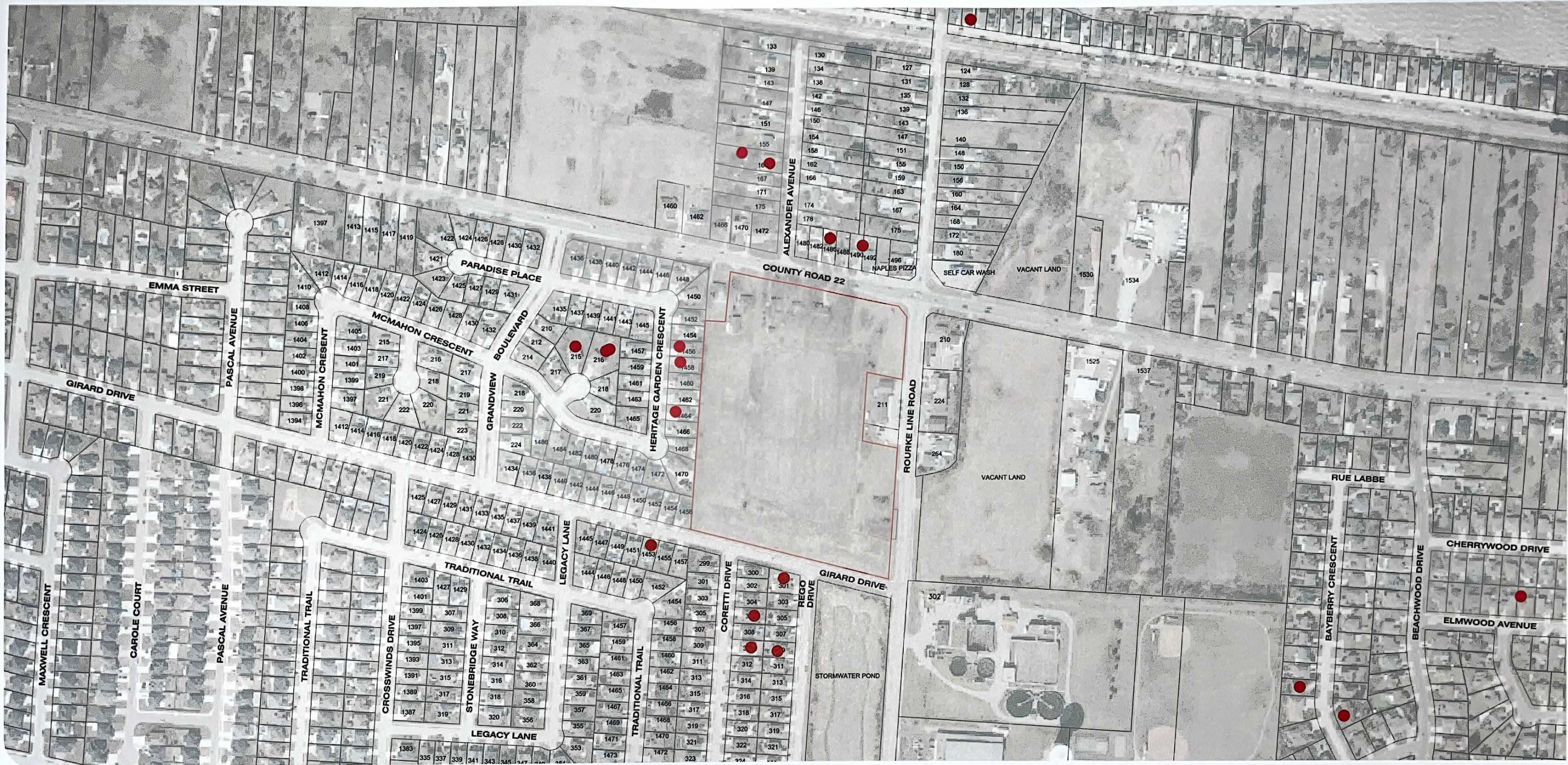






## Appendix B


### *Resident Comments*



**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**LOCATION MAP**  
FIGURE 1.0

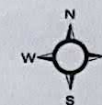
 **SUBJECT SITE**  
± 6.27 ha (± 15.49 ac)

File Location:  
c:\pw working directory\projects 2020\dillon\_32mru\dms44244\203323 - concept  
plan - 90 units with commercial.dwg  
July 25, 2022 2:09 PM

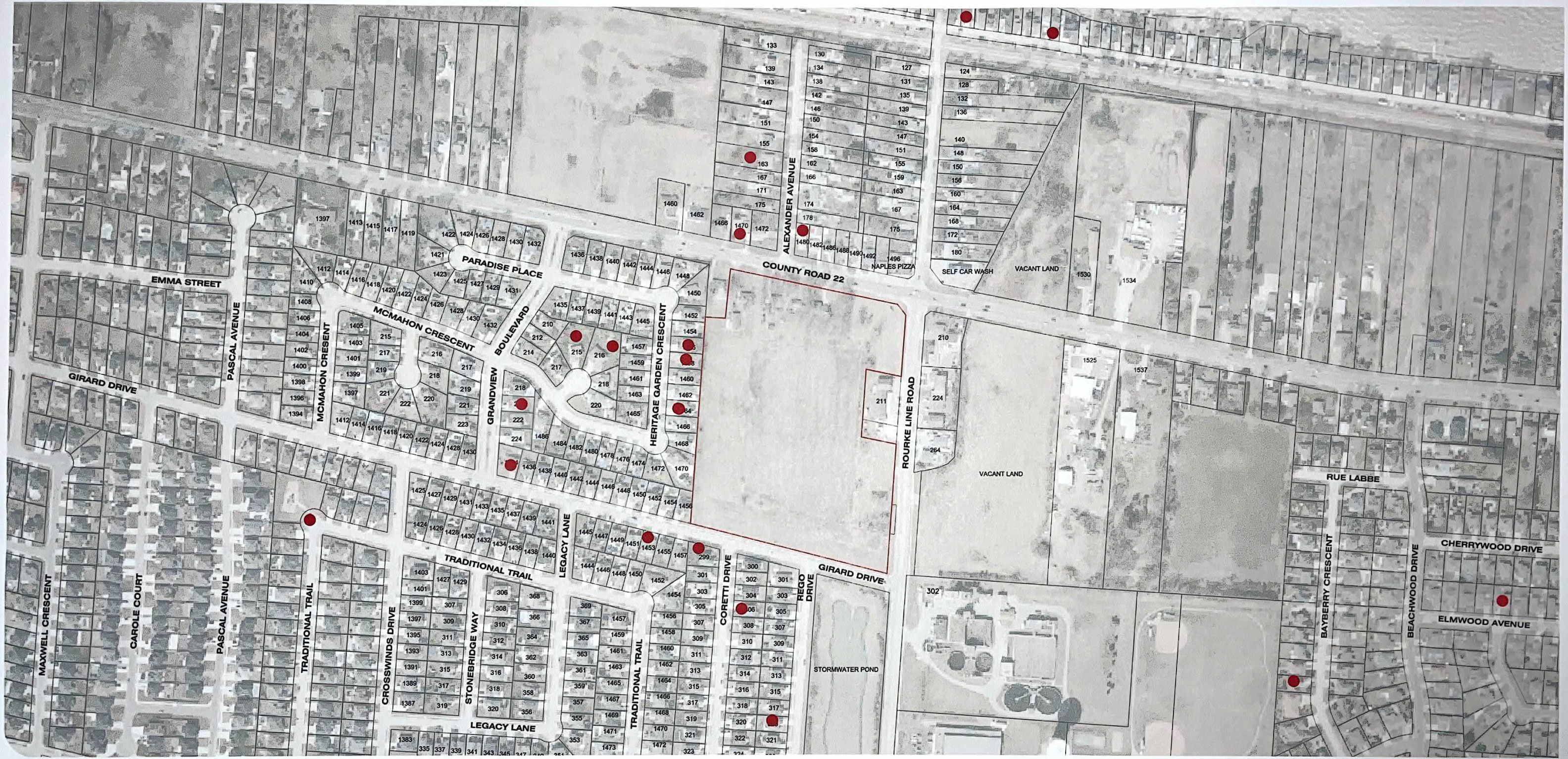
SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)

MAP/DRAWING INFORMATION  
THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. ALL  
DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE  
VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
CREATED BY: ESB  
CHECKED BY: KDT  
DESIGNED BY: ESB

SCALE: 1:2000




PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 07/13/2022



**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**LOCATION MAP**  
FIGURE 1.0

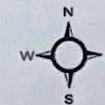
 **SUBJECT SITE**  
± 6.27 ha (± 15.49 ac)

File Location:  
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plan - 90 units with commercial.dwg  
July 25, 2022 2:09 PM

SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)

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DESIGNED BY: ESB

SCALE: 1:2000



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 07/13/2022



Headlight across street  
No right w/lat

Speed Enforcement

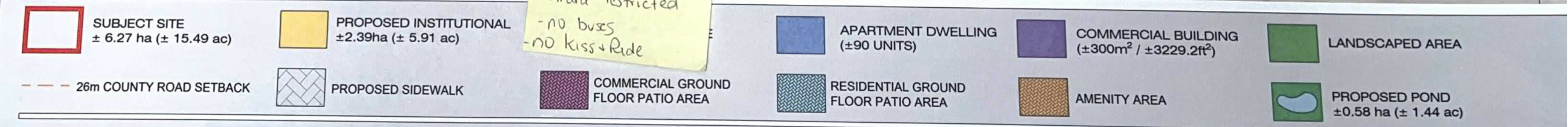
growth is good  
☺

FLOODING  
percent of ground cover  
too high  
(should be 30-40%)

Commercial space:  
→ give residents a destination @ the corner  
→ think about placemaking for ground floor

additional traffic on Girard, Rego + Corsetti  
- want access to Girard restricted  
- no buses  
- no kiss+ride

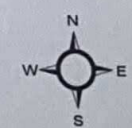
**DILLON DEVELOPMENTS INC.**  
COUNTY ROAD 22  
COMMUNITY INFORMATION CENTRE  
CONCEPTUAL DEVELOPMENT PLAN  
REVISED 5.0



File Location:  
c:\pw working directory\projects 2020\dillon\_32mru\dms44244\203323 - concept  
plan - 90 units with commercial.dwg  
August, 08, 2022 6:11 PM

MAP/DRAWING INFORMATION  
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CHECKED BY: KDT  
DESIGNED BY: ESB

SCALE: 1:2000



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 07/13/2022

SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)



**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**CONCEPTUAL DEVELOPMENT PLAN**  
FIGURE 5.0

SUBJECT SITE ± 6.27 ha (± 15.49 ac)	PROPOSED INSTITUTIONAL ± 2.39ha (± 5.91 ac)	TOWNHOUSE	APARTMENT DWELLING (±90 UNITS)	COMMERCIAL BUILDING (±300m <sup>2</sup> / ±3229.2ft <sup>2</sup> )	LANDSCAPED AREA
26m COUNTY ROAD SETBACK	PROPOSED SIDEWALK	COMMERCIAL GROUND FLOOR PATIO AREA	RESIDENTIAL GROUND FLOOR PATIO AREA	AMENITY AREA	PROPOSED POND ± 0.58 ha (± 1.44 ac)

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plan - 90 units with commercial.dwg  
August, 08, 2022 6:11 PM

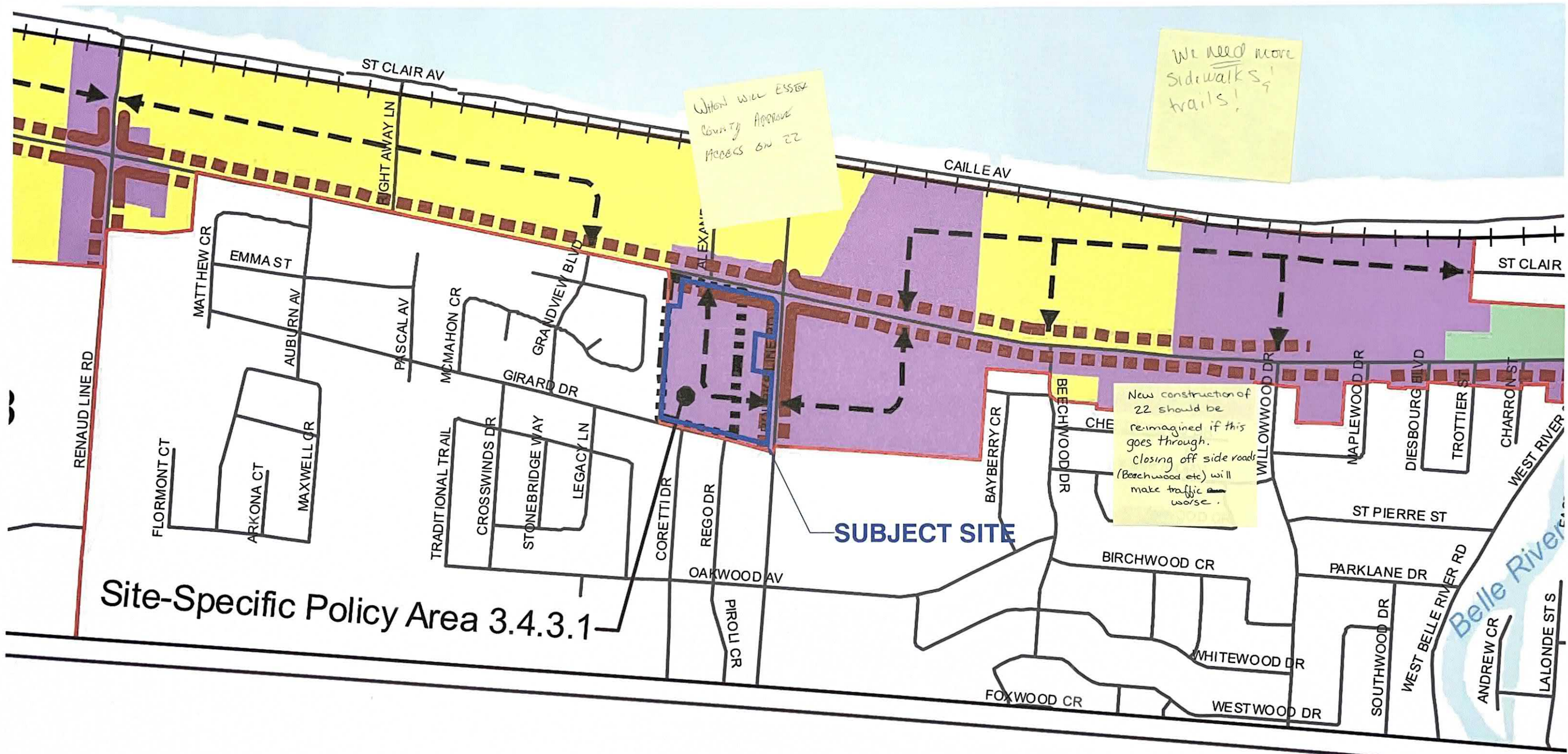
MAP/DRAWING INFORMATION  
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CREATED BY: ESB  
CHECKED BY: KDT  
DESIGNED BY: ESB

SCALE: 1:2000



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 07/13/2022

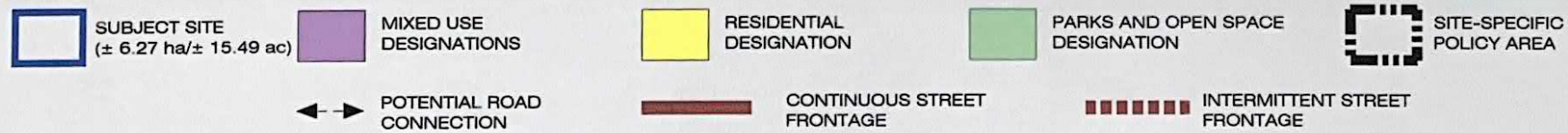
SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)



**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**EXISTING TOWN OF LAKESHORE  
OFFICIAL PLAN DESIGNATIONS  
FIGURE 3.0**

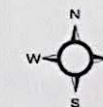


File Location:  
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figures.dwg  
July 19, 2022 3:25 PM

SOURCE: TOWN OF LAKESHORE OFFICIAL PLAN  
SCHEDULE C-11 LAND USE PLAN (2012)

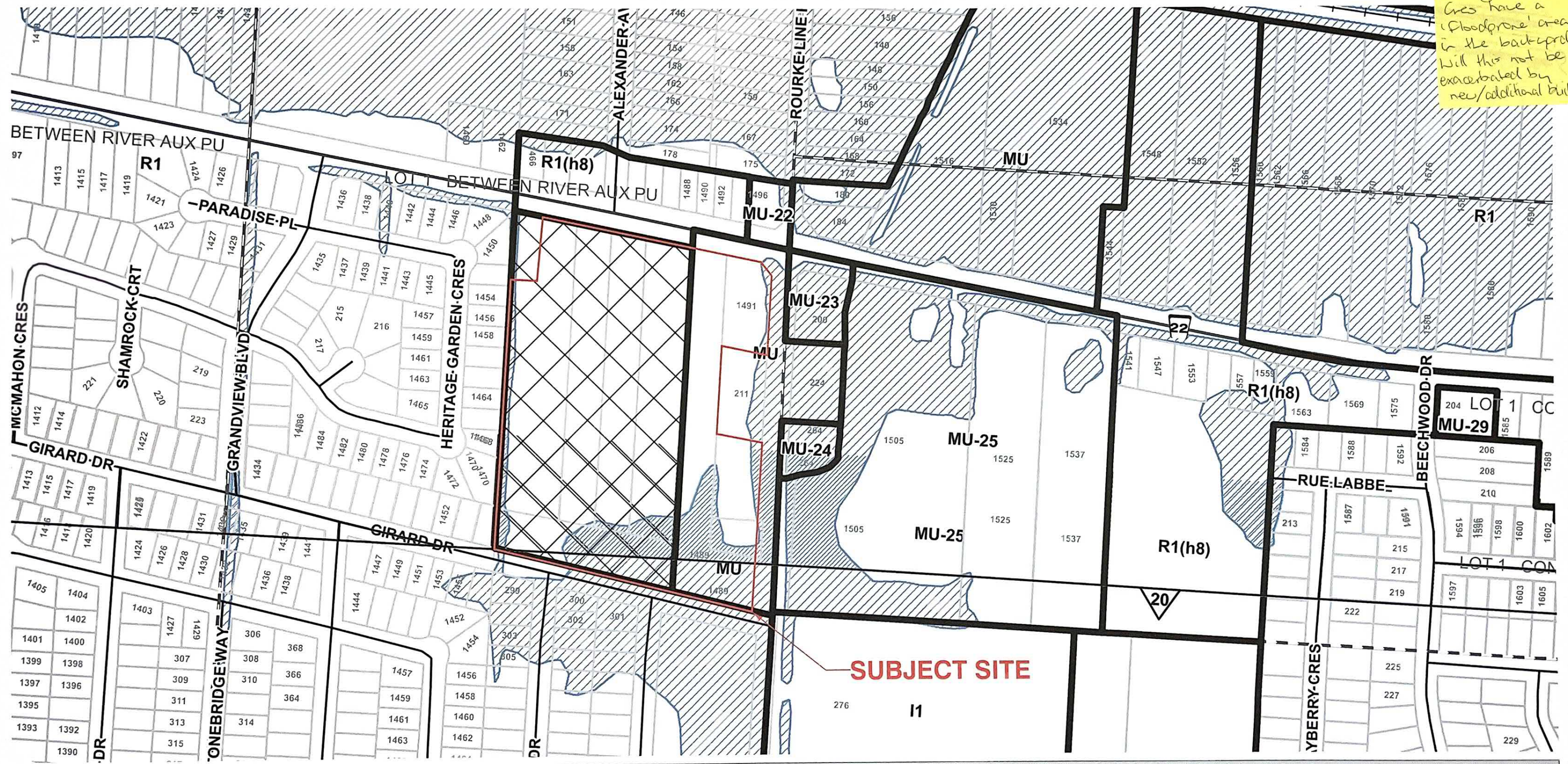
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DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE  
VERIFIED BY AN O.L.S. PRIOR TO CONSTRUCTION.  
CREATED BY: MMM  
CHECKED BY: JHB  
DESIGNED BY: MMM

SCALE: N.T.S



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 19/11/2021

The homes along Heritage Garden Cres have a 'flood-prone' area in the backyard. Will this not be exacerbated by new/additional builds?



