

# THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON

## AGENDA

### PUBLIC MEETING



DRAFT PLAN OF SUBDIVISION -  
N/S OF ROBSON ROAD - ESSEX  
FILE NO. 37-T-11002 (SANTOS)

MONDAY, DECEMBER 19, 2011  
COMMENCING AT 7:00 P.M.  
IN THE COUNCIL CHAMBERS

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#### ITEMS FOR CONSIDERATION:

1. Notice of Public Meeting  
Page 2-3
2. Report PLA 61/11 dated November 8, 2011 re: Draft Plan of Subdivision N/S Robson Road Residential Development Santos Construction Ltd. (Previously considered at the November 14, 2011 Council Meeting)  
Pages 4-9
3. Correspondence dated November 28, 2011 from Process Planning Associates Inc.  
Pages 10-11
4. Correspondence dated December 7, 2011 from Union Gas  
Page 12

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THE CORPORATION OF THE MUNICIPALITY OF LEAMINGTON  
**NOTICE OF PUBLIC MEETING**  
PROPOSED DRAFT PLAN OF SUBDIVISION

**TAKE NOTICE** that the Council of The Corporation of the Municipality of Leamington at the request of the County of Essex pursuant to Subsection 51(2) of the Planning Act will hold a public meeting concerning a proposed draft plan of subdivision being County of Essex File No. 37-T-11002 on **Monday, December 19, 2011 at 7:00 pm** in the Council Chambers at the Municipal Building.

The proposed subdivision is located on Concession BF, Part Lot 9 and locally known as North side of Robson Road in the former Township of Mersea, now the Municipality of Leamington (see key map). The subject property is Residential on Schedule "A-6E" of the Official Plan and zoned R3 (H) - Residential Holding Zone on Map 61 in the Zoning By-law. The concept plan proposes to develop thirty-seven (37) single detached dwelling units, twenty-one (21) single attached dwelling units within 7.120 hectares (17.593 acres) all fronting onto proposed internal streets.

**ANY PERSON** may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the draft plan of subdivision.

A person or public body may file an appeal of the decision by the County of Essex in respect to the proposed plan of subdivision to the Ontario Municipal Board (OMB). If the Appellant did not make an oral submission at a public meeting or make written submission to the County of Essex prior to the decision by the County was made, the OMB may dismiss all or part of the appeal.

