

Municipality of Lakeshore – Report to Council

Growth & Sustainability

Community Planning



To: Mayor & Members of Council
From: Aaron Hair, Division Leader – Community Planning
Date: July 5, 2022
Subject: Zoning Amendment ZBA-8-2020 -1477 County Road 22 – School Site

Recommendation

Approve Zoning By-law Amendment Application ZBA-8-2020 (By-law 70-2022) Municipality of Lakeshore (By-law 2-2012), to rezone the subject property from “Residential 1 (R1- refer to Zoning By-law 4170-ZN-94) and Mixed Use (MU)” to “Mixed Use Zone Exception 37 (MU-37)(H30) zone (indicated on the Key Map, Attachment 1), in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 70-2022 during the “Consideration of By-laws”, all as presented at the July 12, 2022 Council meeting.

Background

At the June 28th Public Meeting, Council passed the following motions:

256-06-2022

Defer consideration of application ZBA-8-2020 and direct Administration to work with the developer to arrange for a proposal that allows separate consideration for a Zoning By-law Amendment authorizing the use of the land for the school to be considered at the July 12, 2022 Council meeting.

257-06-2022

Direct Administration to work with the applicant to host a public input session regarding ZBA-8-2020 and bring back an amended Concept Plan.

Proposal

The subject lands are located on the southwest corner of the Rourke Line and County Rd 22 intersection as shown on Attachment 1. The subject land neighbours residential units to the North, West and South of its position. The eastern surroundings include a mix of residential and commercial buildings. The subject land encompasses 6.27 hectares (15.49 acres) and the zoning by-law amendment will allow for town homes, apartment

buildings and institutional land for a school. The proposal also includes a stormwater management pond that is 0.58 hectares, located on the eastern portion of the property.

At the June 28th, Council Meeting, Council directed that the residential component of the application proceed separately from the school portion, as such this rezoning only pertains to the area of the proposed school (Attachment 2).

Subject Land: (1477 County Rd 22)	6.27 Ha (15.49 acres) Existing Use – Vacant Property with existing single dwelling units and garage structures Proposed Use – Residential Dwelling, Apartment Dwelling, and Institutional (school) Access — Girard Drive, Rourke Line Road, County Road 22 Services — Municipal water, municipal sanitary, storm drainage: sewers.
Neighbouring Land Uses:	North: Low Density Residential South: Low Density Residential East: Mixed Use – including the Denis St. Pierre Pollution Control Plant. The proposed sensitive land uses are sufficiently set back from the treatment plant. West: Low Density Residential
Official Plan:	Mixed Use
Existing Zoning:	Residential Type 1 (R1- refer to Zoning By-law 4170-ZB-94) Zone and Mixed Use (MU) Zone

Comments

Provincial Policy Statement

The proposed application was reviewed under the building strong healthy communities policies of the 2020 Provincial Policy Statement (PPS) and it was determined that the development is consist with the below policies:

1.1.3 Settlement Areas

1.1.3.1 “Settlement areas shall be the focus of growth and development;”

1.3 Employment

1.3.1 “Planning authorities shall promote economic development and competitiveness by:”

- a) *Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*

1.6.6 Sewage, Water and Stormwater

1.6.6.1 Planning for sewage and water services shall:

- c) *“promote water conservation and water use efficiency;*
- d) *integrate servicing and land use considerations at all stages of the planning process;”*

1.6.6.7 Planning for stormwater management shall:

- a) *“be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) *minimize, or, where possible, prevent increases in contaminant loads;*
- c) *minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) *mitigate risks to human health, safety, property and the environment;*
- e) *maximize the extent and function of vegetative and pervious surfaces; and*
- f) *promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.”*

County of Essex Official Plan

The subject site is located in the Settlement Area in the County of Essex Official Plan. The following uses are permitted and encouraged within the Settlement Areas designation:

a.2 Settlement Areas

3.2.6 General Settlement Area Policies

- a) *“Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years. Residential growth projections for local municipalities are to be in accordance with the population projections contained within this Plan.”*

The proposal conforms with the policies of the County Official Plan.

Lakeshore Official Plan

The subject lands are designated as Mixed Use in the Municipality’s Official Plan. Institutional uses, such as an elementary school is permitted in the Mixed-Use designation. The proposal conforms to the policies of the Official Plan.

Zoning By-law

The subject site is currently split into two different zonings, Mixed Use, and Residential R1 – Low Density, with a reference to the historical Maidstone Zoning By-law 4170-ZB-94, which referred to this area as C1 – Commercial.