**MGV DEVELOPMENTS INC.**  
 1489 COUNTY ROAD 22  
 PUBLIC INFORMATION CENTRE

**EXISTING TOWN OF LAKESHORE ZONING BY-LAW DESIGNATIONS**  
 FIGURE 4.0

SUBJECT SITE (± 6.27 ha / ± 15.49 ac) LAKE St Clair FLOODPRONE AREAS

R: RESIDENTIAL I: MAJOR INSTITUTIONAL  
 MU: MIXED USE (H): HOLDING SYMBOL

File Location:  
 c:\pw working directory\projects 2020\dillon\_32mru\dms44244\203323-pjr figures.dwg  
 July, 19, 2022 3:27 PM

SOURCE: TOWN OF LAKESHORE COMPREHENSIVE ZONING BY-LAW SCHEDULE 'A' - MAP17 (2019)

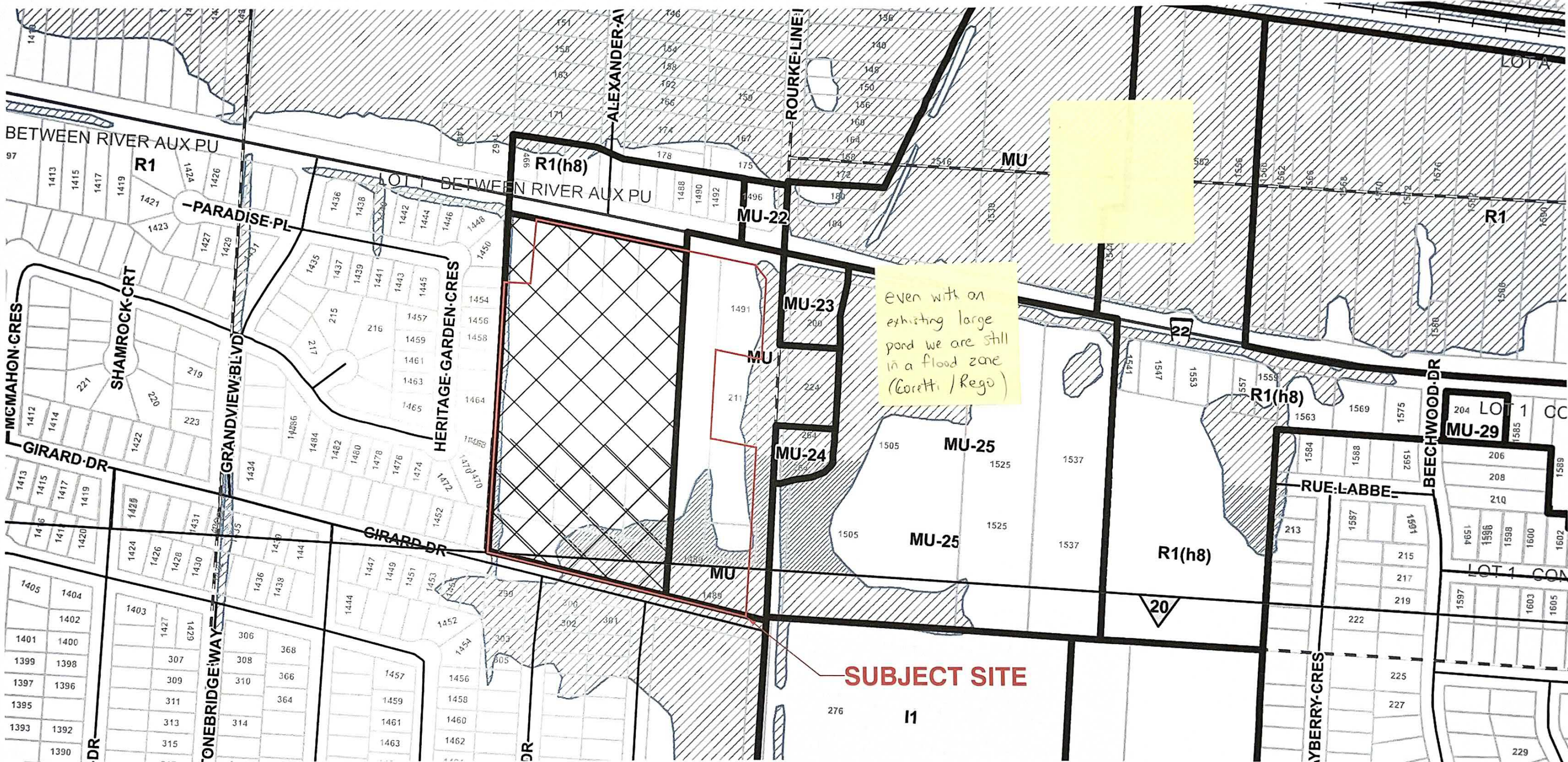
MAP/DRAWING INFORMATION  
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 CREATED BY: MMM  
 CHECKED BY: JHB  
 DESIGNED BY: MMM

SCALE: N.T.S



PROJECT: 20-3323  
 STATUS: DRAFT  
 DATE: 19/11/2021





**MGV DEVELOPMENTS INC.**

1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**EXISTING TOWN OF LAKESHORE ZONING BY-LAW DESIGNATIONS FIGURE 4.0**

- SUBJECT SITE (± 6.27 ha / ± 15.49 ac)
- LAKE St Clair FLOODPRONE AREAS

- R: RESIDENTIAL
- MU: MIXED USE
- I: MAJOR INSTITUTIONAL
- (H): HOLDING SYMBOL

File Location:  
c:\pw working directory\projects 2020\dillon\_32\mru\dms44244\203323-pjr figures.dwg  
July, 19, 2022 3:27 PM

MAP/DRAWING INFORMATION  
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CREATED BY: MMM  
CHECKED BY: JHB  
DESIGNED BY: MMM

SCALE: N.T.S



SOURCE: TOWN OF LAKESHORE COMPREHENSIVE ZONING BY-LAW SCHEDULE 'A' - MAP17 (2019)


PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 19/11/2021




**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**SURROUNDING LAND USE**  
FIGURE 8.0

 SUBJECT SITE  
(± 6.27 ha / ± 15.49 ac)

 RESIDENTIAL

 VACANT

 PARKLAND

 INDUSTRIAL

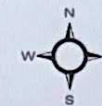
 COMMERCIAL

File Location:  
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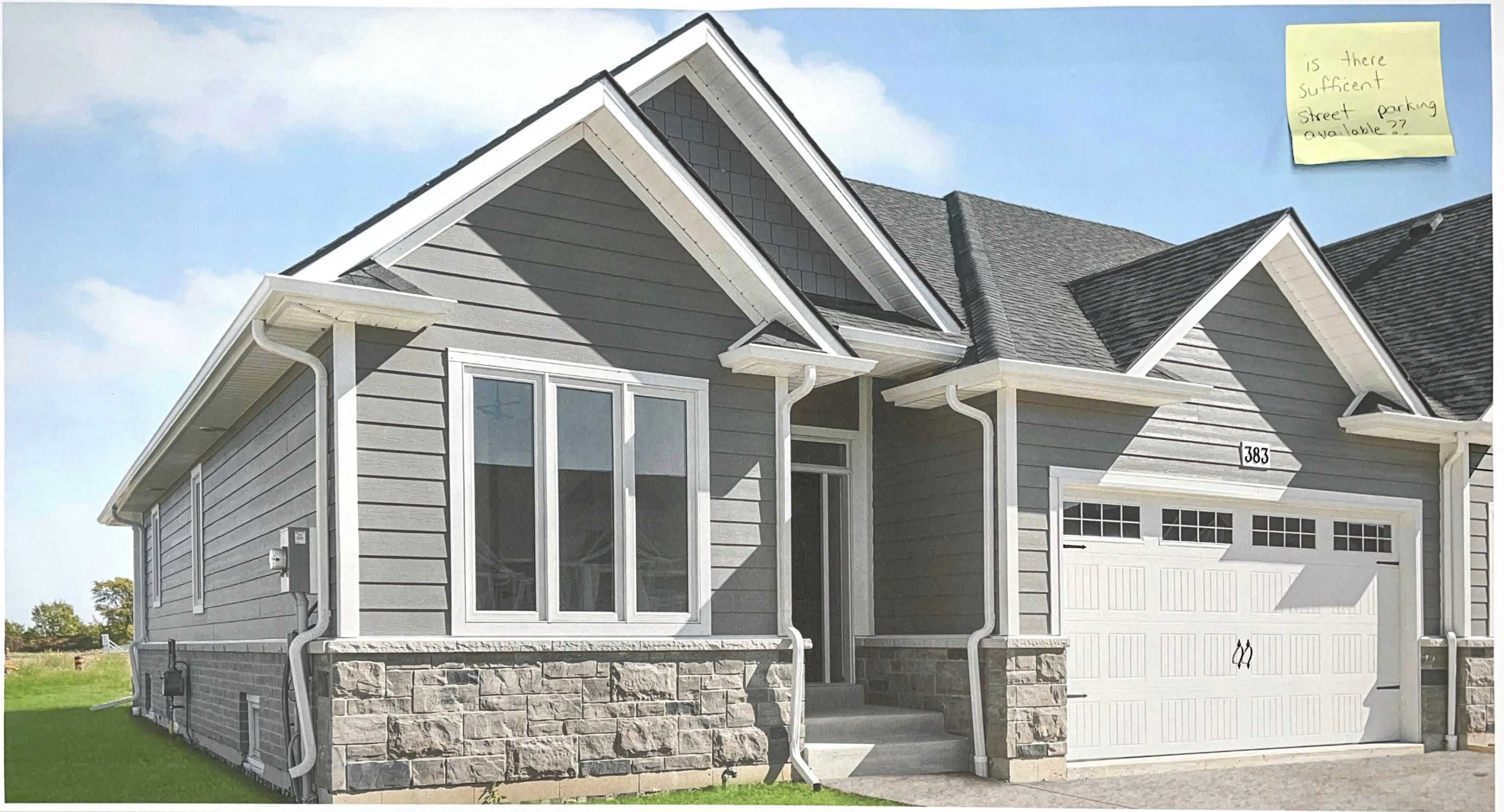
SOURCE: COUNTY OF ESSEX AERIAL MAP (2019)

MAP/DRAWING INFORMATION  
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DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE  
VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
CREATED BY: AMC  
CHECKED BY: ZCS  
DESIGNED BY: AMC

SCALE: N.T.S



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 11/22/2021



is there  
sufficient  
street parking  
available??

**MGV DEVELOPMENTS INC.**

1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**PROPOSED TOWNHOME -  
FRONT ELEVATION  
FIGURE 6.0**

**EXISTING TOWNHOME BY LAKELAND HOMES:  
383 CASERTA CRESCENT  
LAKESHORE, ONTARIO**

File Location:  
c:\users\32mru\desktop\projects\2020\203323\_22 route\open house - august  
2022\203323 - pic figures - renderings only.dwg  
August, 08, 2022 5:53 PM

SOURCE: LAKELAND HOMES

MAP/DRAWING INFORMATION  
THIS DRAWING IS FOR INFORMATION PURPOSE ONLY. ALL  
DIMENSIONS AND BOUNDARY INFORMATION SHOULD BE  
VERIFIED BY AN O.L.S PRIOR TO CONSTRUCTION.  
CREATED BY: MRU  
CHECKED BY: KDT  
DESIGNED BY: MRU

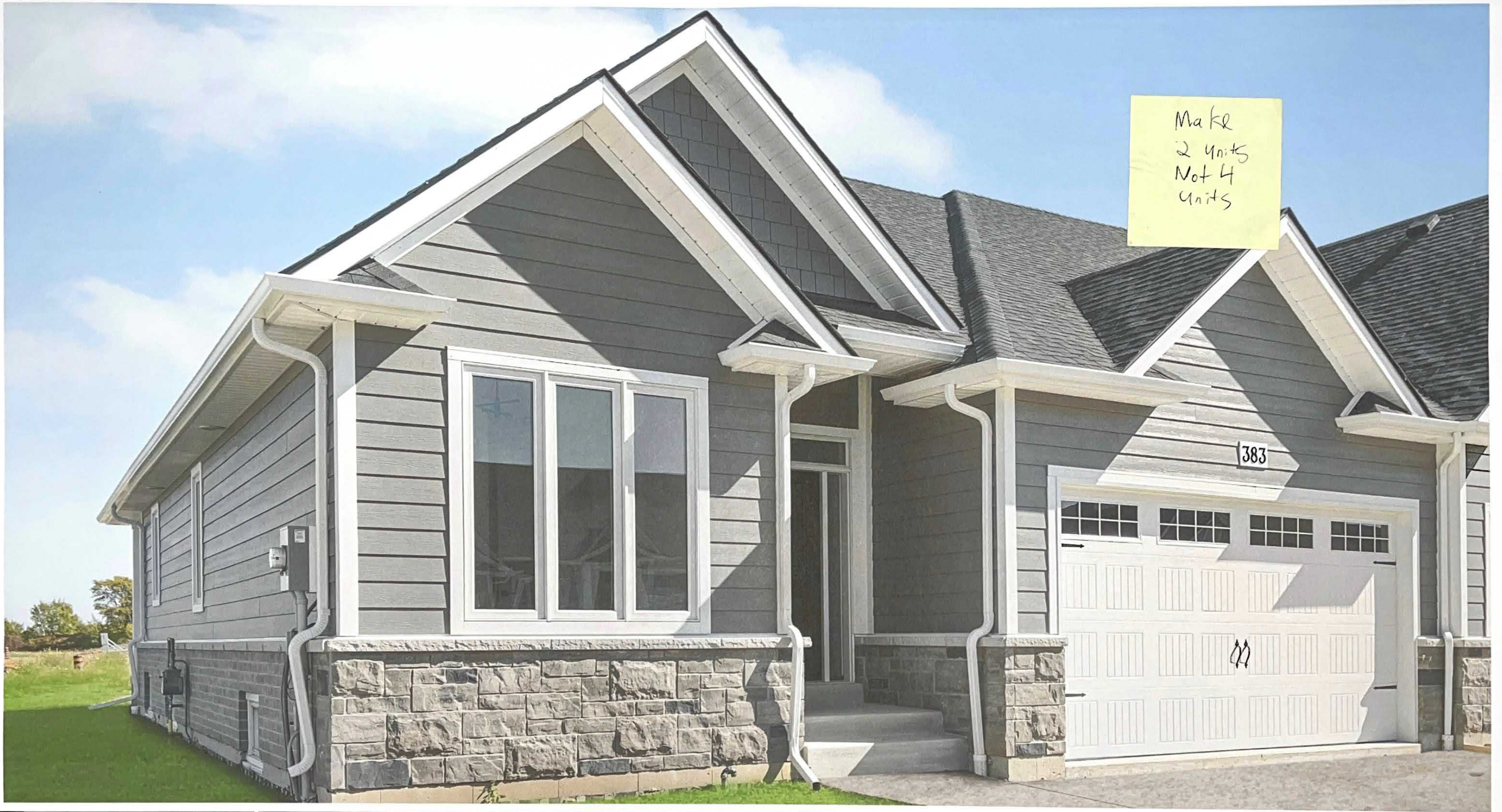
SCALE: NTS



PROJECT: 20-3323

STATUS: DRAFT

DATE: 08/08/2022



Make  
2 units  
Not 4  
units

**MGV DEVELOPMENTS INC.**

1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**PROPOSED TOWNHOME -  
FRONT ELEVATION  
FIGURE 6.0**

**EXISTING TOWNHOME BY LAKELAND HOMES:  
383 CASERTA CRESCENT  
LAKESHORE, ONTARIO**

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SOURCE: LAKELAND HOMES

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CREATED BY: MRU  
CHECKED BY: KDT  
DESIGNED BY: MRU

SCALE: NTS



PROJECT: 20-3323

STATUS: DRAFT

DATE: 08/08/2022

How are they going to solve the traffic problem

it's nice to see option for ones not affording townh

No will cause flooding ~~concerns~~

FLOODING CONCERNS

NO For this

LACKS SIDEWALKS & TRAILS TO CONNECT US TO BR.

Too MANY STORIES!

height of apartment is not compatible with existing structures <sup>max 3 stories</sup>

DON'T WANT 5-6 story apartment

Condense the size of this complex!  
- Add more greenspace  
- increase traffic capacity areas

Put more housing in other areas first

Parking for visitors?

Will these units be for subsidized housing?

No battery Apt Block Trail system lights

Where is the green space for these residents?

TRAFFIC CONCERNS

good option. nice to see some smaller lower cost options

TRAFFIC / SPEEDING DUE TO CONGESTION NOW!

obscure apartment size in comparison to surrounding environment

TOO BIG FOR CURRENT LANDSCAPE

**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**PROPOSED MIXED USE BUILDING -  
CONCEPTUAL RENDERING (LOOKING  
NORTH)  
FIGURE 7.0**

File Location:  
c:\users\32mru\desktop\projects\2020\203323\_22\_rourke\open house - august  
2022\203323 - pic figures - renderings only.dwg  
August, 08, 2022 5:57 PM

MAP/DRAWING INFO  
THIS DRAWING IS IN  
DIMENSIONS AND  
VERIFIED BY AN O.  
CREATED BY: MRU  
CHECKED BY: KDT  
DESIGNED BY: MRU

SCALE: NTS

SOURCE: PCR CONSTRUCTORS INC.



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 08/08/2022



**MGV DEVELOPMENTS INC.**  
1489 COUNTY ROAD 22

PUBLIC INFORMATION CENTRE

**PROPOSED MIXED USE BUILDING -  
CONCEPTUAL RENDERING (LOOKING  
NORTH)**  
FIGURE 7.0

File Location:  
c:\users\32mru\desktop\projects\2020\203323\_22\_rourke\open house - august  
2022\203323 - pic figures - renderings only.dwg  
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CHECKED BY: KDT  
DESIGNED BY: MRU

SCALE: NTS



PROJECT: 20-3323  
STATUS: DRAFT  
DATE: 08/08/2022

# Comment Form

## County Road 22 & Rourke Line Road

### Residents Meeting – August 18, 2022

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act*. With the exception of personal information all comments will become part of the public record.

Name: Charlotte + Kevin Fauteux

Mailing Address: 1456 Heritage Garden Crescent  
Belle River, ON N0R 1A0

I/we prefer to receive information by email.

E-mail \_\_\_\_\_

**Comments/Questions/Concerns (Use back if more space needed):**

① Traffic is ~~awful~~ awful as it is. Add the capacity of a school and an apartment building, it will increase congestion. Takes 10 minutes as it is now to turn left out of the subdivision.

② An apartment building does not constitute a small town, feel as Belle River is.

**NO TO THE APARTMENT BUILDING.**

Please deposit this form in the comment box or return by August 26, 2022

Dillon Consulting Limited	Tel: 519-571-9833 Ext. 3177
3200 Deziel Drive, Suite 609	Fax: 519-948-5054
Windsor, ON N8W 5K8	E-mail: zsotirakos@dillon.ca

**Attention: Zoe Sotirakos**

② give the option to allow those on Heritage Garden to purchase part of the land behind them?

④ Is there a proposal for green space?

⑤ Where the townhomes are going up, is there going to be one long continuous fence going up between the townhomes and the houses on Heritage Garden - Paid for by the township?

⑥ The townhomes butting up against 1456 Heritage Garden, how much room does that leave between backyards? Right on top of each other? Eliminate the last 4' - end of the cul-de-sac.

⑦ We've been here for 20 years and have never flooded. Now with the new townhomes what are the chances? There's always a lot of water that accumulates in that field behind us; where is it going to go now?



# Comment Form

## County Road 22 & Rourke Line Road

### Residents Meeting – August 18, 2022

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act*. With the exception of personal information all comments will become part of the public record.

Name:

MARK & NERIE GARCEAN

Mailing Address:

1615 CHERRYWOOD DRIVE

BELLE RIVER ONT NORIAC

I/we prefer to receive information by email.

E-mail

Comments/Questions/Concerns (Use back if more space needed):

TOTALLY AGAINST THIS TRAFFIC ISSUES, PROPERTY

VALUES GO DOWN INFRASTRUCTURE WILL NOT

BE ABLE TO HANDLE THIS FLOODING ISSUES

TOTALLY AGAINST THE VARIANCE (HEIGHT)

Please deposit this form in the comment box or return by August 26, 2022

Dillon Consulting Limited  
3200 Deziel Drive, Suite 609  
Windsor, ON N8W 5K8

Tel: 519-571-9833 Ext. 3177  
Fax: 519-948-5054  
E-mail: zsotirakos@dillon.ca

Attention: Zoe Sotirakos

# Comment Form

## County Road 22 & Rourke Line Road

### Residents Meeting – August 18, 2022

Please complete this form and return it to Dillon Consulting Limited. Information will be collected in accordance with Ontario's *Municipal Freedom of Information and Protection of Privacy Act*. With the exception of personal information all comments will become part of the public record.

Name:

Jason + Denise Heikkila

Mailing Address:

220 Grandview Blvd  
Belle River ONT  
NOR 1A0

I/we prefer to receive information by email.