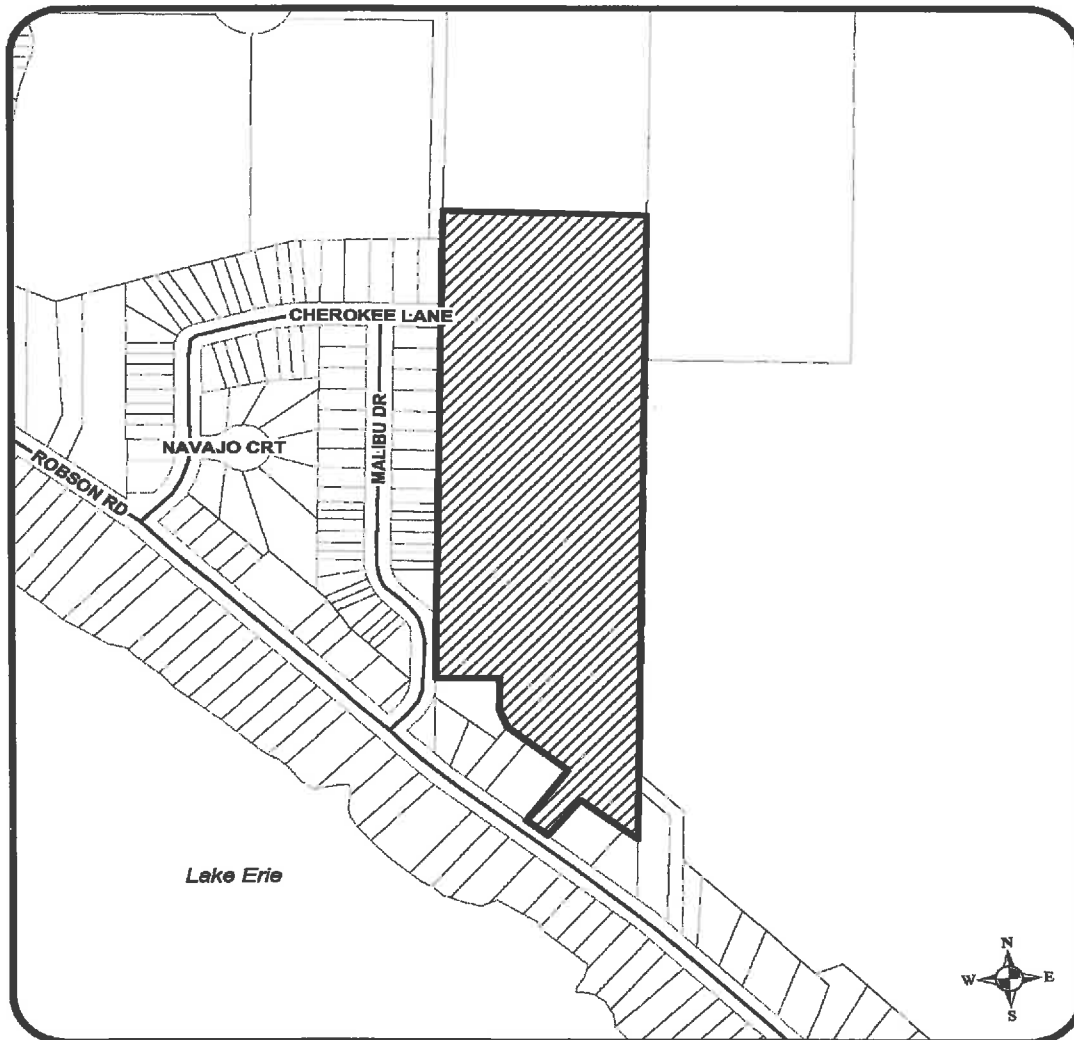
If you wish to be notified of the decision of the County of Essex in respect of this proposed plan of subdivision, you must make a written request to the County of Essex, c/o Bill King, Manager of Planning Services, The Corporation of the County of Essex, 360 Fairview Avenue West, Essex, ON, N8M 1Y6.

**ADDITIONAL INFORMATION** relating to this matter is available for review at the Municipal Office for the Corporation of the Municipality of Leamington, during regular office hours. **Please contact Tracey Pillon-Abbs, Director of Development Services** for further information.

**DATED** at the Municipality of Leamington this 23<sup>rd</sup> day of November, 2011.

**BRIAN R. SWEET, CLERK  
MUNICIPALITY OF LEAMINGTON  
111 ERIE STREET NORTH  
LEAMINGTON, ONTARIO N8H 2Z9  
TELEPHONE: (519) 326-5761**

**KEY MAP**



**Legend**  
 SUBJECT LAND

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**THIS IS NOT A LEGAL PLAN OF SURVEY & IS NOT TO SCALE.**

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Provided by the: Municipality of Leamington - GIS Services  
111 Erie Street North, Leamington, Ontario N8H 2Z9  
TEL: (519) 326-5761 FAX: (519) 326-2461

REPORT

TO: MAYOR AND MEMBERS OF COUNCIL  
 FROM: TRACEY PILLON-ABBS, DIRECTOR OF DEVELOPMENT SERVICES  
 DATE: NOVEMBER 8, 2011  
 SUBJECT: DRAFT PLAN OF SUBDIVISION  
 N/S ROBSON ROAD  
 RESIDENTIAL DEVELOPMENT (SANTOS CONSTRUCTION LTD)