The applicant is seeking to bring the entire school site into one zone, that clearly permits a school. A school is permitted within the Mixed-Use zone

The application was circulated to various commenting parties including Lakeshore Engineering, Building, and Fire departments. As of the writing of this report, the comments received can be addressed through the conditions of site plan approval.

The proposed development will be serviced by the Denis St. Pierre Pollution Control Plant, once the expansion has been completed. Due to the proximity of the site to the Plant, conveyance will not be an issue.

Conclusion

Based on the foregoing, Administration recommends approval of ZBA-8-2020 (By-law No. 70-2022), as it is consistent with the Provincial Policy Statement, and conforms to the County of Essex and the Lakeshore Official Plans.

Others Consulted

A Public Meeting was held on June 28, 2022, regarding the proposed development of a school, 2 x 6 story apartments and 40 townhomes. As a result of the comments raised Council requested that the school site proceed separately.

Financial Impacts

There are no budget impacts resulting from the recommendation.

Attachments:

Attachment 1 – Key Map

Attachment 2 – Map of School Site

Report Approval Details

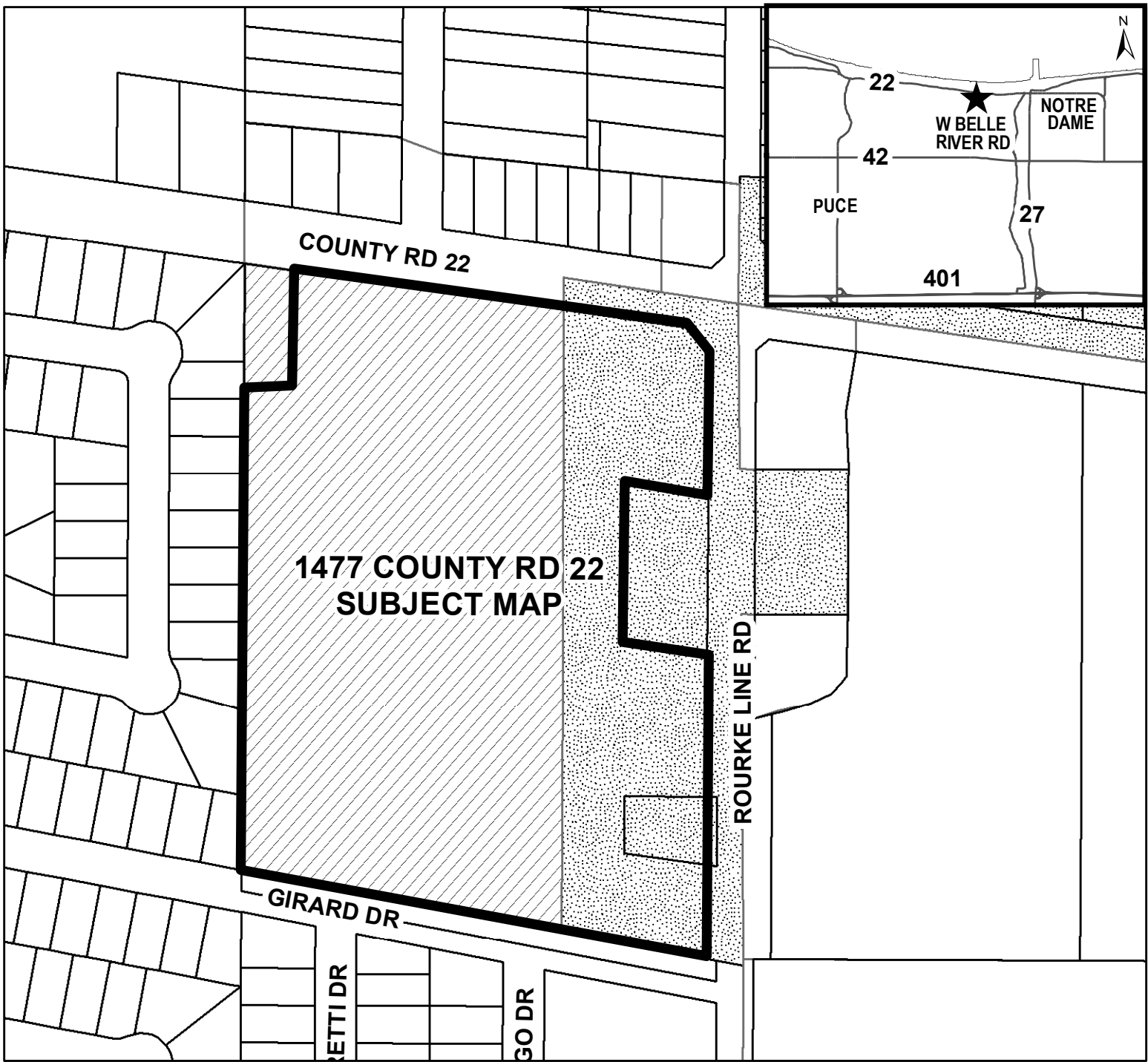
Document Title:	Zoning Amendment ZBA-8-2020 – 1477 County Rd. 22 – School Site.docx
Attachments:	- Attachment 1 Key Map.pdf - Attachment 2 - Map of School Site.pdf
Final Approval Date:	Jul 7, 2022