E-mail

jdheikkila@cogeco.ca

Comments/Questions/Concerns (Use back if more space needed):

This is infilling in a single family neighborhood.  
This is high density residential, not inline with existing space.  
proposal  
potential traffic issues  
Flooding issues will worsen.  
not against a proposal like this just put it at Rourke line + the 42  
or Rourke line + 42

Please deposit this form in the comment box or return by August 26, 2022

See Back

Dillon Consulting Limited  
3200 Deziel Drive, Suite 609  
Windsor, ON N8W 5K8

Tel: 519-571-9833 Ext. 3177  
Fax: 519-948-5054  
E-mail: zsotirakos@dillon.ca

Attention: Zoe Sotirakos

Build something like this away from existing neighborhoods, like 42 + Renald line or 42 + Renke line

Then see how many people will want to buy or build their million dollar homes next to this.

Property values in Belle River will drop,

people will not move to Belle River in the future

because they will know this could happen to them in the future.

# Comment Form

## County Road 22 & Rourke Line Road

### Residents Meeting – August 18, 2022

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Name:

Jeff LeLacour

Mailing Address:

1434 Girard Dr.  
Belle River On  
NOR 1A0

I/we prefer to receive information by email.

E-mail

Comments/Questions/Concerns (Use back if more space needed):

I want to serve you understand my thoughts & feelings of my family and neighbours I've spoken with that can only be understood unequivocally... I, my wife and my son Do Not Want Any apartment buildings or town homes built at your proposed Location.

Please deposit this form in the comment box or return by August 26, 2022

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Name:

Priscilla LeCacheur

Mailing Address:

431 Girard Dr  
Belle River, Ont  
N0R 1A0

I/we prefer to receive information by email.

E-mail

pjlacheur@hotmail.com

Comments/Questions/Concerns (Use back if more space needed):

Talk to people who have actual experience with Kiss n Ride etc Teachers & Parents not planners

- Buslane & Kiss n Ride set up unsafe - Kids will get hit by cars, High traffic of cars down Girard
- Building is Absolute NO - eye sore - strain on sewer system - decrease property values.
- Wastewater treatment plant "Hazard" - does this make any sense to put a school near it.
- Flooding to existing property's - are you going to be financially responsible for this?

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Continue on Back



- No town homes - decrease property value.
- This will effect going into Belle River etc. I will stop Shopping in Belle River for anything. It will be quicker for me to go to Tecumseh due to traffic.
- No School on Residential Street period. Both Exit and Entrances need to be on Route.
- Buildings can not be higher than existing houses.

Note:

Just because something works on paper or in theory. Does not mean it's actually functional or ~~practical~~ practical.

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Name: Barb Charuko

Mailing Address: P.O. Box 908  
Harrow ON.  
NOR 1G0

I/we prefer to receive information by email.

E-mail bcharuko@yahoo.ca

**Comments/Questions/Concerns (Use back if more space needed):**

Love to see the work & planning that has gone into this by developer. Our daughter & family live directly across from where school will be on Huron. They are happy with development plans at meeting / open house. I'm afraid a couple loud opinionated people are not allowing many that are happy to see growth.

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Name: JEANNINE JACQUES

Mailing Address: 1480 COUNTY RD 22  
BELLE RIVER  
NOR 1A0

I/we prefer to receive information by email.

E-mail \_\_\_\_\_

**Comments/Questions/Concerns (Use back if more space needed):**

- FLOODING
- TRAFFIC CONGESTION
- TRAFFIC SPEEDING
- APARTMENT - 3 STOREY MAX., NOT LO
- CONSTRUCTION NOISE, DIRT, DISTURBANCES, ETC.
- NO ACCESS FROM LY RD 22
- ELECTRICITY ISSUES

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Name:

Amy & Jay Brosseau

Mailing Address:

1453 Girard Dr.  
Belle River ON N0R1A0.

I/we prefer to receive information by email.

E-mail

brosseaufam@gmail.com

Comments/Questions/Concerns (Use back if more space needed):

No to all of this !!  
 Why are we not looking to fill current vacancies with commercial property already developed - Emeryville?  
 What are the plans to control traffic/speed on Girard. School = more traffic travelling along Girard - cars already speed by my home.  
 Are the current developments near lakeshore discovery already full - we question the need. Girard can't handle more traffic especially with a kiss + ride + parking lot for a school. →

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pond currently on property (on Rego) is considered  
park land - really?? With keep off signs + weeds overgrown  
now welcoming! - NOT.

We would like to see the town pay more attention to developing  
the old property on the main Street First - so much  
potential in this town - focus on that first!  
Lakeshore could ~~also~~ learn a lot from Kingsville!

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Name: Robert & Lucille Ledgerwood

Mailing Address: 215 Maple Leaf Court  
Belle River, Ontario  
N0R 1A0

I/we prefer to receive information by email.

E-mail rledgerwood@copeco.ca

**Comments/Questions/Concerns (Use back if more space needed):**

A SIX STORY 90 UNIT APARTMENT BUILDING DOES  
NOT FIT WITH THE EXISTING RESIDENTIAL  
NEIGHBORHOOD - THIS MUST BE ELIMINATED FROM  
THE PLAN - UNSIGHTLY EYESORE, ALREADY TOO  
MUCH TRAFFIC, TOO MANY FLOODED BASEMENTS  
ALREADY, TOTALLY INSUFFICIENT INFRASTRUCTURE

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**Attention: Zoe Sotirakos**



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Name: MICHAEL TOROK.

Mailing Address: 1457 GIRARD DR  
SENECA RIVER, ONT  
NOR 1A0.

I/we prefer to receive information by email.

E-mail mr mike 2010 @ live . ca .

**Comments/Questions/Concerns (Use back if more space needed):**

*My concern mostly is with traffic, most by with calssing measures and stop signs. There are no stop signs along Girard dr. between Auburn and Rourke line. Over the years, I've seen traffic just fly down Girard at times. Now with ~~the~~ the new developments there'll be more traffic. I think stop signs are a must for this area.*

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Name:

Marianne LaForest

Mailing Address:

Caille Ave

I/we prefer to receive information by email.

E-mail

romoclaf@gmail.com

**Comments/Questions/Concerns (Use back if more space needed):**

- Great plan. Happy there will be a traffic light on that intersection! Good job

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**Attention: Zoe Sotirakos**

# Comment Form

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Name:

JANINE & ANDREW MORRIS

Mailing Address:

1464 Heritage Garden Cr.  
Belle River, Ont  
NOR 1A0

I/we prefer to receive information by email.

E-mail

jeepj9.n.ca@gmail.com

Comments/Questions/Concerns (Use back if more space needed):

- ① Far too many <sup>town</sup> homes / too dense
- ② Apt. Bldgs uncharacteristic for our existing neighbourhood
- ③ Property too saturated - already faced with flooding & horrendous traffic

Please deposit this form in the comment box or return by August 26, 2022

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Attention: Zoe Sotirakos

★ See attached

Aug 15<sup>th</sup> objection

Janine T. Morris  
1464 Heritage Garden Cr.  
Belle River, Ontario  
N0R 1A0  
Home Phone (519) 727-4623  
Cell Phone (519-567-5368  
email – jeepj9.n.c@gmail.com

August 15, 2022

Town of Lakeshore  
419 Notre Dame St.  
Belle River, Ont.  
N0R 1A0

Attention: Ian William Search, Secretary/Treasurer

Dear Mr. Search:

**Re: REZONING APPLICATION OF 1477 COUNTY RD. 22**

On behalf on myself & my husband, Andrew I am writing this correspondence to express our strong opposition to the proposed rezoning of the above-noted property located at County Rd. 22/Rourke Line/Girard Dr., Lakeshore. The massively large, proposed build plan does not fit into the existing neighbourhood & would drastically change the aesthetics of this area.

We have been residents of this area since 2001 & purposely relocated to this area to escape the extreme traffic & concrete jungle environment of the City of Windsor. Our beautiful Heritage Garden home (with no rear neighbors) backs onto the intended area currently seeking rezoning to Multi-Use. The quiet, open enjoyment of our rear property will be adversely compromised with the erection of 40 townhomes. We would now be facing someone else's backyard & interior of the rear of several townhomes. Single home property values are likely to go down in the area as the high-density of multi-townhomes & apartment buildings are out of character & inconsistent with our long-established, single-family home neighbourhoods.

On a daily basis, we are faced with an extreme traffic situation on County Rd. 22 whereby we are unable to exit Grandview Gardens without first having to wait an average 5-15 min., or even longer on numerous occasions. County Rd. 22 is currently unable to sufficiently handle current traffic loads and the huge development being proposed for this corner would only exacerbate the current traffic nightmare to a more horrific & possibly deadly level. Oversaturation of property should be reserved for a large city such as Toronto where the lack of available property would substantiate such a dense build. Dense housing developments does not necessarily provide affordable housing.

We are of the opinion that the size of the property does provide sufficient space for the proposed plans intended by the developer and exceeds the lot percentage coverage allowed. Too much density for such a small area with insufficient infrastructure & extreme increase in traffic is beyond comprehension.

The proposed 6 story apartment building intended for County Rd. 22 is also severely out of character and scale for this area. Our neighbourhood would be adversely affected by obstructing our open view & privacy, many well established trees would be replaced with multiple structures resulting with an impact to our local environment, destruction of local wildlife habitat and potentially lower the property values of the existing community. It is not a climate sensitive plan and utterly fails to recognize its carbon impact. This project would deliver unprecedented density and extreme change, while providing no benefit to the existing people living in the surrounding area. The access to County Rd. 22 being sought after from the County, along with the proximity to the Rourke Line intersection would create nothing more than a recipe for absolute disaster and potential for loss of human life.

Regarding the potential school & retention pond portion of the property, this also creates a high degree of safety issues with both the danger of the pond with the children & high volume of traffic surrounding the school property. Erecting a school in an existing, well established neighbourhood seems absolutely backwards as both St. Anne's High School & Lakeshore Discovery came first and the growth of the neighbourhood was secondary. If Lakeshore Discovery has room for numerous portables, there should be adequate room for expansion. The overflow of parking from a new school would invade our streets to an overwhelming degree and create safety concerns for our children & all pedestrians. Feel free to speak to some of the home owners surrounding St. Williams School and they can attest to the severe traffic concerns.

As long standing, tax paying residents of Lakeshore, we feel we have been more than patient & tolerable regarding the continued flooding issues resulting in sky high insurance premiums in addition to the ever growing, daily County Rd. 22 traffic nightmare. These current, imperative issues must be prioritized and rectified before any further development is approved. Council has a responsibility to fix what needs to be fixed first before further stress is added to current infrastructure and resources.

Please note that the lack of notice & transparency with this entire development is beyond alarming. Why did we learn of the details regarding a potential school in our backyard from the AM800 News website???? Simply shocking & inexcusable. A previously scheduled open house would have been beneficial. We have failed to receive the basic courtesy of being notified & consulted with regard to the particulars of this development. Local homeowners have been largely ignored. In our opinion, the only goal achieved at this point is a severe degree of deceit & mistrust.

To reiterate, we strongly and emphatically oppose the application for rezoning of the County Rd. 22 & Rourke Line property to mixed-use development.

Please accept this correspondence of our request to receive written notice of any Council decisions. Thank you for your time & consideration.

Sincerely,

*Janine T. Morris*

cc—Kelsey Santarossa/Ward 3 Councillor



# Comment Form

## County Road 22 & Rourke Line Road

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Name:

Simran Cheema

Mailing Address:

310 Couetli Dr  
Belle River  
NOR 1A0

I/we prefer to receive information by email.

E-mail

simrancheema@mail@gmail.com

Comments/Questions/Concerns (Use back if more space needed):

No more than 5-6 storeys. Ok with commercial as long as it has good decent hang out retail for young people and safe for kids to hang around. One family play area. No more than 4 adults for 2hr. Work out something for pond area way to come rides, swings for kids to enjoy

Please deposit this form in the comment box or return by August 26, 2022

Dillon Consulting Limited  
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Windsor, ON N8W 5K8

Tel: 519-571-9833 Ext. 3177  
Fax: 519-948-5054  
E-mail: zsotirakos@dillon.ca

Attention: Zoe Sotirakos

# Comment Form

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Name: Melissa Compton

Mailing Address: 1401 Traditional Trail  
Belle River

I/we prefer to receive information by email.

E-mail melissa.charko@gmail.com

**Comments/Questions/Concerns (Use back if more space needed):**

I support the growth and ideas put forth  
**FOOD FOR THOUGHT:**  
 - traffic is already very congested - can a crossing light for kids  
 → will apartment bring more rushed <sup>be an idea across Rourke?</sup>  
 drivers? lots of children in area  
 - think about how many homes in area are multiple families/vehicles  
 - using more than planned resources already

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Name:

DIANE SVEINSSON

Mailing Address:

1450 Heritage Cdr. Cres.  
 SS#2  
 Belle River, ON.  
 NOR 1A0

we prefer to receive information by email.

E-mail

dsveinsson@cojaco.ca

Comments/Questions/Concerns (Use back if more space needed):

I am opposed to the car parking for the Apt. Block!

The school property should be town homes - existing schools in area have more than enough land to expand!

Too much Traffic on Hug. 22.

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Name:

Barb Rockett

Mailing Address:

1470 County Rd 22  
Belle River NOR 1A0

I/we prefer to receive information by email.

E-mail

ROCKETT6672@OUTLOOK.COM

Comments/Questions/Concerns (Use back if more space needed):

I am opposed to the apartment building in general as it doesn't fit with the single family homes already in the area. But most of all I do not want to see the entrance/exit on County Rd 22. I do not like the idea of looking out my front window at a parking lot. I live in the country for a reason, otherwise I'd live in the city.

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Name:

Iounis Martakis

Mailing Address:

155 Alexander Av

I/we prefer to receive information by email.

E-mail

Comments/Questions/Concerns (Use back if more space needed):

Make it a 3 Floor apartment  
extent it from the housing Not a 6  
Floor apartment

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Name: Dawn Cairns / Jesse Cairns

Mailing Address: 216 Maple leaf crt.  
Belle River, ON  
NOR 1A0

I/we prefer to receive information by email.

E-mail jessecairns@hotmail.com / imkingo@hotmail.com.

**Comments/Questions/Concerns (Use back if more space needed):**

<sup>CURRENT</sup>  
 We have huge concerns RE: FLOODING & ITS impact on us. We currently pay<sup>an</sup> obscene amount in flood insurance & want to know what the town is going to do about helping residents afford this. Adding capacity to this is not logical. Traffic is already so dense - a 3 lane road will not fix this. As well this ~~built~~ <sup>built</sup> apartment building does NOT fit in with current landscape. Five to

Please deposit this form in the comment box or return by August 26, 2022 →

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Ten years for sidewalks & trails to link Hwy 22 to Belle River is also not reasonable when planning a building of this size.

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Name:

L. GRANT

Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I/we prefer to receive information by email.

E-mail

\_\_\_\_\_

Comments/Questions/Concerns (Use back if more space needed):

No 6 storey Apt. building Traffic lights  
Trail System Widen County Rd 22  
Save small bush for wildlife  
Save some trees for wildlife

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Name: Anna & Dave Knysa

Mailing Address: 1458 Heritage Garden Cres.  
Belle River, ON N0R 1A0

I/we prefer to receive information by email.

E-mail annaknysa84@gmail.com

**Comments/Questions/Concerns (Use back if more space needed):**

We have many concerns.

- 1) Our home will, above all others, have the closest new build to our property (at 5.7m). Can this be increased?
- 2) There is no green/park area in this area of homes. Has this been considered?
- 3) This new 6-storey apartment will be the tallest building in Belle River — this is not the small town feel we signed up for.

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- 5) Just concerned about what residential townhomes will do for flood-prone areas? Any chance it would/can get worse?
- 4) Was there any consideration for the homes along Heritage Garden Cres, to purchase the property directly behind our home?

Overall, our main concerns are in relation to this 6-story apartment building, and the proximity of the homes directly behind us. We have no parks within close proximity to our home, which is an added concern.

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Name:

Linda Taylor

Mailing Address:

1512 Quille Ave  
 Belle River ON  
 NOR 1A0

I/we prefer to receive information by email.

E-mail

Ltaylor4@protonmail.com

Comments/Questions/Concerns (Use back if more space needed):

We need a walkable town, high density housing + public transportation. Belle River used to be covered w/ thick forests swamps + marshes. We need to reclaim the land + restore back to it's original state. Marshes protect us from flooding, drought + climate change. Current projections forecast vast areas of Belle River will be under water in 100 years. Stop building McMansions!

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Name: Lyszak

Mailing Address: 1615 Whitewood Drive.  
Belle River ON  
NOR 1A0

I/we prefer to receive information by email.

E-mail \_\_\_\_\_

**Comments/Questions/Concerns (Use back if more space needed):**

\* - More green space with mature trees.  
 \* - traffic - County + Town need to rethink new Cty Rd 22 plan - taking away all access from Beechwood + turning from Willowwood is ~~ridiculous~~ ridiculous. Need traffic flow and not through existing subdivisions.  
 Speeding is an issue already not dealt with.

Please deposit this form in the comment box or return by August 26, 2022

Dillon Consulting Limited  
 3200 Deziel Drive, Suite 609  
 Windsor, ON N8W 5K8

Tel: 519-571-9833 Ext. 3177  
 Fax: 519-948-5054  
 E-mail: zsotirakos@dillon.ca

Attention: Zoe Sotirakos

\* We are for development but all these projects  
 Project #: 20-3323 on 1 ~~site~~ site seems too much  
 we already Flood enough as it is.

Kiss and ride for 2 schools with only access to 22 being Rourke (after 22 "improvements") will be insane and dangerous.

Belle River does need more affordable housing and definitely more apartments. I don't believe these townhomes will be affordable.

- Love the idea of an apartment building but maybe only 4 stories.

\* mackenzie Urban did a wonderful job explaining the project. Well Done!

Good evening, my name is Sheila Prevost and I have lived with my family on Coretti Drive since 2003. We too have concerns with this development including traffic and safety, flooding and the amount of greenspace in our area. I believe town council had similar concerns when creating Lakeshore's Official Plan in 2021.

I would like to highlight some sections of the Official Plan that do not seem to adhere to with this development. Although some wording is subjective, as a resident of the affected area I feel I need to share my interpretations as I understand them.

In terms of safety and the increased traffic a school will bring to Girard, Rego and Coretti Drives, Section 6.6.1.f states elementary schools require direct access to an arterial or collector road. Schedule D2 clearly shows Girard as a residential road, however there is an entrance to the school on Girard. It is my hope that buses and Kiss and Ride only use Rourke Line.

Flooding is also an increased possibility with additional development according to schedules B4 and C1. Although maps show the only Flood Prone area is where the preposed pond is located, houses located on Rego and Coretti are also in the flood prone area. I could not find information in writing indicating the percentage of land that can be covered, however during the June Council Meeting a councillor mentioned it should be 30%. This proposed development is much higher.

All of the following sections highlight concerns I have about the 6-story apartment building and lack of greenspace.

3.3.6 and 3.3.8 states Primary and Mixed Use Nodes will provide appropriate transitions with adjacent land uses to avoid land use conflicts

6.6.1.b.1 – the density and height of the development will be compatible with adjacent uses

6.6.1.b.2 and 6.9.1.h.3 – the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in the any adjacent low density residential area

9.4.a.5 - ensure appropriate land use and built form compatibility between adjacent uses through transitions in building height and massing.

In addition, sections 6.6.1.b.5 and 6.9.1.h.6 – the development is adequately serviced by parks. 3.3.6 also states any expansion will have public open spaces. Currently this area does not have safe access to a nearby park and open spaces.

Thank you for holding this information session and for hearing my concerns.

## Municipality of Lakeshore

**Date:** September 19, 2024  
**From:** Vaibhav Desai – Team Leader – Development Engineering & Approvals  
**To:** Community Planning Division  
**Re:** SA-01-2020 – MGV Development – Draft Plan - 1<sup>st</sup> Submission  
Municipality of Lakeshore

---

We received the following documents and drawings on April 11, 2024, and have outlined our comments below. Previous comments and reviews were completed on Stormwater Management and Functional Servicing Report. Traffic reviews were also completed on this file.

This package is considered as a 1st Submission Review (Draft Plan review only) as per our User Fee Bylaw under Subdivision Engineering Review Fee:

<https://www.lakeshore.ca/en/municipal-services/user-fees.aspx>

The following documents were provided for review:

- Cover Letter, dated March 2024
- Draft Plan of Subdivision Drawing, dated December 2023
- Conceptual Development Plan, dated December 2023
- Planning Justification Report, dated March 2024
- Stormwater Management Report, dated February 2024
- Functional Servicing Report, dated December 2023
- Transportation Impact Study, dated May 2023
- Safe Access Memo, dated March 2023
- Transportation Noise Memorandum, dated February 2024
- Site Map

Engineering & Infrastructure Division has reviewed these items in accordance with Lakeshore's Development Manual and the Windsor/Essex Region Stormwater Management Standards Manual (WERSMSM) and provide the following comments:

### **General**

1. A comment matrix is required to be provided to ease in the review process when the next submission is provided with notes addressing the below noted comments.



2. ERCA approval is required. A copy must be forwarded to the Municipality when received.
3. County approval shall be forwarded to the Municipality once it is received.
4. This development is subject to Lakeshore CLI approval process. The CLI Pre-Screening application should be submitted upon receipt of these comments. The CLI application shall be submitted during detailed design review when recommended by Lakeshore. Applications can be found at [Lakeshore.ca/CLI](http://Lakeshore.ca/CLI).
5. Detailed site servicing and grading plans shall be submitted for review. These were not provided as part of 1st Submission.
6. A letter from the County is required to be obtained to confirm the access from County Road 22 is acceptable.
7. For future submissions, please remove AutoCAD text comments from the PDF files, if possible since the files are difficult to load and frequently freeze.

### **Draft Plan of Subdivision**

1. The revised configuration of Street A is approx. 200 m long with only one access. Lakeshore's Development Manual cul-de-sac is permitted when it is 150 m or less. The Municipality has agreed to a variation of the Development Manual, specifically for this site.
2. An easement is identified south of Unit 41. Based on the package submitted for 1<sup>st</sup> Submission, it is not clear what the easement is for.
3. The daylight corners at Girard Drive are to be a minimum of 6.0 meters.
4. The proposed property north of Units 21 and 22 are to be conveyed back to the relative lots as part of the adjacent lands through the site plan approval process (to be conveyed at a later date).
5. The Commercial and Apartment complex shown on the drawings is not being reviewed at this time for Draft Plan of Subdivision and will be under a separate site plan application process. Applicant to remove these items from the drawings.

### **Concept Plan**

1. No grading or servicing plans were included in the 1<sup>st</sup> Submission. These drawings are required to be submitted for 2<sup>nd</sup> Submission.
2. See item 1, 2 and 3 above for Draft Plan of Subdivision comments.

**Stormwater Management Report**

1. The proposed site is shown in Figures 1 and 2 however the existing drainage area that outlets to the pond should also be included in the Figures. The size of the existing and proposed sites draining to the pond should be clearly identified and discussed.
2. Section 2.1 of the report explains three existing sub catchments and where they drain. Please confirm where the rest of the site drains that is not included in these boundaries (see Figure 1). The subcatchment drainage areas should be clearly identified. It appears as if the remaining areas drain easterly overland. Please clarify further on the drawing.
3. Many design/model parameters were not clearly identified in the report. Please clarify in the report. Some clarification was provided.
4. In section 3.2.1, design release rates were calculated based on available downstream capacity using the rational method. Does this mean that the remaining capacity of the Rourke Line Storm Sewer and Brown's Creek Drain will be used up with this proposed development? How was this calculated? Release rates are very high for the size of the drainage areas in Table 2. Drainage Areas are different between Table 2 and 3, so it is assumed that the catchments have increased to the drain and storm sewer. With added areas and increased imperviousness, this will increase runoff volume and duration. Was the added stormwater volume and duration considered in the receiving drainage areas for the major storm events? Please provide more detail and calculations for the release rates. In the report it appears as if a portion of the properties fronting Rourke Line are currently designed to drain to the municipal drains at a rate higher than agricultural. Additional lands will be added to the original areas with higher impervious levels, so the previous comment "Was the added stormwater volume and duration considered in the receiving drainage areas for the major storm events?" still applies since it doesn't seem to be addressed.
5. Please provide details for underground and surface storage for each block. (Report states this will be completed under detailed design). **Identify each parcel volume required to be stored.**
6. During the UST storm, the Girard Pond overflows significantly. Table 7 shows and increased overflow volume for the UST storm for the developed condition. Can the Brown's Creek Drain accommodate these flows, or does it increase the potential for flooding? Additional runoff from the proposed development in this storm event should not increase ponding/flows to the drain. The updated report still has an UST storm overtopping the pond by an additional 231 cubic m post development vs existing. Our previous comments still apply. Although this is only a 1.5% increase as noted in the report, it is a large volume that should be reviewed.

7. Further an increase in lot coverage to 52% is being requested. Based on the above and/or the additional imperviousness, it is likely additional on-site storage will be required if the existing pond cannot accommodate this. Please review and clarify.
8. The conclusion of the report states that the site will be assessed in accordance with the Drainage Act during detailed design. Please clarify.
9. Water Quality treatment to be sized during detailed design.

### **Functional Servicing Report**

1. In section 1.0, the total area of the site is stated as 6.27 ha, but the individual areas listed in the following sentence do not add up to that area. Please revise in updated submission.
2. In section 2.2, it states that access to the multi-unit development site will include access from County Rd 22. A letter from the County is required to be obtained to confirm the access from County Road 22 is acceptable. Further, it should be clarified that the internal road network (not “roads”) noted in this section is only applicable for Street A.
3. Review of sanitary and water servicing will be required during detailed design and as part of the CLI review and approval process.
4. In section 5.3, it states that the new storm sewer will outlet into the existing storm sewer along Girard Drive. The storm sewer design sheet does not include the existing storm sewer on Girard Drive. Confirm the existing sewers to the SWM pond have sufficient capacity to accommodate this added flow. The storm sewer design sheet was not included in Appendix B of the most recent submission. Section 5.3 discusses attenuating flows from Street A. The sizing will need to be confirmed during detailed design.

### **Transportation Impact Study**

1. The study states that the intersection of County Road 22 and Rourke Line Road must be signalized to achieve an acceptable level of service by 2025. The signalization must be operational before the site is built out and occupancy is required. The schedule shall be reviewed and coordinated with the County to the satisfaction of the Municipality. If the County Road 22 widening does not proceed in advance of the apartment building complex completion, temporary traffic signals will be required by the Developer.

2. Confirmation if the driveway access onto County Road 22 is acceptable is required to be obtained from the County. A memo was forwarded to the County, but no response was included.

**Planning Justification Report**

1. Maximum lot coverage is proposed to be increased, minimum front yard reduced, maximum height increased, parking ratio reduced. Zoning bylaw amendment application underway, pending approval. Approval is required prior to 2<sup>nd</sup> Submission.

We recommend that the proponent address the above comments and resubmit revised drawings/documents for further review. Note that additional review comments may become apparent with further review.

If you have any questions or require additional information, please contact the undersigned.

*Vaibhav Desai*

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Team Leader – Development Engineering & Approvals

Approved by: Krystal Kalbol, P.Eng.

# 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.

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### 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.
- 
- 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



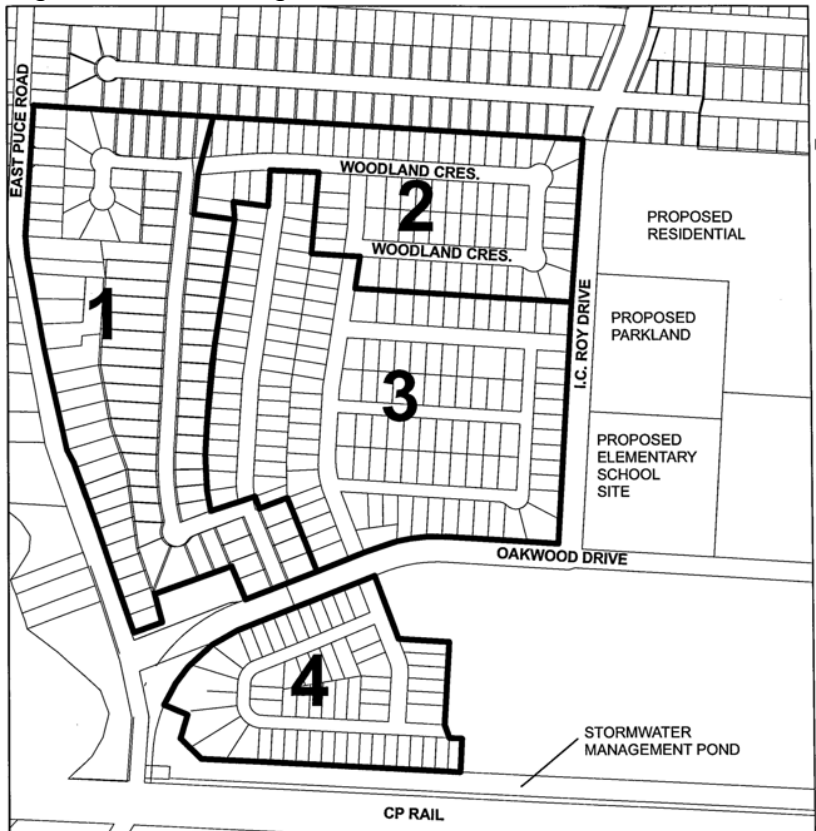
## Appendix B – Summary of All River Ridge Phases

1156756 Ontario Ltd. filed an application for approval of a Draft Plan of Subdivision in February, 1998 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).

The draft plan included 1154 single detached dwellings, 176 semi-detached dwellings; a medium density block, blocks for parkland, stormwater management, commercial uses, institutional uses and future right-of-ways. Various draft amendments dated October 20, 2004, October 11, 2005, April 4, 2006 and September 24, 2010 have made changes to either the draft plan and / or draft conditions of approval.

Council subsequently gave approval for registration of Phase 1 (Pinehurst Drive) in the River Ridge Subdivision in 2000 (Figure 1). The first subdivision agreement the owner entered into with the Town is dated November 2, 1999. Since then, the owner has also entered into various supplementary and amending agreements mentioned below.

Figure 1: River Ridge Subdivision Phases 1-4



In 2001, Council supported extending draft plan approval for the River Ridge Subdivision for a five-year period as requested by the owner. That extension lapsed on September 10, 2007. Council supported another extension for draft plan approval for a further three-year period.

Council gave approval for registration of Phase 2 (Woodland Crescent) in the River Ridge Subdivision in November 2003.

In 2005, the developer received approval from the County of Essex to amend its draft conditions to address noise control measures, stormwater management and the reconfiguration of the draft plan to accommodate two school sites. All conditions of draft approval must be met before any phases of the subdivision can be given final approval.

Phase 3 of the development was proposed by the owner to be registered in three stages (A, B, and C) (See Figure 1 (initial phase 3) and Figure 2 (subdivided / revised phase 3)).

Figure 2: Revised Phase 3



In October of 2010, Council supported extending draft plan approval for another three year period as requested by the owner. The approval lapsed on October 20, 2010. The County of Essex supported the extension of draft plan approval with the new lapse date

being October 20, 2013. The owner requested the extension of draft plan approval due to the economic downturn which has taken place in this area and the resulting diminished lot absorption rates.

Subsequently, the owner came forward to register Phase 4A consisting of 54 residential lots for single unit dwellings as well as extensions of Poplar Drive and Aspen Ridge Crescent shown on the Draft 12M-Plan dated May 17, 2012. The supplementary subdivision agreement was registered on 10<sup>th</sup> July, 2012.

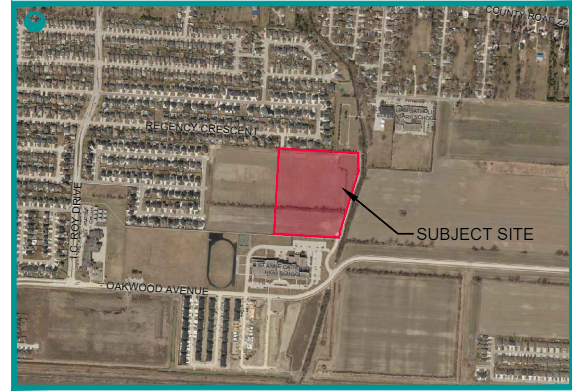
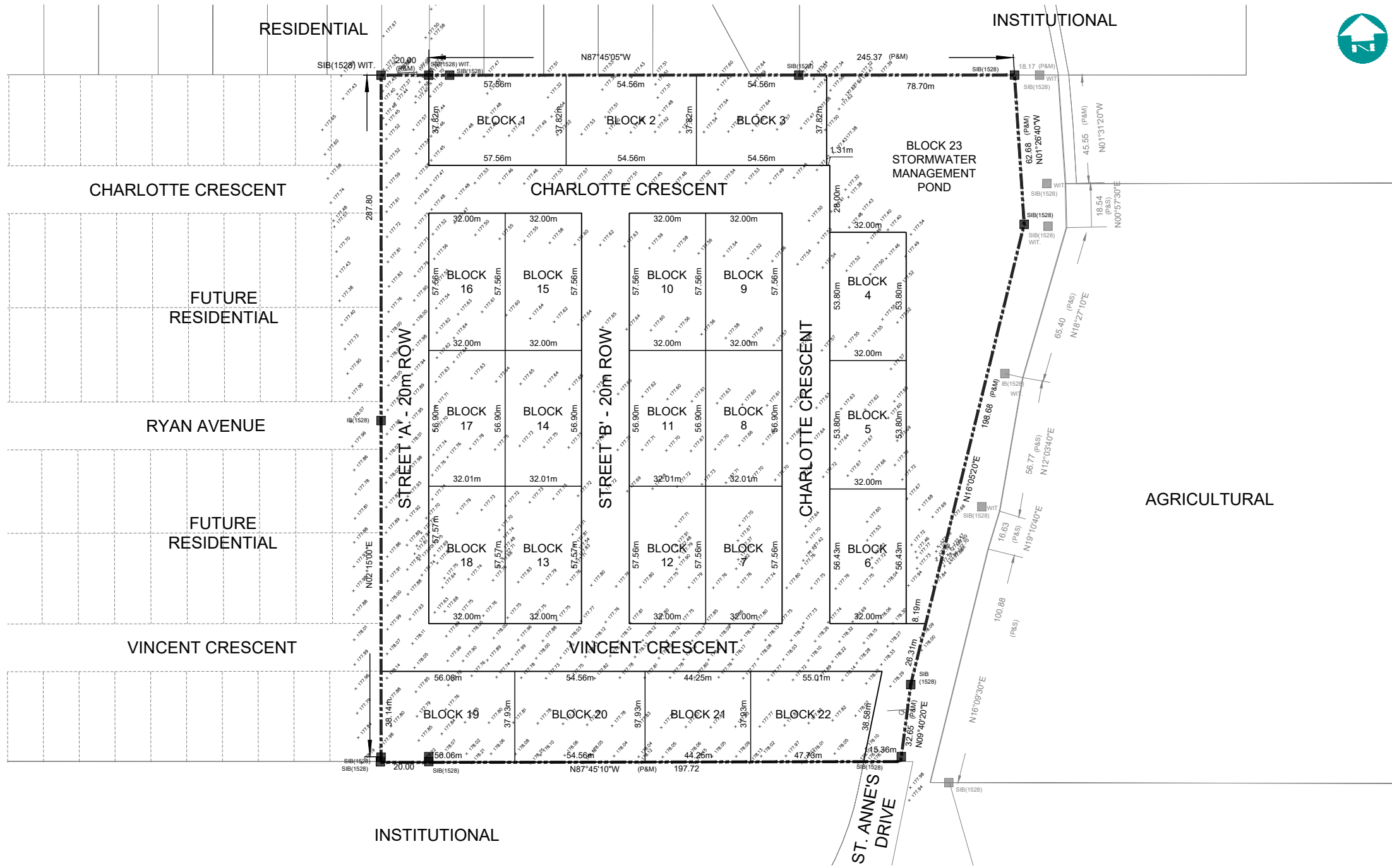
Thereafter, in 2014 the applicant came forward to register Phase 5A consisting of 57 residential lots for single detached dwellings and the supplementary subdivision agreement was registered on 11<sup>th</sup> November, 2014.

On 10<sup>th</sup> September, 2015 Phase 5B consisting of 35 residential lots for single detached dwellings was registered through a supplementary subdivision agreement.

Thereon, on April 3, 2018 the supplementary subdivision agreement was registered for Phase 6 consisting of 148 residential single detached dwellings and it was amended on May 11, 2021. The amendment was to incorporate a requirement for the conveyance of additional lands for stormwater management.

On 3<sup>rd</sup> October, 2018 the supplementary subdivision agreement was registered for Phase 7 consisting of 185 residential townhouse dwellings.

Dec. 13, 2023 - 2:38pm C:\Users\3255\AppData\Local\Temp\AcPublish\8396\22-4625-River\_Ridge\_Ph.B-DPS.dwg



**KEY PLAN**  
N.T.S.  
SOURCE: COUNTY OF ESSEX INTERACTIVE MAPPING (2019)

**NOTE**

PARTS 102 to 105 (inclusive) PLAN 12R-18384 - P.I.N. 75005-0895 DEDICATED AS EVERGREEN DRIVE BY-LAV # 106-2001 AND REGISTERED AS INSTRUMENT No. LT330901.

**LEGEND**

- SIB DENOTES 25mm X 25mm X 1.22m STANDARD IRON BAR
- SSIB DENOTES 25mm X 25mm X 0.61m SHORT STANDARD IRON BAR
- IB DENOTES 16mm X 16mm X 0.61m IRON BAR
- IB Ø DENOTES 19mm diameter X 0.61m ROUND IRON BAR
- CC DENOTES CUT-CROSS
- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET AND MARKED 1528
- WIT. DENOTES WITNESS ⊥ DENOTES PERPENDICULAR
- (S) DENOTES SET (M) DENOTES MEASURED (D) DENOTES DEED
- (S/P) DENOTES SET PROPORTIONALLY (OU) DENOTES ORIGIN UNKNOWN
- (P) DENOTES PLAN 12R-21144
- (1528) DENOTES VERHAEGEN STUBBERFIELD HARTLEY BREWER BEZAIRE INC., O.L.S.
- (1201) DENOTES R.A.CLARKE, OLS
- (1194) DENOTES J.B. SMEETON, OLS

**BEARING REFERENCE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERN LIMIT OF PLAN 12M-444 AND HAVING A BEARING OF N 87° 45' 05" W.

"METRIC" DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**Draft Plan of Subdivision**  
PART OF LOTS 3, 9 & 17,  
CONCESSION EAST OF PUCE RIVER,  
GEOGRAPHIC TOWNSHIP OF MAIDSTONE  
NOW IN THE TOWN OF LAKESHORE  
COUNTY OF ESSEX, ONTARIO

Scale : 1:2000 (11x17)  
1:1000 (22x34)

**OWNER'S CERTIFICATE**  
I CERTIFY THAT:  
I HEREBY CONSENT TO THE FILING OF THIS PLAN FOR DRAFT APPROVAL.

DATE: 12-14-23 SIGNED: [Signature]  
CLIENT / COMPANY

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE: December 14, 2023 SIGNED: Roy Simone  
ROY A. SIMONE  
ONTARIO LAND SURVEYOR

**ADDITIONAL INFORMATION REQUIRED UNDER S. 51(17) OF THE PLANNING ACT**

- (a) SHOWN ON PLAN
- (b) SHOWN ON PLAN
- (c) SHOWN ON PLAN
- (d) RESIDENTIAL
- (e) SHOWN ON PLAN
- (f) SHOWN ON PLAN
- (g) SHOWN ON PLAN
- (h) PIPED WATER TO BE INSTALLED BY DEVELOPER
- (i) BROOKSTON CLAY
- (j) SHOWN ON PLAN
- (k) SANITARY & STORM SEWERS TO BE INSTALLED BY DEVELOPER
- (l) SHOWN ON PLAN

STATISTICS		
ATTACHED RESIDENTIAL	=	BLOCK 1 TO 22 (INCL.)
STORMWATER MANAGEMENT POND	=	BLOCK 23
AREAS		
ATTACHED RESIDENTIAL	=	4.14 ha (10.18 acres) = 58.15%
STORMWATER MANAGEMENT POND	=	0.99 ha ( 2.46 acres) = 13.90%
RIGHT-OF-WAY	=	1.99 ha ( 4.90 acres) = 27.95%
<b>TOTAL AREA</b>	=	<b>7.12 ha (17.59 acres)</b>

September 17, 2024

Dillon Consulting.  
c/o Karl Tanner  
3200 Deziel Drive, Suite 608  
Windsor, ON N8W 5K8

**Re: Draft Plan Approval**  
**Municipality: Municipality of Lakeshore**  
**Location: PT LTs 3 & 4, Con East of Puce River, Formerly Maidstone**  
**Applicant: 1156756 Ontario Ltd., c/o Jenny Coco**  
**File No: 37-T-24004 (River Ridge Ph 8)**

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Dear Mr. Tanner:

Pursuant to Subsection 51(31) of the Planning Act the above-noted draft plan of subdivision is hereby approved. A list of conditions that must be fulfilled prior to final approval is also attached.

The approval of this draft plan will lapse on **September 17, 2027**. The approval may be extended pursuant to subsection 51(33) of the Act.

Please see the attached Notice of Decision for further information regarding this decision.