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

Prepared by Aaron Hair

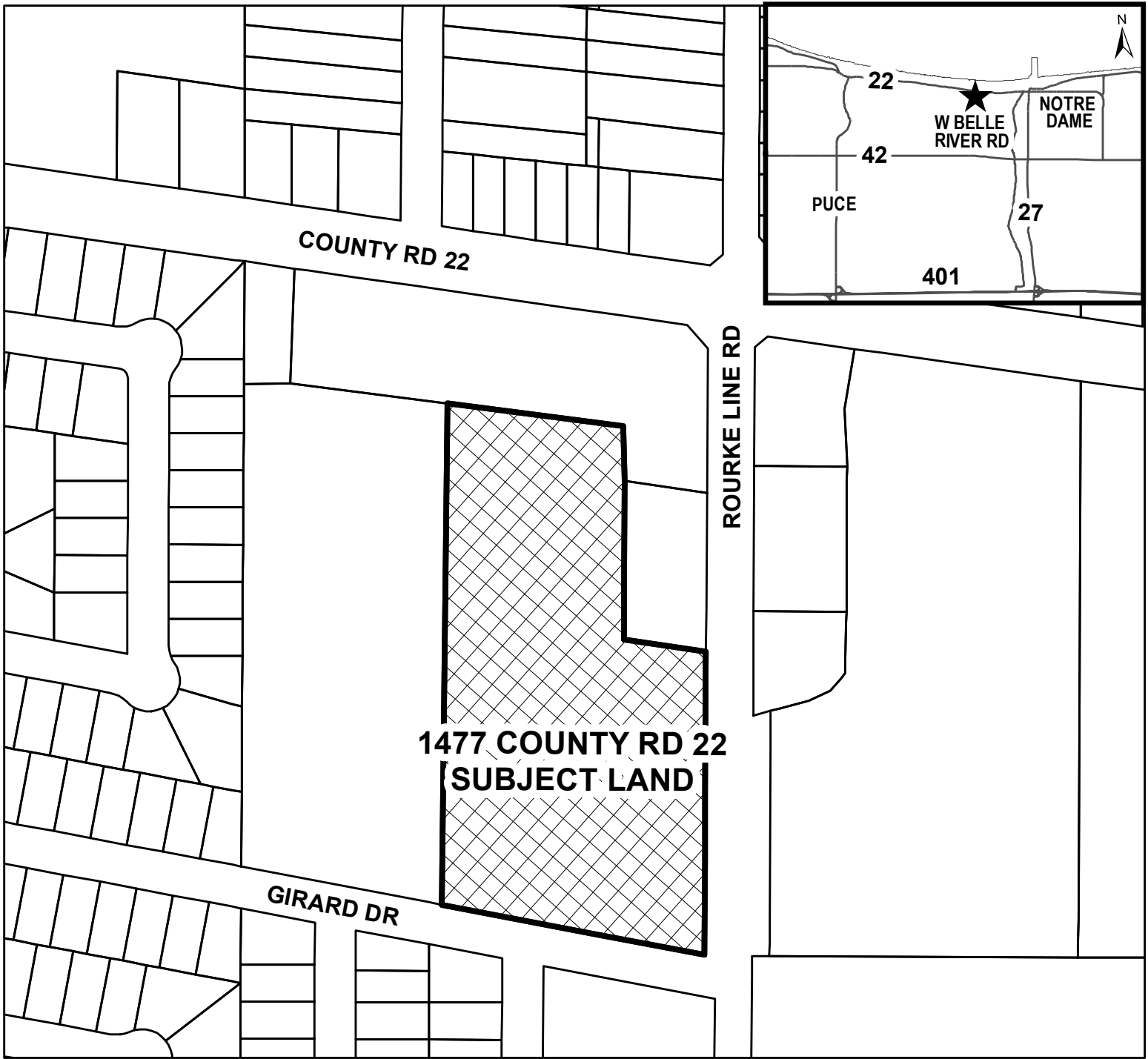
Submitted by Tammie Ryall

Approved by Justin Rousseau and Truper McBride



ZONING

- Refer to By-Law
- MU



Zoning

 **Mixed Use Zone Exception 37 (MU-37)**