Yours truly,



**REBECCA BELANGER, MCIP, RPP**  
Manager, Planning Services

Enclosure

cc Municipality of Lakeshore  
WECD SB  
Canada Post

Roy Simone  
GECDSB  
MMAH

ERCA  
Bell Canada  
Jenny Coco



**Applicant:** 1156756 Ontario Ltd. c/o Jenny Coco  
**File No.:** 37-T-24004  
**Municipality:** Municipality of Lakeshore  
**Location:** PT LTs 3 & 4, CON East of Puce River

**Date of Decision:** September 17, 2024  
**Date of Notice:** September 17, 2024  
**Last Date of Appeal:** October 7, 2024  
**Lapsing Date:** September 17, 2027

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## NOTICE OF DECISION

### On Application for Approval of Draft Plan of Subdivision Subsection 51(37) of the Planning Act

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Approval of Draft Plan of Subdivision to the application in respect of the subject lands noted above, is proposed to be given by the County of Essex. All submissions were considered as part of the decision-making process. Refinements to the conditions of draft approval reflect the public input and submissions. A copy of the decision is attached.

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#### **When and How to File an Appeal**

Notice to appeal the decision to the Ontario Land Tribunal (OLT) formerly LPAT, must be filed with the County of Essex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Manager, Planning Services at the address shown below and it must,

- (1) include the reasons for the appeal, and a completed ***Appeal Form (A1) Planning Act*** available from the OLT website: <https://olt.gov.on.ca/appeals-process/forms/>
- (2) be accompanied by the prescribed filing fee payable by certified cheque or money order to the Minister of Finance.

#### **Who Can File An Appeal**

Only individuals, corporations or public bodies may appeal the decision of the County of Essex to the Tribunal. An appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal to the decision of the County, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the County, made oral submission at a public meeting or written submissions to the Council or, in the Tribunal's opinion, there is reasonable grounds to add the person or public body as a party.

#### **Right of Applicant or Public Body to Appeal Conditions**

The applicant, the Minister, the Municipality, or any public body that, before the County made its decision, made oral submissions at a public meeting or written submissions to the County, may at any time before the final plan of subdivision is approved, appeal any of the conditions imposed by the County to the Tribunal by filing with the County a notice of appeal.

#### **How to receive Notice of Changed Conditions**

The conditions of an approval of draft plan of subdivision may be changed at any time before the final approval is given. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal of the decision of the County, including the lapsing provisions or the conditions, unless the person or public body, before the County made its decision, made oral submissions at a public meeting or written submissions to the County, or made a written request to be notified of the changes to the conditions or, in the Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

#### **Getting Additional Information**

Additional information about the application is available for public inspection during regular office hours at the County of Essex at the address noted below or from the Municipality of Lakeshore.

#### **Mailing Address for Filing a Notice of Appeal:**

County of Essex  
Attention: Rebecca Belanger, Manager, Planning Services  
360 Fairview Avenue West  
Essex, ON N8M 1Y6  
Email: [rbelanger@countyofessex.ca](mailto:rbelanger@countyofessex.ca)  
Tel: (519) 776-6441, Ext. 1325 Fax: (519) 776-4455

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The County of Essex's conditions and amendments to final plan of approval for registration of this Subdivision are as follows:

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**No.      Conditions**

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1. That this approval applies to the draft plan of subdivision prepared by Dillon Consulting Ltd. and certified by Roy Simone, O.L.S., dated December 14, 2023, that shows:
  - Twenty-two (22) blocks for one hundred and eight (108) townhouse units; and
  - One (1) block (Block 23) for a stormwater management facility, under the ownership of 1156756 Ontario Inc.

The lands comprising the draft plan of subdivision are legally described as Part Lots 3 & 4, Concession East Puce River, Geographic Township of Maidstone, Municipality of Lakeshore, County of Essex.

2. That the Owner enter into a subdivision agreement with the Municipality of Lakeshore (hereinafter referred to as the Municipality), wherein the Owner agrees to satisfy all the requirements, financial and otherwise, of the Municipality concerning the payment of development charges, provisions of roads, sidewalks, installation and capacity of services, sanitary sewerage collection system, water distribution system, utilities and stormwater management facilities for the development of the lands within the plan. The final form and content of the Agreement being to the satisfaction of the Municipality.
3. That the subdivision agreement between the Owner and the Municipality contain a provision requiring the owner to notify in writing each person who first offers to purchase any subdivided lot within the plan of subdivision of all approved development charges, including development charges for school purposes, relating to any such lot pursuant to Section 59(4) of the Development Charges Act, 1997, and the Education Act.
4. That the subdivision agreement between the Owner and the Municipality of Lakeshore be registered against the lands to which it applies prior to the registration of the plan of subdivision.
5. That the Owner provide street names to the Municipality and that the streets shall be named to the satisfaction of the Municipality.
6. That the all road allowances included in this draft plan shall be shown and dedicated as public highways to the Municipality.
7. That the subdivision agreement contains provisions to the satisfaction of the Municipality regarding the phasing or timing of the development. That the Owner shall submit plans showing any revised phasing to the Municipality for review and approval if this subdivision is to be developed in more than one registration.
8. That the owner agrees to provide financial contribution to construct a controlled pedestrian crossing on Oakwood Avenue as accepted and agreed upon by the

Municipality on April 19, 2024 to facilitate active transportation in the area as identified in the Puce Transportation Study.

9. That the subdivision agreement between the Owner and the Municipality include a provision. The Owner shall pay cash-in-lieu for park or other recreational purposes shall be made prior to the issuance of building permits pursuant to Section 42(6) of the Planning Act, R.S.O. 1990, c.P.13, as amended.
10. That the subdivision agreement between the Owner and the Municipality include a provision that prior to final approval by the County of Essex, the County is to be advised by the Municipality that this proposed subdivision conforms to the Zoning By-law in effect. The Owner shall provide to the Municipality a table of lot areas and lot frontages certified by an Ontario Land Surveyor confirming compliance with the Zoning By-law.
11. That the subdivision agreement between the Owner and the Municipality include a provision that the Owner shall gratuitously provide easements as may be required for services, utility or drainage purposes in a form satisfactory to the Municipality or utility. The easements shall be in locations and widths as deemed appropriate by the applicable authority or agency.
12. That the subdivision agreement between the Owner and the Municipality include a provision that all open sides of road allowances created by this plan be terminated in 0.3 metre reserves to be conveyed to the Municipality.
13. That Block 23, the stormwater management facility, be conveyed to the Municipality as in accordance with prior agreement between the Owner and the Municipality.
14. That the subdivision agreement between the Owner and the Municipality contain provisions to the satisfaction of the Municipality and the Essex Region Conservation Authority, that stipulates that prior to obtaining final approval for any phase of the development that the Owner will finalize an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increase in flows in downstream watercourses in accordance with the Windsor-Essex Region Stormwater Management Standards Manual and any other relevant municipal/provincial, standards or guidelines in consultation with the Essex Region Conservation Authority.
15. That the subdivision agreement between the Owner and the Municipality contain provisions that requires that the Owner installs the stormwater management measures, for any phase of the development, identified in the final engineering analysis completed, as part of the development for the site and undertake to implement the recommendations contained therein, to the satisfaction of the Municipality and the Essex Region Conservation Authority.

16. That prior to final approval, the deficiencies in the Stormwater Management Pond including utility path shall be addressed by 1156756 Ontario, as, identified in the report by Dillon Consulting (dated July 27, 2023), be addressed to the satisfaction of the Municipality and the Essex Region Conservation Authority.
17. That prior to final approval the Essex Region Conservation Authority shall require a copy of the fully executed subdivision agreement between the Owner and the Municipality, in wording acceptable to the Essex Region Conservation Authority, containing provisions to carry out the recommendations of the final plans, reports and requirements noted above, and to obtain a Development Review Clearance for each phase or phases seeking final approval.
18. That prior to undertaking construction or site alteration activities, any necessary permits or clearances, be received, from the Essex Region Conservation Authority, in accordance with Section 28 of the Conservation Authorities Act. If the works are located within an area, not regulated by Section 28 of the Conservation Authorities Act, then a Development Review, must be obtained from the Essex Region Conservation Authority, prior to undertaking construction or site alteration activities.
19. That prior to final approval, the Municipality is satisfied that the stormwater management for adjacent lands to the west (River Ridge Phase 9) can be serviced appropriately through this plan of subdivision.
20. That prior to final approval, the Municipality shall confirm that sewage treatment conveyance and capacity and water conveyance and capacity is available for all lots in the development, or phase of development.
21. That the Owner shall implement all the recommendations in all reports/studies prepared specific to the development, to the satisfaction of the Municipality
22. That the Owner shall be responsible for any required amendments or further revisions to submitted reports, plans and studies to the satisfaction of the Municipality. If a report, plan or study requires amendments or further revisions, the Owner agrees to provide these amendments or revisions prior to the execution of the subdivision agreement with the Municipality.
23. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of the Greater Essex County District School Board, the Windsor Essex Catholic District School Board, and the Municipality, requiring a sidewalk be provided along the internal streets within the proposed plan pursuant to standard municipal requirements to facilitate pedestrian movement, bus routing and stops, and safety of school children.

24. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of the Greater Essex County District School, the Windsor Essex Catholic District School Board, and the Municipality, requiring notice in every agreement of purchase and sale advising purchasers of lots to be aware that students may not be able to attend the closest neighbourhood school and could be bused to a distant school with available capacity.
25. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of the Canada Post Corporation and the Municipality, requiring notice in every agreement of purchase and sale advising that mail will be delivered via Community Mail Boxes. Further the developer agrees to note the locations of all Community Mail Boxes within the development, and to notify affected homeowners of any established easements granted to Canada Post to permit access to the Community Mail Box.
26. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of the Canada Post Corporation and the Municipality, requiring that the Owner provide the following for each community mail box site and to include these requirements on the appropriate servicing plans: any required walkway across the boulevard, per municipal standards; any required curb depressions for wheelchair access, with an opening of at least two metres (consult Canada Post for detailed specifications) and a community mail box concrete base pad per Canada Post specifications.
27. That the subdivision agreement between the Owner and the Municipality contain provisions, to the satisfaction of Bell Canada and the Municipality, which states that the Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.
28. That prior to final approval by the County of Essex, the Owner shall submit for review and approval by the Municipality and the County, a draft of the final 12M plan, for every phase of the development.
29. That prior to final approval by the County of Essex, the County is advised in writing by the Municipality of Lakeshore how Conditions 1 to 16 inclusive, and Conditions 19 to 28 inclusive, have been satisfied.
30. That prior to final approval by the County of Essex, the County is advised in writing by the Essex Region Conservation Authority, how Conditions 14 to 18 have been satisfied.
31. That prior to final approval by the County of Essex, the County is advised in writing by the Greater Essex County District School Board, how Conditions 23 and 24 have been satisfied.

**Applicant:** 1156756 Ontario Ltd. c/o Jenny Coco  
**File No.:** 37-T-24004  
**Municipality:** Municipality of Lakeshore  
**Location:** PT LTs 3 & 4, CON East of Puce River

**Date of Decision:** September 17, 2024  
**Date of Notice:** September 17, 2024  
**Last Date of Appeal:** October 7, 2024  
**Lapsing Date:** September 17, 2027

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32. That prior to final approval by the County of Essex, the County is advised in writing by the Windsor Essex Catholic School Board, how Conditions 23 and 24 have been satisfied
33. That prior to final approval by the County of Essex, the County is advised in writing by the Canada Post Corporation how Conditions 25 and 26 have been satisfied.
34. That prior to final approval by the County of Essex, the County is advised in writing by Bell Canada how Condition 27 has been satisfied.

### **NOTES TO DRAFT APPROVAL**

1. It is the applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the County of Essex, quoting the file number "**37-T-24004**".
2. It is suggested that the owner make themselves aware of section 144 of the Land Titles Act and subsection 78(10) of the Registry Act.
3. Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of Environment under Section 23 and Section 24 of the Ontario Water Resources Act, R.S.O. 1980.
4. The Ministry of Environment did not review this subdivision with respect to any groundwater, soil or soil atmosphere testing to fully discount the possibility that waste materials and/or other contaminants are present within or in close proximity to this subdivision. If either the Municipality or the Owner requires this assurance before proceeding, a consultant(s) should be engaged to conduct the necessary investigations.
5. The Ministry of Environment must be advised immediately should waste materials or other contaminants be discovered during the development of this plan of subdivision. If waste materials or contaminants are discovered, a further approval under Section 46 of the Environmental Protection Act may be required from that Ministry.
6. The costs of any relocations or revisions to Hydro One Networks Inc. (HONI) facilities or any other local electrical utility that are necessary to accommodate the subdivision will be borne by the developer.
7. Any easement rights of Hydro One Networks Inc. (HONI) or any other local electrical utility are to be respected.
8. The developer should contact the local Hydro One Networks Inc. Services office or other local electrical utility to verify if any low voltage distribution lines may be affected by this proposal. The transmission lines abutting this subdivision operate at either 500,000, 230,000

**Applicant:** 1156756 Ontario Ltd. c/o Jenny Coco  
**File No.:** 37-T-24004  
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or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6.0 metres to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres and for 115 kV conductors is 3.0 metres. It is the developer's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. The parties should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

9. The developer is hereby advised that prior to commencing any work within the plan, the developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services, i.e., 911 Emergency Services.
10. Clearances are required from the following agencies:

Urvi Prajapati  
Municipality of Lakeshore  
419 Notre Dame Street  
Belle River, ON N0R 1A0  
[uprajapati@lakeshore.ca](mailto:uprajapati@lakeshore.ca)

Planning Services  
Essex Region Conservation Authority  
360 Fairview Avenue West  
Essex, ON N8M 1Y6  
[planning@erca.org](mailto:planning@erca.org)

Senior Manager  
Windsor-Essex Catholic District School Board  
1325 California Avenue  
Windsor, ON N9B 3Y6  
[seniormanagerfs@wecdsb.on.ca](mailto:seniormanagerfs@wecdsb.on.ca)

Ms. Giuliana Hinchcliffe  
Greater Essex County District School Board

**Applicant:** 1156756 Ontario Ltd. c/o Jenny Coco  
**File No.:** 37-T-24004  
**Municipality:** Municipality of Lakeshore  
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451 Park Street West  
P. O. Box 210  
Windsor, ON N9A 6K1  
[Giuliana.Hinchliffe@publicboard.ca](mailto:Giuliana.Hinchliffe@publicboard.ca)

Mr. Bruno DeSando  
Canada Post Corporation  
955 Highbury Avenue North  
London, ON N5Y 1A3  
[bruno.desando@canadapost.ca](mailto:bruno.desando@canadapost.ca)

Manager- Planning and Development  
Bell Canada  
[planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)

If the agency's clearance concerns a condition in the subdivision agreement, a copy of the agreement should be sent to them. This will expedite clearance of the final plan. The County of Essex does not require a copy of the agreement. Some agencies may charge a fee to obtain a clearance letter.

11. All measurements in subdivision and condominium final plans must be presented in metric units.
12. The approval of the draft plan will lapse on September 17, 2027. It is the responsibility of the applicant to request an extension of the draft approval if one is needed.

A request for extension should be made at least 60 days before the approval lapses. The request should include the reasons why an extension is needed and a resolution in support of the extension from the Municipality of Lakeshore.



# Municipality of Lakeshore

## By-law 85-2024

### Being a By-law to authorize the execution of a Subdivision Agreement with 1156756 Ontario Ltd. (River Ridge Phase 8)

**Whereas** pursuant to the *Planning Act*, R.S.O. 1990, c.P.13, representatives of 1156756 Ontario Ltd. received Draft Plan Approval (File# 37-T-24004) from the County of Essex on September 17, 2024 for a plan of subdivision prepared by Roy Simone O.L.S. and signed December 12, 2023, showing 22 blocks for townhouse dwellings and one Block for a stormwater management facility in the Municipality of Lakeshore known locally as River Ridge Phase 8 (the “Development”);

**And whereas** this agreement applies only to River Ridge Phase 8 of the Development on lands shown on the plan on, and legally described in, Schedule A attached hereto ;

**And whereas** the Conditions of the aforementioned Draft Plan Approval require that 1156756 Ontario Limited and River Ridge (Lakeshore) Inc. enter into this Agreement for the provision of services for, and to satisfy all other Lakeshore requirements, financial and otherwise, related to, the Development;

**And whereas** pursuant to subsection 51 (26) of the *Planning Act*, R.S. O. 1990, c. P. 13, municipalities may enter into such agreements;

**And whereas** the Council of the Municipality of Lakeshore passed a resolution directing Administration to advise the County of Essex that the Municipality of Lakeshore supports the draft plan of subdivision approval for the Development, as recommended by the Planner at the June 25, 2024 Council meeting;

### **Now therefore the Council of the Municipality of Lakeshore enacts as follows:**

1. The Mayor and Clerk are authorized to execute a Subdivision Agreement with 1156756 Ontario Ltd. in the form to be approved by Legal Services and the content approved by the Corporate Leader – Growth and Sustainability.
2. This by-law shall come into force and effect upon passage.

Read and passed in open session October 1, 2024.

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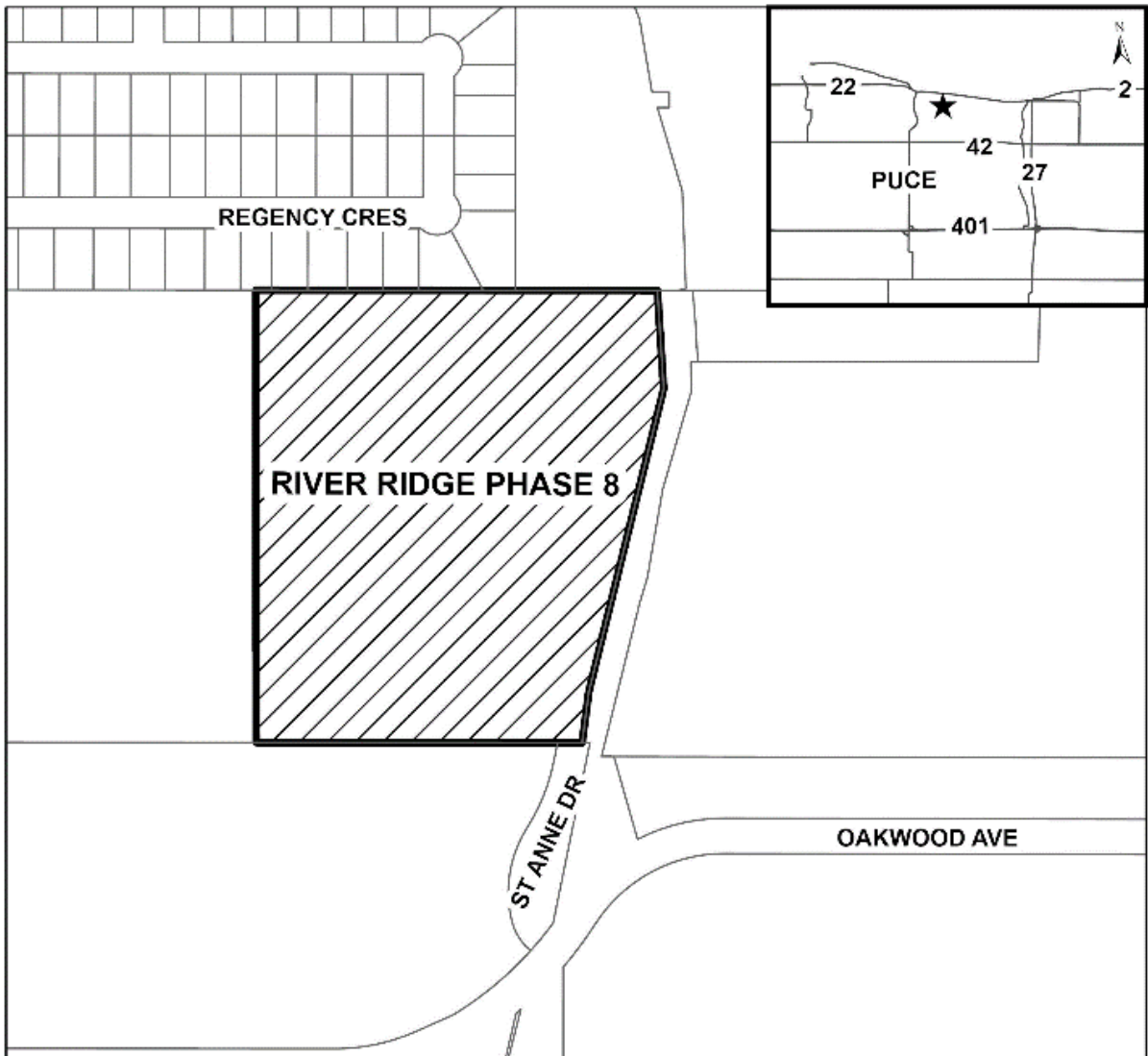
**Mayor  
Tracey Bailey**

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**Clerk  
Brianna Coughlin**

**Schedule A to  
By-law 85-2024**

- (i) Part of Lots 3 & 4, Concession East of Puce River, designated as Parts 3 and 17 Plan 12R21144, Town of Lakeshore being part of the Property Identifier Number 75005-2048(LT); and
- (ii) Part of Lots 3 & 4, Concession East of Puce River, designated as Part 9 on Plan 12R21144, Town of Lakeshore, being all of the Property Identifier Number 75005-1674(LT)



# Municipality of Lakeshore

## By-law 92-2024

### Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-12-2024)

**Whereas** By-law 2-2012 is the Municipality's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Municipality of Lakeshore;

**And whereas** the Council of the Municipality of Lakeshore deems it expedient and in the best interest of proper planning to further amend By-law 2-2012;

**And whereas** this amendment is in conformity with the Lakeshore Official Plan;

**Now therefore the Council of the Municipality of Lakeshore enacts as follows:**

1. Schedule "A", Map 17 and Map 20 to By-law 2-2012 is amended by changing the zoning classification on the lands legally described as Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R29307; Town of Lakeshore, being all of the Property Identifier Number 75021-1688(LT) shown 'hatched' for reference only on Schedule "A" to this by-law, to the Mixed Use Holding Provision 30 (MU)(h30) Zone.
2. The holding (h30) symbol shall not be removed until such time as public engagement take place to the satisfaction of the Municipality, that site plan approval has been granted by the Municipality and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*.
3. This by-law shall come into force and take effect in accordance with Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session on October 1, 2024.

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**Mayor  
Tracey Bailey**

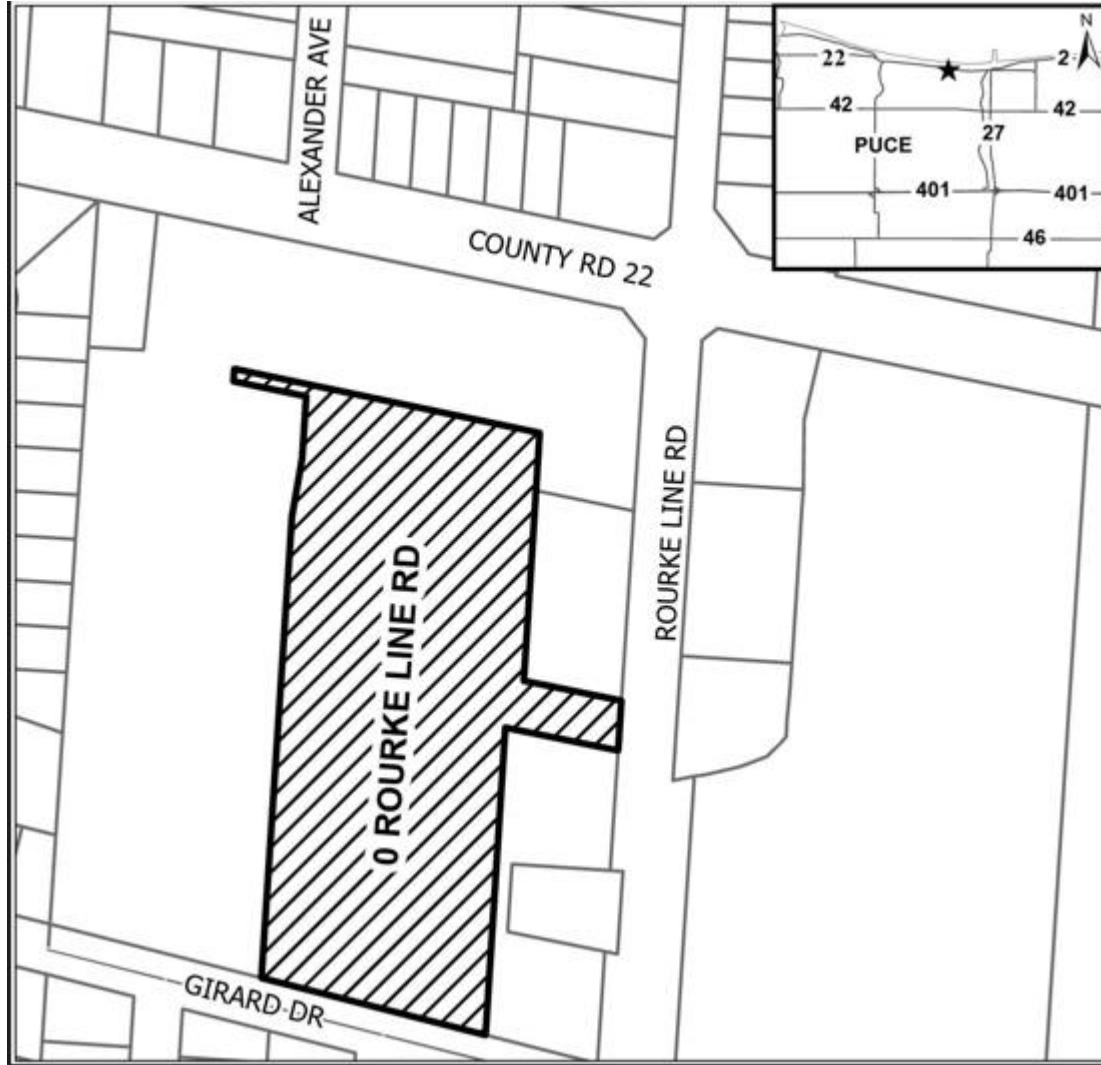
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**Clerk  
Brianna Coughlin**

## Schedule "A" to By-law 92-2024

Legal description:

Part of Lot 1, Concession between River Puce and Belle River, Maidstone,  
designated as Part 1 on Plan 12R29307; Town of Lakeshore, being all of the  
Property Identifier Number 75031-1688(LT)



# Municipality of Lakeshore

## By-law 93-2024

### Being a By-law to amend By-law 2-2012, the Zoning By-law for the Municipality of Lakeshore (ZBA-14-2024)

**Whereas** By-law 2-2012 is the Municipality's comprehensive zoning by-law regulating the use of lands and the character, location and use of buildings and structures within the Municipality of Lakeshore;

**And whereas** the Council of the Municipality of Lakeshore deems it expedient and in the best interest of proper planning to further amend By-law 2-2012;

**And whereas** this amendment is in conformity with the Lakeshore Official Plan;

**Now therefore the Council of the Municipality of Lakeshore enacts as follows:**

1. Schedule "A", Map 17 and Map 20 to By-law 2-2012 is amended by changing the zoning classification of the lands municipally known as 1477 County Road 22 and legally described as (i) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore being all of the Property Identifier Numbers 75031-1690(LT) and 75031-1689(LT); and (ii) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore; being all of the Property Identifier Number 75031-0292(LT); located on southeast corner of County Road 22 and Rourke Line Road; shown hatched on Schedule "A" attached to and forming part of this by-law, to Mixed Use Exception 39 Holding Provision 30 (MU-39)(H30).
2. Section 9.15 Mixed Use (MU) Zone Exceptions is amended by adding Subsection 9.15.39 to immediately follow Subsection 9.15.38 and to read as follows:

"9.15.39 Mixed Use Zone Exception 39 Holding Symbol 30 (MU-39(h30)) as shown on Map 17 and 20, Schedule "A" of this By-law

  - a) Semi-detached dwellings shall be an additional permitted use.
  - b) The following Zone Regulations shall apply to an apartment building:
    - i. Maximum Building Height – 24.0 m
    - ii. Maximum Gross Floor Area – 12,500 m<sup>2</sup>
    - iii. Buffer Strip – 1.5 m
    - iv. All other Zone Regulations for the MU Zone shall apply.

- c) The following Zone Regulations shall apply to semi-detached dwellings and townhouse dwellings:
    - i. Maximum Lot Coverage – 52%
    - ii. All other Zone Regulations for the R2 Zone shall apply.
  - d) No residential uses shall be permitted within the 150.0 m buffer of the future expansion of the Dennis St. Pierre Water Pollution Control plant as shown on Schedule A.
  - e) The holding (h30) symbol shall not be removed until such time as That public engagement take place to the satisfaction of the Municipality and that site plan approval has been granted by the Municipality and a site plan agreement has been entered into, pursuant to the provisions of the Planning Act.”
3. This by-law shall come into force and take effect in accordance with Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session on October 1, 2024.

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**Mayor  
Tracey Bailey**

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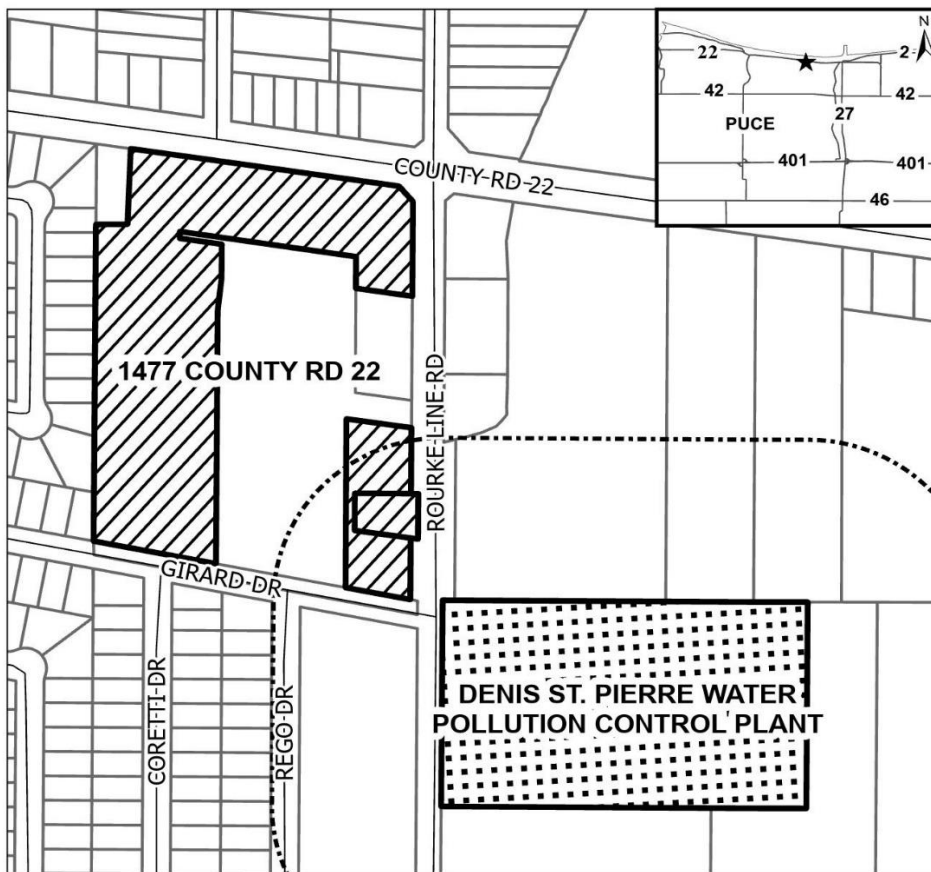
**Clerk  
Brianna Coughlin**



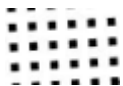
## Schedule "A" to By-law 93-2024

Legal description:

- (i) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, Town of Lakeshore being all of the Property Identifier Numbers 75031-1690(LT) and 75031-1689(LT); and
- (ii) Part of Lot 1, Concession between River Puce and Belle River, Maidstone, designated as Part 1 on Plan 12R16113; Lakeshore; being all of the Property Identifier Number 75031-0292(LT)



Amend from "Residential Type One (R1) Zone (By-law 4170-ZB-94) (R1)" and "Mixed Use Zone Exception 37 with Holding Provision 30 (MU-37 (H30))" to "Mixed Use Exception 39 Holding Provision 30 (MU-39)(H30)".



Denis St. Pierre Water Pollution Control Plant



150 m boundary from the future expansion of the Denis St. Pierre Water Pollution Control Plant



# Municipality of Lakeshore – Report to Council

## Growth and Sustainability

### Community Planning



**To:** Mayor and Members of Council

**From:** Tammie Ryall, R.P.P, Corporate Leader – Growth and Sustainability  
Brianna Coughlin, Division Leader – Legislative Services

**Date:** June 18, 2024

**Subject:** Establishing a Heritage Committee.docx

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### Recommendation

Direct Administration to implement Option 2, for Council to continue to review Heritage matters; and issue a Request for Proposal to undertake a review of the Heritage List of properties, as required under Bill 23 and Bill 200, the cost of which is to be added to the Community Planning budget in 2025; and

Direct Administration to include \$5,000 for consideration in the 2025 budget for public education or promotional materials, events or public engagement activities to promote the benefits of designating Heritage properties, all as presented at the August 13, 2024 Council meeting.

### Strategic Objectives

Establishing a Heritage Advisory Committee - the review of heritage properties does not directly relate to a Strategic Objective. However, reviewing the Lakeshore Heritage list of properties does relate to this Strategic Objective:

3a) Modernizing and Enhancing Municipal Functions - Compile, organize, and index files, records, and data across the corporation to further evolve evidence-based decision making and increase staff efficiencies through accessing information

### Background

Section 28 of the *Ontario Heritage Act* permits municipalities to establish a municipal heritage committee to advise and assist the council on matters relating to Part IV and Part V of the Act, or other heritage matters as specified by by-law. Establishing a heritage committee is voluntary and not mandatory. Part IV refers to the conservation of property of cultural heritage value or interest, and Part V refers to heritage conservation

districts. Designation of properties or heritage districts must be done by by-law and remains the responsibility of Council.

In 2008, Lakeshore adopted By-law 19-2008 to establish a Municipal Heritage Committee to provide support to Council in the review of heritage matters. The Committee operated under various departments. In the last term of Council, the Heritage Advisory Committee was assigned to the Planning Division. The operation of a Heritage Advisory Committee became difficult due to the challenges of holding meetings during the pandemic and the lack of interest of some committee members. As a result, it was difficult to hold meetings due to a lack of quorum. Part of the work that the Committee undertook was to provide advice to Council regarding removing heritage properties from the Lakeshore heritage list of properties (Appendix 1 – List of Lakeshore Heritage properties).

At the beginning of the 2022-2026 term of Council, Administration brought forward recommendations relating to existing boards and committees and recommended that the Heritage Committee be dissolved and that any hearing under the Act be undertaken by Council. Activities under the Act, such as designating new heritage designations, can be undertaken by staff with endorsement by Council as required. Council dissolved the committee and repealed By-law 19-2008 in December, 2022.

At the January 9, 2024 meeting, Council received a presentation and request to reinstate the Heritage Committee, and passed Resolution #2-01-2024:

Direct Administration to bring a report regarding the establishment of a Heritage Committee and bring back terms of reference for the committee.

This report is being brought to Council to fulfill that Resolution and to bring legislative changes to Council's attention.

### **Recent Legislative Changes**

Under recent changes to legislation (Bill 23), municipalities must confirm their respective lists of heritage properties or risk having them removed from the list. A full description of the Bill 23 Changes to the Heritage Act and how it impacts Lakeshore is contained in Appendix 3 – Memo from WSP. Bill 200, which received Royal Assent on June 6, 2024, made further changes to the Heritage Act. Any listed properties on the municipal heritage register must be reviewed to determine if those properties should be designated under the Heritage Act. Any listed properties which are not designated under the Act by January 1, 2027 would be removed. If a property is removed from the register, it cannot be added back for another 5 years.

The impact of Bill 200 is that Lakeshore has until Jan 1, 2027 to review the 72 listed properties in Appendix 1 and decide whether to designate the properties under the Heritage Act. If the listed properties are not designated, the properties would be removed and not be able to be added back onto the list for another 5 years.

There are no details of the historic significance or attributes of the listed properties on the Lakeshore list. It is understood that the list was composed by a student, reviewed by the Heritage Advisory Committee, and endorsed by Council at the time.

## Comments

The impact of the legislative changes through Bills 23 and 200 is that Lakeshore can no longer maintain a heritage list for many years. Lakeshore needs to actively attempt to change the “listed” heritage properties to properties “designated” under the Heritage Act.

Some municipalities have dedicated heritage planners on staff to support a heritage advisory committee and to undertake research on the significance of buildings or properties. As Lakeshore does not have dedicated staff assigned to this function, it is suggested that a qualified consultant be engaged to provide the expertise to undertake review of the significant features or attributes of heritage properties. Existing staff in the Planning Division could support the Heritage Advisory Committee meetings. However, there is no planner on staff with heritage expertise. It is anticipated that a qualified consultant would undertake this work for between \$60,000- \$70,000 consisting of desk top exercise and field surveys. A more precise amount would need to be provided through the Request for Proposal process. It is anticipated that this review of the non-designated 72 properties on the Heritage list could take up to 2 years.

Administration sets out Options, below, for Council consideration. Administration recommends Option 2.

**Option 1** - Maintain the status quo of no formal Heritage Advisory Committee. Heritage responsibilities would continue to be the responsibility of Council. **Review of heritage properties would be undertaken by staff** with recommendations for designation to be reviewed and approved by Council. This approach could be challenged without a qualified person to provide an assessment of the historical attributes or features of individual properties. At this time, there is no capacity for staff to undertake this work. However, staffing for an additional Planner 1 position to undertake heritage and other duties (such as Community Improvement Plan administration) could be brought forward through the 2025 Budget process.

**Option 2** – Maintain the status quo of no formal Heritage Advisory Committee. Heritage responsibilities would continue to be the responsibility of Council. **Review of heritage properties would be undertaken through a qualified consultant**, with recommendations to be reviewed and approved by Council. With this approach the chances of challenges are reduced, as a qualified person could provide an assessment of the historical attributes or features of individual properties.

**Option 3a and 3b** – Establish a Heritage Advisory Committee. **Review of heritage properties would be undertaken by either staff (3a) or by a qualified consultant (3b)**, with recommendations to be reviewed by the Heritage Advisory Committee and approved by Council.

The Terms of Reference for the Committee are attached as Appendix 2. Membership is proposed to be five members, with one member of Council appointed as the Council Representative. Should Council support the establishment of the Committee, a by-law will be prepared for a subsequent Council meeting. Following that, Administration would advertise for committee members.

It is recommended that a review of individual heritage properties would be undertaken by a qualified consultant at the expense of Lakeshore, with recommendations to be reviewed by the Heritage Advisory Committee prior to being considered/approved by Council (Option 3b). If Council prefers this Option, the following motion is recommended:

Direct the Clerk to prepare a by-law to Amend By-law 99-2022 (Boards and Committees By-law) to establish and adopt the terms of reference for a Heritage Advisory Committee to be presented at a future Council Meeting;

Approve \$2,500 to be added to the budget in 2024 for the Heritage Advisory Committee meeting costs; and to approve \$7,500 be placed in the 2025 budget;

In Options 1-3 residents interested in the history of Lakeshore but not appointed to a Heritage Advisory Committee could participate, if they so wish, by forming a Heritage Society or making delegations to Council on specific matters. Regarding a Heritage Society, it is noted that there are local heritage organizations in every region of Ontario. These organizations promote public awareness of their community's heritage through activities such as: exhibits, programs for the public; lectures; walking tours; and other special activities designed for the community. The Ontario government administers a Heritage Organization Development Grant for eligible incorporated historical societies, museums and associations under the *Heritage Act*. Each year, the government issues grants of over \$230,000 to support more than 160 heritage organizations in the province including several organizations in Essex County.

In Options 1-3, it is recommended that public education or promotional materials, events or public engagement activities be considered to explain and promote the benefits of designating properties under the Ontario Heritage Act. Administration recommends an additional \$5,000 be considered in the 2025 budget as per the Recommendation section above.

## Financial Impacts

This chart provides a summary of the anticipated costs. The details are outlined below.

Options	Council determines – no Heritage Advisory Committee	Council determines – with the advice of a Heritage Advisory Committee
Option 1	Staff planner 1 - \$100,000 per annum (2025 rates)	
Option 2 (Recommended)	Heritage consultant - \$60,000-\$70,000 over 2 years.	
Option 3a		Staff planner 1 - \$100,000 per annum (2025 rates) \$7,500 meeting expenses \$5,000 committee member training Total: \$112,500
Option 3b		Heritage consultant - \$60,000-\$70,000 over 2 years \$7,500 meeting expenses \$5,000 committee member training Total: \$72,500-82,500

**Option 1:** Heritage responsibilities would continue to be the responsibility of Council.  
**Review of heritage properties would be undertaken by staff.**

The cost of staff time to assess the non-designated properties can be brought forward through the 2025 budget process.

If a qualified person on staff is chosen, an additional planner 1 position with heritage experience, who could perform other tasks in the planning department, with wages (\$70,00) and benefits is approximately \$100,000.

**Option 2:** Heritage responsibilities would continue to be the responsibility of Council.  
**Review of heritage properties would be undertaken by a consultant.**

The cost of a qualified consulting firm to assess the non-designated properties on the Heritage Register is estimated to be approximately \$60,000 - \$70,000, to be included in the Community Planning budget centre in 2025. This number needs to be confirmed

through a Request for Proposal. This amount could be split between the 2025 and 2026 fiscal years.

**Option 3: Option 3a and 3b** – Establish a Heritage Advisory Committee. **Review of heritage properties would be undertaken by either staff (3a) or by a qualified consultant (3b)**, with recommendations to be reviewed by the Heritage Advisory Committee and approved by Council.

**Options 1-3** - Should Council wish to include public education or promotional materials, events or public engagement activities to promote the benefits of designating Heritage properties, Administration recommends an additional \$5,000 be considered in the 2025 budget (as indicated in the Recommendation section).

The proposed Terms of Reference for the Heritage Advisory Committee (Appendix 2) include remuneration of \$125 per person per meeting. A five-member committee would be recommended, meeting on a quarterly basis, or more often if required. This would result in a minimum expense of \$2,500 (4 meetings) or up to \$7,500 if meeting monthly (12 meetings).

Further, \$2,500 for meeting expenses is recommended to be added to the 2024 budget (5 members to attend 4 meetings) and \$7,500 is recommended in the 2025 budget (5 members to attend 12 meetings).

Should Council wish to include training and education in heritage matters for the committee members, Administration recommends an additional \$2,500 be considered in the 2024 budget and \$5,000 to be considered in the 2025 budget, to be included in the Committees of Council budget.

## **Attachments**

Appendix 1 – Lakeshore Heritage List

Appendix 2 – Terms of Reference for a Heritage Advisory Committee

Appendix 3 – Summary of Bill 23 Heritage Changes, Memo from WSP



## Report Approval Details

Document Title:	Establishing a Municipal Heritage Committee and Heritage Act Changes.docx
Attachments:	<ul style="list-style-type: none"><li>- Appendix 1A Lakeshore Heritage List - Designated under the Heritage Act.pdf</li><li>- Appendix 1B - Lakeshore Heritage List - Listed Under the Heritage Act.pdf</li><li>- Appendix 2 Heritage Committee Terms of Reference.docx</li><li>- Appendix 3 Summary of Bill 23 Heritage Changes, WSP.pdf</li></ul>
Final Approval Date:	Aug 2, 2024

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

Prepared by Tammie Ryall

Approved by the Corporate Leadership Team

### Designated under the Heritage Act

<u>Reference Number</u>	<u>Address</u>	<u>Building Name</u>	<u>Zoning</u>	<u>Registration</u>	<u>Bylaw</u>	<u>Year of Construction</u>	<u>Initial Use</u>	<u>Current Use</u>	<u>Heritage Specific Properties</u>	<u>Physical Attributes</u>
1	7119 Tecumseh Rd	Church Of The Annunciation	CA	t IV Designation	84-2007	1905	Religious Facility	Building was removed in 2024; heritage designation still remains on the property.	All physical attributes regarding its exterior and interior are protected by its heritage registration.	Romanesque Revival Style in the French Canadian Tradition. Contains a round, Roman Arch with pilasters surmounted by pinnacles on either side.
2	898 County Rd 42	Puce Memorial Cemetery	I2	t IV Designation	102-2013	1846	Cemetery	Puce Memorial Cemetery	Designated based on its role as a final stop within the underground railroad. Currently used as an active cemetery with several styles used for its markers and monuments.	Contains highly preserved markers and monuments made of several styles, and materials. Many inscriptions and symbolic pieces remain intact.
3	19028 Harbour Dr	One of the 3 Oldest Lighthouse in Ontario - Thames River Lighthouse - 193208 Lower Thames Lane	I2	Part IV Designation	88-2002	1815	Navigational aid for water transport	Lighthouse, Significant Landmark	Historical and contextual significance. Replaced the wooden lighthouse that was destroyed in 1812. Provided sailors with directional guidance for 2 centuries and is a significant landmark to the residents in Lighthouse cove.	One of the three oldest lighthouses still standing.
4	2722 County Rd 42	St. Joachim Catholic Church	I2-2(h10)	t IV Designation	130-2007	1881	Religious Facility	Church	Its use of architecture style, representation of good craftsmanship within southern Ontario, and its value as a French Canadian catholic church has earned its crown as a significant heritage designation	Heavy French Canadian Roman Catholic influence in design choices. Reflected in the Roman arch and bell tower.
5	Wallace Ave	1180 Frame Railways Station - Comber Railway Station	M1	Part IV Designation	39-2019	1872-1873	CSR station used for heavy timber and agricultural services	Current use to be confirmed.	All attributes concerning its form (simple rectangular plane) and its materials used. Finishing techniques such as exterior window and door trims, along with interior finishes	Classical Revival, Carpenter Gothic style, Italianate Style

## Listed under the Heritage Act

<u>Reference Number</u>	<u>Address</u>	<u>Current Building Name</u>	<u>Zoning</u>	<u>Registration</u>	<u>Initial Use</u>	<u>Current Use</u>
1	617 W Belle River Rd	Ouellette Homestead And Farm	A	Listed		To be confirmed
2	10258 Highway 77	Farm House	A	Listed	To be confirmed	0
3	942 N Rear Rd	Byrne Farm	A	Listed	Barn	0
4	1078 Countryview Lane	St. Lads Farm	A	Listed		Removed from the list by Council in June 2022
5	2864 County Rd 46	Lajoie Farm House	A	Listed		To be confirmed
6	15628 County Rd 46	St. George'S Cemetery	A	Listed		To be confirmed
7	1022 County Rd 42	Bme Historical Church Site And Cemetery	A	Listed		To be confirmed
8	2423 County Rd 46	Ruscom United Church Cemetery	A	Listed		To be confirmed
9	8847 Highway 77	Windmill	A	Listed		To be confirmed
10	8140 Highway 77	Two Sided Corn Crib	A	Listed		To be confirmed
11	1380 Lakeshore Rd 203	Farm House, Corn Crib, Silo	A	Listed		To be confirmed
12	11550 Gracey Sdrd	Two Sided Corn Crib	A	Listed		To be confirmed
13	537 W Belle River Rd	Jesuit Monument	A	Listed		To be confirmed
14	594 County Rd 2	Murphy Farm House	A	Listed	To be confirmed	Dwelling
15	2200 Gracey Sdrd	Dendooven Farm House	A	Listed	To be confirmed	Dwelling
16	1376 Lakeshore Rd 203	Farm House, Corn Crib, Silo	A-68	Listed		To be confirmed
17	7343 Tecumseh Rd	Annunciation Rectory, School And Cemetery	CA	Listed	To be confirmed	School
18	561 Broadway St	Cooper Court	CA	Listed		To be confirmed
19	504 Notre Dame St	Belle River Legion	CA	Listed		To be confirmed
20	592 Notre Dame St	Victorian Red Brick With Gingerbread Trim	CA	Listed		To be confirmed
21	615 St Charles St	Diesbourg London Brick Duplex	CA	Listed		To be confirmed

22	582 Notre Dame St	"Stone Garden" Bed & Breakfast - Field Stone Arts & Crafts Bungalow	CA	Listed		To be confirmed
23	220 Ouellette St	Apt. Building - Log Structure Built Under Brick	CA	Listed		To be confirmed
24	6310 Main St	Red Brick With Victorian Trim	CA	Listed		To be confirmed
25	6401 Main St	Dunlop Home - London Brick Victorian	CA	Listed		To be confirmed
26	6640 Tecumseh Rd	Log House	CA-8	Listed		Commercial buisness
27	436 Elmstead Rd	Elmstead Grain Elevators	CS-4	Listed		To be confirmed
28	2616 County Rd 27	Woodslee United Church	HC	Listed	To be confirmed	Church
29	1688 County Rd 46	St John'S Catholic Church & Cemetery	HC	Listed	To be confirmed	Church
30	1757 Oriole Park Dr	St. John'S Elementary School	HC	Listed	To be confirmed	School
31	1683 County Rd 46	Abandoned Scottish Cemetery	HR	Listed	To be confirmed	Dwelling
32	2736 County Rd 42	St. Joachim Former Bank Building	HR	Listed	To be confirmed	Dwelling
33	2549 County Rd 27	Dr. Millen'S Homestead	HR	Listed	To be confirmed	Dwelling
34	2613 County Rd 27	Cinder Brick House	HR	Listed	To be confirmed	Dwelling
35	86 Stowe St	Rochester Former School House	HR	Listed	To be confirmed	Dwelling
36	1731 County Rd 42	St. Simon St. Jude Cemetery	I1	Listed		To be confirmed
37	474 St Charles St	St. Simon St. Jude Church & "Angelique" Bell Monument	I1	Listed		To be confirmed
38	6424 Taylor Ave	Church Of Ascension	I1	Listed		To be confirmed
39	6420 Taylor Ave	Continuation School	I1	Listed		To be confirmed
40	6800 Gracey Sdrd	Mcdowell Cemetery	I2	Listed		To be confirmed
41	12997 S Middle Rd	Our Lady Of Lourdes Cemetery	I2	Listed		To be confirmed

42	2974 County Rd 27	Woodslee United Church Cemetery	I2	Listed	Cemetery	Cemetery
43	6512 Main St	Rebekah Hall	I2	Listed	To be confirmed	The building burnt down and hence was removed from the list by Council in June 2022
44	1093 Puce Rd	Maidstone Museum	I2	Listed		To be confirmed
45	859 Puce Rd	John Freeman Wall Black Historical Site	I2	Listed		To be confirmed
46	10405 Highway 77	Maple Grove School & Memorial Forest	I2	Listed		To be confirmed
47	1561 Lakeshore Rd 209	Maidstone Conservation Area	P	Listed		To be confirmed
48	614 St Charles St	Laurin Durocheau Home	R1	Listed		To be confirmed
49	344 South St	Cinder Brick Building	R1	Listed		To be confirmed
50	432 South St	Tudor Style Home And Freight Train Station	R1	Listed		To be confirmed
51	6321 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
52	6343 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
53	6341 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
54	6339 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
55	6335 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
56	6327 Taylor Ave	Potential Residential District	R1	Listed		To be confirmed
57	6326 Main St	Cinder Block House	R1	Listed		To be confirmed
58	6322 Main St	Sided House With Gingerbread Trim	R1	Listed		To be confirmed
59	7005 County Rd 46	"This Old House" Bed & Breakfast	R1	Listed		To be confirmed
60	6419 Main St	Red Brick	R1	Listed		To be confirmed
61	6338 Main St	House	R1	Listed		To be confirmed
62	180 Patillo Rd	Patillo Homestead And Orchards	R1	Listed		To be confirmed

63	752 Notre Dame St	Fieldstone House With Fireplace Feature	R1(h8)	Listed		To be confirmed
64	6300 Main St	Former Royal Bank	R1-25	Listed		To be confirmed
65	495 Broadway St	Leo Sylvestre Home	R2	Listed		To be confirmed
66	516 St Charles St	Dr. Poisson Home (Retirement Home)	R2-6	Listed		To be confirmed
67	0 E Ruscom River Rd	Field Stone River Chapel	RW1	Listed		Chapel, prayer location
68	304 E Ruscom River Rd	Log House	RW1	Listed		Dwelling and Garage
69	435 Elmstead Rd	Elmstead General Store & Post Office	RW1-13	Listed		To be confirmed
70	2628 St Clair Rd	Former Goose Inn	RW2	Listed	To be confirmed	Dwelling
71	475 Charron Beach	Foerg Home - Limestone Colonial	RW2	Listed	To be confirmed	Dwelling
72	1565 Lakeshore Rd 131	Tremblay Barn - 300 Year Old Jesuit Pear Tree	W & EP	Listed		To be confirmed
73	145 County Rd 2	Tremblay Beach Conservation Area - Indian Burial	W & EP	Listed		Conservation Park
74	The Belle River	The Belle River		Listed		



## Municipality of Lakeshore

### Heritage Committee

### Terms of Reference

#### **Mandate**

The powers and functions of the Committee are as provided in the *Ontario Heritage Act* and related regulations.

The Committee shall advise Council on the designation, or repeal of designation, of properties or districts under the Act.

#### **Term**

The term of office of the Committee and the members of the Committee is the same as the term of office of the Council that takes office following the next regular election.

#### **Composition**

The Committee shall be composed of four members who are residents and one member of Council.

The Team Leader – Development Approvals shall act as Municipal Liaison for the Committee and provide administrative and procedural support.

#### **Qualifications for Membership**

Members of the Committee shall be:

- a) Residents of the Municipality of Lakeshore;
- b) At least 18 years old; and
- c) Available and willing to attend meetings.

Preference will be given to persons who have knowledge of historical matters within the Municipality of Lakeshore or have demonstrated experience working on committees, task forces or similar working groups.

Employees or officers of the Municipality of Lakeshore will not be permitted membership on the Committee.

#### **Meetings**

Meetings shall be open to the public and shall be held in accordance with the Lakeshore's Procedure By-law.

## **Chair**

The Committee shall elect a Chair and Vice-Chair at its first meeting.

## **Proposed Meeting Schedule**

The Municipal Liaison shall call the initial meeting of the Committee and chair the meeting until a Committee Chair is elected. The Committee shall meet four times per year. Additional meetings may be held at the call of the Chair.

## **Reports to Council**

The Committee will submit an annual report to Council at the beginning of each year outlining the Committee's activity in the previous year.

## **Conflict of Interest**

Members shall comply with the *Municipal Conflict of Interest Act* and Municipality of Lakeshore's Procedure By-law.

## **Remuneration**

Members shall be remunerated \$125.00 for each meeting attended.





## TECHNICAL MEMORANDUM

**DATE** February 21, 2024

**TO** Matt Alexander, Principal Planner

**CC** Heidi Schopf, Cultural Heritage Team Lead

**FROM** Kanika Kaushal, Senior Cultural Heritage Specialist  
Marisa Williams, Project Manager/Senior Planner

**EMAIL:** [Kanika.Kaushal@wsp.com](mailto:Kanika.Kaushal@wsp.com)  
[Marisa.Williams@wsp.com](mailto:Marisa.Williams@wsp.com)

### **RE: IMPACTS OF BILL 23 (SCHEDULE 6), *MORE HOMES BUILT FASTER ACT, 2022* ON ONTARIO HERITAGE ACT & ROLE OF HERITAGE ADVISORY COMMITTEE AT MUNICIPALITY OF LAKESHORE, ONTARIO**

## **1.0 INTRODUCTION**

The Municipality of Lakeshore (the Client) has retained WSP Canada Ltd. (WSP) to provide an analysis of the impacts of the *More Homes Built Faster Act* (Bill 23) amendments to the *Ontario Heritage Act* (OHA) and how those impacts may affect Council's efforts regarding the conservation of known and potential heritage properties. WSP completed a review the amendments to the OHA that result from Bill 23 and identified high-level implications for the Municipality of Lakeshore (Section 2.0). As shared by the Municipality of Lakeshore, presently there is no Heritage Committee to advise and make recommendations on local Heritage matters. The municipality would thus like to understand what the OHA requires from a Heritage Committee highlighting roles and responsibilities of the Heritage Committee via a Heritage Committee Terms of Reference. WSP completed a review of the OHA and identified requirements for a Heritage Advisory Committee, these have been presented in Sections 2.0 and 3.0 of this memo.

## **2.0 AMENDMENTS TO THE ONTARIO HERITAGE ACT**

Bill 23, the *More Homes Built Faster Act*, was passed by the provincial government and received Royal Assent on November 28, 2022. Schedule 6 of Bill 23 amends the OHA, which impacts processes and planning approvals related to listed and designated heritage properties. The amendments came into effect on January 1, 2023, and all municipalities are required to comply with the changes. A high-level summary of the changes to the OHA made through Bill 23 are summarized below (ERO 2024). A detailed analysis of the amendment is provided in Table 1.

- Listing properties on a municipal heritage register
  - Bill 23 (Schedule 6) imposes changes to municipal heritage registers related to the requirements for the removal and inclusion of listed (non-designated) properties on municipal heritage registers.
  - Listed heritage properties must meet one or more of the following criteria of O. Reg. 9/06 for determining Cultural Heritage Value or Interest (CHVI):
    - 1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
    - 2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
    - 3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.

- 
- 4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
  - 5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
  - 6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
  - 7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
  - 8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
  - 9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.
    - Municipalities must make their heritage registers available on a publicly accessible website
  - Designation
    - A Notice of Intention to Designate may only be issued for properties that are on a municipal heritage register
    - A property must meet two or more criteria of O. Reg. 9/06 to be designated under Part IV of the OHA
  - Heritage Conservation Districts (HCDs)
    - To warrant designation under Part V of the OHA, at least 25% of properties within an HCD must meet two or more criteria of O. Reg. 9/06
    - Bill 23 (Schedule 6) includes an authority to set out processes to amend and repeal existing HCD bylaws. This regulation has not been developed yet and is undergoing consultation with the Ministry of Citizenship and Multiculturalism
    - Bill 23 (Schedule 6) includes amendments related to the demolition or removal of non-contributing (non heritage attribute) buildings or structures within an HCD
  - Other
    - Bill 23 (Schedule 6) establishes new authorities under Part III.1 of the OHA related to the *MCM Standards and Guidelines for the Conservation of Provincial Heritage Properties* (Standards & Guidelines). Specifically, the Crown and provincial agencies may opt out of compliance with the Standards & Guidelines if another provincial priority is deemed to take precedence. Other provincial priorities may include transit, housing, health and long-term care, other infrastructure, and other prescribed provincial priorities

(ERO 2024)

**Table 1: Impacts of Bill 23 (Schedule 6) on the *Ontario Heritage Act* and Regulations**

BILL 23 (SCHEDULE 6) & ONTARIO HERITAGE ACT	IMPACTS	DISCUSSION
<b>PART III.1 STANDARDS AND GUIDELINES FOR PROVINCIAL HERITAGE PROPERTIES</b>		
<b>Section 25.2</b>		
<p><b>Section 25.2</b> of the OHA s amended by adding the following subsection: (3.1) Minister’s review of determination</p> <p><b>Subsection 25.2 (7)</b> of the Act is repealed and the following substituted: Exemption re compliance</p>	<p><b>Provincial Requirements for Cultural Heritage</b></p> <p>The OHA currently permits the Minister [of the Ministry of Citizenship and Multiculturalism (MCM)] to prepare heritage standards and guidelines for the identification, protection, maintenance, use, and disposal of property that is owned by the Crown or occupied by a ministry or prescribed public body and that has cultural heritage value or interest (CHVI).</p> <p>The amendment authorizes the exemption of the Crown, ministry or prescribed public body from having to comply with the MCM Standards &amp; Guidelines (S&amp;Gs) if deemed that such an exemption could potentially advance one or more provincial priorities. At present, provincial priorities include transit, housing, health and long-term care, other infrastructure, and other prescribed provincial priorities.</p> <p>Part III.1 S&amp;Gs for Provincial Heritage Properties of the OHA permits the Minister to review and revise the determination (or part of it) of cultural heritage value or interest (CHVI). This review would be carried out through a revision to the S&amp;Gs and may be applied to determinations made on or before the amendment came into effect.</p>	<p>This amendment applies to Crown owned properties or properties occupied by a provincial agency or a prescribed public body, including Provincial Heritage Properties (PHPs) and Provincial Heritage Properties of Provincial Significance (PHPPS). The implication is that the Crown or provincial agency may opt out of following the MCM S&amp;Gs to advance other provincial priorities.</p> <p>There is no implication to the Municipality of Lakeshore as a result to the amendment to Section 25.2 of the OHA. However, the Municipality of Lakeshore should be aware that the province may opt out of the requirements of the MCM S&amp;G in select cases where another provincial priority takes precedence over cultural heritage.</p>
<b>PART IV CONSERVATION OF PROPERTY OF CULTURAL VALUE OR INTEREST</b>		
<b>Section 27</b>		
<p><b>Section 27(1)</b> of the OHA is amended by adding the following subsection: 1.1 The clerk of the municipality shall ensure that the information included in the register is accessible to the public on the municipality’s website.</p>	<p><b>Accessibility of Municipal Heritage Register</b></p> <p>Section 27 of the OHA currently requires the clerk of each municipality to keep a register that lists all property designated under Part IV and Part V of the OHA and property that has not been designated, but that the municipal council believes to be of potential CHVI. Non-designated properties with potential CHVI are often referred to as ‘listed heritage properties’. The amended Subsection 27(1.1) requires that municipalities posted information on Part IV, Part V, and listed properties on the municipal website.</p>	<p>The current OP Policy 4.2.3.1 Cultural Heritage Resources states: f) The Town may prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, resulting in inventories of significant heritage buildings, heritage districts, cultural heritage landscapes, archaeological sites, and areas of archaeological potential within the Town.</p> <p>The amended Subsection 27 (1.1) requires that information on properties designated under Part IV or Part V of the OHA or listed on the Municipality of Lakeshore’s heritage register is publicly available on the municipal website.</p>

BILL 23 (SCHEDULE 6) & ONTARIO HERITAGE ACT	IMPACTS	DISCUSSION
<p><b>Subsection 27 (3)</b> of the OHA is repealed and the following substituted: Non-designated property</p> <p>Subsection 27 (3) is re-enacted to require that non-designated property must meet the criteria for determining whether property is of cultural heritage value or interest, if such criteria are prescribed.</p>	<p><b>Impacts to Listing Criteria</b></p> <p>This amendment increases the standard for including a non-designated property on a municipal heritage register by requiring that the property meets prescribed criteria which is defined in O. Reg. 9/06. This requirement would apply to non-designated properties added to the municipal register on or after the date amendments came into force.</p>	<p>The amended Subsection 27 (3) requires that a property must fulfil one criteria under OHA 9/06 in order to be eligible for listing.</p> <p>The amended Subsection 27 (3) requires the Municipality of Lakeshore to establish an administrative process to address the increased workload for the Municipality to conduct evaluations as well as regarding Council approvals.</p>
<p><b>Subsection 27 (13) – Expanded Objections</b></p> <p>Subsection 27(13) is re-enacted and the following substituted: (13) In addition to applying to properties included in the register under subsection (3) on and after July 1, 2021, sub sections (7) and (8) apply in respect of properties that were included in the register as of June 30, 2021 under the predecessor of subsection (3).</p>	<p><b>Objection Process</b></p> <p>Current subsection 27 (13) is re-enacted to provide that, in addition to applying to properties included in the register on and after July 1, 2021, the objection process set out in subsections 27 (7) and (8) apply to non-designated properties that were included in the register as of June 30, 2021.</p>	<p>All owners of properties listed prior to July 1, 2021 would be able to file a notice of objection to having their property included on the City's Heritage Register regardless of when it was added to the municipal register.</p> <p>The amended Subsection 27 (13) requires the Municipality of Lakeshore to establish an administrative process to address the increase in enquiries as well as reports to Council on any objections.</p>
<p><b>Subsection 27 (14)</b> Removal of non-designated property</p>	<p><b>Removal from Heritage Register</b></p> <p>Bill 23 requires municipalities to remove properties from the heritage register if the municipality has given a notice of intention to designate the property and any of the following circumstances exist:</p> <ol style="list-style-type: none"> <li>1. The council withdraws its notice of intention to designate;</li> <li>2. The council does not pass a by-law designating the property within 120 days after the notice of intention to designate is publicized, or in other prescribed circumstances;</li> <li>3. A by-law passed by council is subject to an appeal to the Ontario Land Tribunal, where the Tribunal repeals the by-law or directs that the by-law be repealed.</li> </ol>	<p>The Municipality of Lakeshore must remove properties from the heritage register if the municipality has given a notice to designate the property and a) council withdraws its intention to designate; b) a designation by-law is not passed within 120 days, or c) the designation by-law is appealed by the Ontario Land Tribunal.</p> <p>Subsection 27 (14) requires the Municipality of Lakeshore to establish an administrative process to remove heritage properties from the register when the three conditions listed above are met.</p>

BILL 23 (SCHEDULE 6) & ONTARIO HERITAGE ACT	IMPACTS	DISCUSSION
<p><b>Subsections 27 (14) to (18)</b> Prohibition re: including property in register</p> <p>(15), (16) Removal of non-designated property</p> <p>(18) Prohibition re including property in register, subs.</p>	<p><b>Impact to Properties Listed on a Heritage Register</b></p> <p>Listed Properties that are not designated under Part IV or Part V of the OHA within the two-year timeframe, from when they are added to the Register or, for existing listings, from the date the Act came into force, are automatically removed from the Register and cannot be placed back on the Register for five years.</p>	<p>These amendments could lead to a major impact if the Municipality of Lakeshore has listed properties on the Municipal Register that need to be evaluated for Cultural Heritage Value or Interest. In this respect, the Municipality should engage with the Heritage Advisory Committee once established to proactively review the existing registry of listed properties to determine if any should be considered for designation. A third-party heritage consultant may be engaged for preliminary assessments and evaluations by the Municipality.</p> <p>Subsections 27 (14-18) require the Municipality of Lakeshore to establish an administrative process to designate listed properties where property meets evaluation criteria and remove listed heritage properties from the register that are not designated after the two-year timeframe.</p>
<p><b>Subsection 27 (17)</b> Consultation not required</p>	<p><b>Consultation with Municipal Heritage Committee</b></p> <p>The Council of a municipality is not required to consult with its municipal heritage committee, if one has been established, before removing a property from the register.</p>	<p>Municipal Council is no longer required to consult with its municipal heritage committee in order to remove a property from the heritage register.</p> <p>Subsection 27 (17) requires an administrative process change with regards to the role of the heritage advisory committee if and when established for the Municipality of Lakeshore.</p>

BILL 23 (SCHEDULE 6) & ONTARIO HERITAGE ACT	IMPACTS	DISCUSSION
<b>Section 29</b>		
<p><b>Subsection 29 (1.2)</b> of the Act is repealed and the following substituted: Limitation</p> <p>1. Restrictions on Notice of Intention to Designate <b>(NOID)</b></p> <p>2. 90 Day timelines to issue NOID</p>	<p><b>Impacts on issuance of a Notice of Intention to Designate</b></p> <p>Bill 23 removed a municipality's ability to issue a notice of intention to designate (NOID) a property under Part IV of the OHA, unless the property is already listed on the register. If a prescribed event occurs with respect to a property (e.g. a development application), a NOID may only be issued if the property was already included in the municipal register as a non-designated property on the date of the prescribed event.</p> <p>The 90-day timeline for a municipality to issue a NOID following a prescribed event would then apply<sup>1</sup>. This restriction would only apply where the prescribed event occurs on or after the date Bill 23 came into force.</p>	<p>Subsection 29 (1.2) amendment could lead to a major impact if the Municipality of Lakeshore has inventoried heritage properties that need to be evaluated for Cultural Heritage Value or Interest to include them on the Municipal Heritage Register. Once the property is listed, only then a NOID may be issued. In this respect, the Municipality should engage with the Heritage Advisory Committee once established to proactively review the existing inventoried properties to determine if any property should be listed. A third-party Heritage consultant may be engaged for preliminary assessments and evaluations by the Municipality.</p> <p>Subsection 29(1.2) requires a planning and administrative process change requiring heritage evaluations prior to issuing NOID and issuing NOID within the 90 days timeframe if a prescribed event has occurred.</p>
<p><b>Subsection 29 (1.2)</b> of the Act is repealed and the following substituted: Limitation</p> <p>Criteria for Designation of Individual Properties</p>	<p><b>Impacts to Designating a non-designated property under Part IV of the OHA</b></p> <p>Bill 23 amendments proposed increase in the threshold for designation under Section 29, Part IV from one to two criteria (O.Reg.9/06). Furthermore, this requirement would apply only to properties where the NOID is published on or after the regulatory amendment came into force.</p>	<p>Section 29 amendment's proposed increase in the threshold for designation from one to two criteria may focus more on architecturally significant cultural heritage resources and may lead to marginalization of underrepresented histories and groups.</p> <p>Subsection 29(1.2) requires a planning and administrative process change to review and evaluate the existing registry of listed properties to determine which properties should be considered for designation while ensuring the protection of buildings with high historical value and under-represented communities. A third-party heritage consultant may be engaged for preliminary assessments and evaluations.</p>

<sup>1</sup> [Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 \(Schedule 6\) - the Proposed More Homes Built Faster Act, 2022 | Environmental Registry of Ontario](#)

BILL 23 (SCHEDULE 6) & ONTARIO HERITAGE ACT	IMPACTS	DISCUSSION
<b>Part V HERITAGE CONSERVATION DISTRICTS Section 41</b>		
<p><b>Section 41 (1)</b> is repealed and the following substituted:</p> <p>Designation of Heritage Conservation Districts (HCDs)</p>	<p><b>Impacts to designating a Heritage Conservation District (HCD) property under Part V of the OHA</b></p> <p>Section 41 (1) of the Act permitted a council of a municipality to designate, by by-law, the municipality or any defined area of it as an HCD, if there is in effect in the municipality an official plan that contains provisions relating to the establishment of an HCD. This subsection is re-enacted to also require the municipality or defined area or areas to meet criteria for determining whether they are of CHVI, if such criteria are prescribed.</p> <p>Changes to O. Reg. 9/06 Criteria for Determining Cultural Heritage Value or Interest to establish that at least 25% of the properties within an HCD must meet two or more criteria in the regulation to be designated.<sup>2</sup> This amendment would apply only to HCDs where the notice of designation bylaw is published on or after the date the amendments came into force.</p> <p>Bill 23 permits the MCM to prescribe a process for municipalities to amend or repeal existing HCD designation and HCD plan bylaws.</p> <p>The outstanding amendments to the OHA made through Bill 108, the <i>More Homes, More Choice Act, 2019</i>, will also be proclaimed into force on January 1, 2023. These amendments speak specifically to the demolition or removal of an attribute that is not a building or structure within an HCD<sup>3</sup>.</p>	<p>Section 41 amendment's proposed increase in the threshold for designation of a heritage conservation district by requiring municipalities to apply prescribed criteria to determine an HCD's CHVI.</p> <p>Section 41(1) requires a planning and administrative process change to evaluate HCDs not just from an architectural value perspective but also from a historical and associative value. It is recommended that the Municipality of Lakeshore establish Priority focus areas that may subsequently recommended to be pursued for Part V designation. These may include:</p> <ol style="list-style-type: none"> <li>1. An area where a group of listed properties are in close proximity to one and another and together may form a cohesive cultural heritage landscape, in addition to the cultural heritage value the properties hold as individuals.</li> <li>2. Commercial or mixed-use areas that have high cultural value</li> <li>3. Residential areas (generally lower risk of demolition and redevelopment).</li> </ol> <p>The Municipality should work with the Heritage Advisory committee, Council and the community to identify and designate HCDs in the future. The designation will follow the processes prescribed in Sections 40 and 41 of the OHA.</p>

### 3.0 HERITAGE ADVISORY COMMITTEE

The *Ontario Heritage Act* enables all municipalities to establish a municipal heritage advisory committee to advise, assist and make recommendations to Staff, Council on matters relating to build and cultural heritage matters, and other matters the Council may specify and educate the public. For municipalities with no heritage committees, either there is a delegation authority (bylaw), or the matters are addressed directly to Council for final decision. The Council will review and consider the heritage permit applications factoring in comments and recommendations of the Heritage staff and/or Planning Development Committee (if one exists) to approve the permit without conditions, approve the permit with certain conditions or refuse the permit. All applicants have

<sup>2</sup> [Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 \(Schedule 6\) - the Proposed More Homes Built Faster Act, 2022 | Environmental Registry of Ontario](#)

<sup>3</sup> Ibid

the right to appeal if a heritage permit application is reduced by the Council or if the applicant does not support any terms or conditions.

Section 28 Municipal Heritage Committee under 'Register and Municipal Heritage Committee' of Part IV 'Conservation of Property of Cultural Heritage Value or Interest' of the *Ontario Heritage Act* provides the following commentary re: a municipal heritage committee:

**Municipal heritage committee**

**28** (1) The council of a municipality may by by-law establish a municipal heritage committee to advise and assist the council on matters relating to this Part, matters relating to Part V and such other heritage matters as the council may specify by by-law. 2002, c. 18, Sched. F, s. 2 (7).

**Members**

(2) The committee shall be composed of not fewer than five members appointed by the council. 2002, c. 18, Sched. F, s. 2 (7).

**Continuation of old committees**

(3) Every local architectural conservation advisory committee established by the council of a municipality before the day subsection 2 (7) of Schedule F to the *Government Efficiency Act, 2002* comes into force is continued as the municipal heritage committee of the municipality, and the persons who were the members of the local architectural conservation advisory committee immediately before that day become the members of the municipal heritage committee. 2002, c. 18, Sched. F, s. 2 (7).

At present, the Municipality of Lakeshore does not have a heritage advisory committee. WSP completed a review of the OHA and the approved Lakeshore Official Plan to identify requirements and list the typical roles and responsibilities of a Heritage Advisory Committee. These have been presented in the Table 2.

**Table 2: Roles and Responsibilities of a Municipal Heritage Advisory Committee**

HERITAGE MATTERS	TYPICAL ROLES AND RESPONSIBILITIES OF THE HERITAGE ADVISORY COMMITTEE
<i>Ontario Heritage Act</i>	<ul style="list-style-type: none"> <li>Advise and assist Council on all matters related to OHA aligning with Section 4.2.3.2 Heritage Committee<sup>4</sup> within the Lakeshore Official Plan (as approved by the Ontario Municipal Board) November 22, 2010 'Heritage Committee may be established and maintained pursuant to the OHA to advise and assist Council on matters related to the Act and other matters of heritage conservation. Additionally, Council may elect to expand the role of the Heritage Committee to advise and assist Council on other matters of cultural heritage conservation.'</li> </ul>
Heritage Register	Aligning with Section 4.2.3.2 Heritage Committee <sup>5</sup> policy (b), the Heritage Committee will: <ul style="list-style-type: none"> <li>Provide advice to Council on processes and procedures related to municipal register per Section 27(1) of the OHA.</li> <li>Advise on removal and inclusion of non-designated properties on the register to ensure it meets Bill 23 amendments and make recommendations as and where necessary.</li> <li>Work with Municipal Staff to ensure that Heritage Register is up to date and is publicly accessible online.</li> <li>Seek advice of local historical societies and genealogical societies in addressing cultural heritage matters.</li> </ul>
Heritage	Provide recommendations to Council on property designations by

<sup>4</sup> Lakeshore Official Plan (as approved by the Ontario Municipal Board) November 22, 2010. Accessed online from [1408234-001 Lakeshore\\_OP\\_Cov\\_OMB\\_Approved.cdr](http://1408234-001_Lakeshore_OP_Cov_OMB_Approved.cdr)

<sup>5</sup> Municipality of Lakeshore Official Plan (March 2021). Accessed online from: [1 \(lakeshore.ca\)](http://1.lakeshore.ca)



HERITAGE MATTERS	TYPICAL ROLES AND RESPONSIBILITIES OF THE HERITAGE ADVISORY COMMITTEE
Designations	identifying properties that meet prescribed criteria per Section 29 of the OHA and are worthy of designation under Part IV or Part V.
Heritage Permits	<ul style="list-style-type: none"> <li>• Heritage attributes, both interior and/or exterior, of a property that is designated under Part IV and/or Part V of the OHA are protected through the heritage permit process. A heritage permit is required for designated heritage properties to:               <ol style="list-style-type: none"> <li>a) ensure that the heritage attributes as described in the designation by-law are not obscured, damaged or destroyed by a new development, alternations or any other form of intervention.</li> <li>b) ensure the new feature or any replacement feature does not diminish the heritage value of the property.</li> <li>c) ensure the new feature or any replacement feature is compatible yet distinguishable from the heritage attributes of the heritage property.</li> </ol> </li> </ul> <p>Section 33 of the OHA states that Council must provide its 'consent in writing' before any alterations can proceed that are likely to affect heritage attributes on properties designated under Part IV of the Act. Section 42 of the OHA applies to properties designated under Part V of the Heritage Act (districts). It should be noted that even though section 33 of the OHA only refers to 'consent in writing' from Council and does not specifically refer to a 'permit', as an Industry practice all municipalities seek Council's consent in writing which is considered as a Heritage Permit.</p> <p>It is the role of the Heritage Committee to reviewing heritage permit applications and provide recommendations to proponents, staff, and Council.</p>
Heritage Property Design Guidelines	<ul style="list-style-type: none"> <li>• Advise and make recommendations on maintenance of and alterations to Heritage Properties to Staff, Applicants and Council on design guidelines for heritage homes and property owners.</li> </ul>
Development/ Site Alterations/ Public Works Applications	<ul style="list-style-type: none"> <li>• Review proposed development/site alterations / public works for properties that are:               <ul style="list-style-type: none"> <li>• non-designated listed on the Municipal Register as per Section 27(1) of the OHA,</li> <li>• properties Designated under Section 29 of the OHA,</li> <li>• properties within a Heritage Conservation District that are designated under Section 41 of the OHA, or that are being considered for designation under Section 40.1 of the OHA,</li> <li>• properties that are located adjacent to any non-designated or designated property as defined in the Provincial Policy Statement (PPS)</li> </ul> </li> </ul>
Commemorative Design Features and Heritage Plaques	<ul style="list-style-type: none"> <li>• Advise Staff, Applicant and Council on commemorative features design to promote the history and heritage of the historic site.</li> </ul>
Funding Opportunities for Heritage Properties	<ul style="list-style-type: none"> <li>• Advise Staff, Council and public on funding incentives, grants, tax rebates available for Heritage properties.</li> </ul>
Public Outreach and Education	<ul style="list-style-type: none"> <li>• To advise and implement programs and activities that enhance public awareness and knowledge of conservation of heritage properties.</li> </ul>
Attend Heritage Advisory Committee Meetings	<ul style="list-style-type: none"> <li>• Attend HAC Meetings every month and if unable to attend, provide notification of absence to clerk.</li> <li>• Review materials provided by the clerk prior to the meetings</li> </ul>

HERITAGE MATTERS	TYPICAL ROLES AND RESPONSIBILITIES OF THE HERITAGE ADVISORY COMMITTEE
	<ul style="list-style-type: none"> <li>• Provide comments, suggestions and share resources from community members.</li> <li>• Share suggested agenda items to the Chair and clerk for future committee meetings.</li> </ul>

To assist the Municipality of Lakeshore in establishing a Heritage Advisory committee, a description for committee members appointment criteria, committee composition and management has been listed below:

**HERITAGE COMMITTEE COMPOSITION**

As listed in Section 28 of the OHA, the committee shall be composed of not fewer than five members appointed by the council. A committee will work with the Chair, Vice- Chair and support staff.

**HERITAGE COMMITTEE MEMBER CRITERIA FOR APPOINTMENT**

- Resident of the municipality or works in the municipality or is a business owner in the municipality.
- Interest or knowledge in one or more of the following areas: heritage conservation, history, architecture, archaeology, indigenous history, planning, urban design, heritage trades, education
- Previous or existing volunteering experience within the community
- Committee member should have access to a computer and an email address to participate in virtual meetings and be able to access and review files.

**MANAGEMENT**

- Meetings: The committee shall meet once every month, e.g. third Wednesday of each month.
- Delegations: Delegations shall be limited to a ten-minute presentation after which the committee will make its recommendations. Delegations will be limited to applicants seeking comments on their applications under the Planning Act, Proponents of heritage permit applications and those seeking comments on their future heritage permit applications and Proponents seeking the designation of properties under their ownership.
- Conflict of Interest (COI): All committee members have the duty to advise of any conflict of interest with respect to all matters before the committee. In cases where there is a COI, the member should decline to participate in the disposal of that specific matter where a real or apparent conflict of interest is present.
- Providing recommendations and final reporting: The minutes of the committee meeting and committee’s recommendations will be forwarded to the Council. Should there be any concerns in regard to the committee’s recommendations, the staff may provide a separate report.

**REMUNERATION**

- Travel allowances for in person committee meetings.

The above Heritage Committee commentary and guidance is recommended to be referenced to prepare a ‘Heritage Advisory Committee Terms of References’ for the Municipality of Lakeshore and subsequently establish a Heritage Advisory Committee to address Heritage Conservation matters.



## 4.0 CLOSURE

Should you have any questions regarding this proposal, please do not hesitate to contact the undersigned.

Yours sincerely,

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## 5.0 REFERENCES CITED

### Environmental Registry Ontario (ERO)

- 2024 *Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022*. Available online: [Proposed Changes to the Ontario Heritage Act and its regulations: Bill 23 \(Schedule 6\) - the Proposed More Homes Built Faster Act, 2022 | Environmental Registry of Ontario](#). Last accessed February 7, 2024.

### Government of Ontario

- 1990a *Ontario Heritage Act*. Available online: [Ontario Heritage Act, R.S.O. 1990, c. O.18](#). Last accessed February 8, 2024.
- 1990b *O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest*. Available online: [O. Reg. 9/06: CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST \(ontario.ca\)](#). Last accessed February 7, 2024.
- 2022 *Bill 23, More Homes Built Faster Act, 2022*. Available online: [Bill 23, More Homes Built Faster Act, 2022 - Legislative Assembly of Ontario \(ola.org\)](#). Last accessed February 7, 2024.

### Ontario Association of Heritage Professionals (OHAP)

- 2023 OHAP/CAHP Submission Proposed Changes to the *Ontario Heritage Act* and its regulations: *Bill 23 (Schedule 6) - the Proposed More Homes Built Faster Act, 2022*