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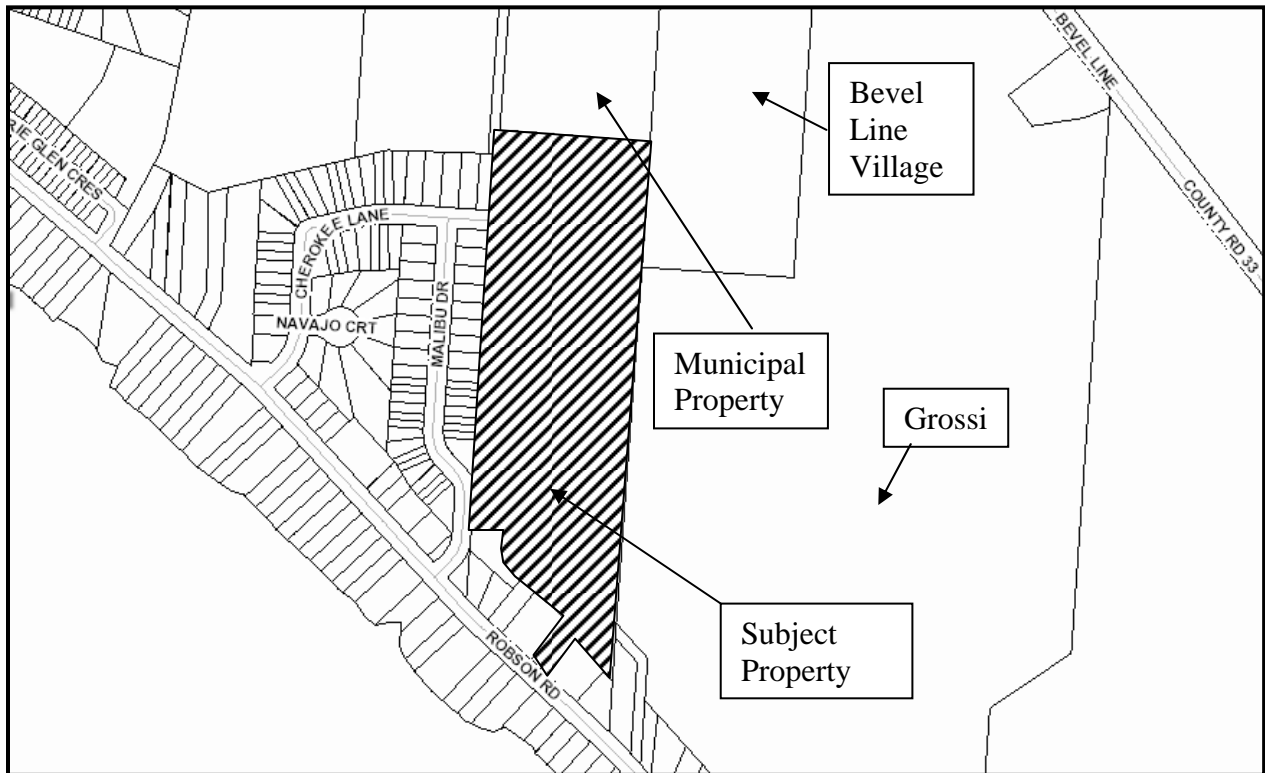
**AIM:**

To report upon scheduling a public meeting to consider a draft plan of subdivision for property located at N/S Robson Road, being the County of Essex File No. 37-T-11002.

**BACKGROUND:**

**Property Location:**

The property is located on Concession BF, Part Lot 9 and locally known as N/S Robson Road in the former Township of Mersea, now the Municipality of Leamington (see key map).



The property currently is vacant and fronts on Robson Road. To the west is an existing residential development, to the north are vacant lands, to the east is the Leamington Golf and County Club and to the south is residential shoreline development.

Previous lots along Robson Road and Malibu Drive have been severed from this holding by the Leamington Committee of Adjustment.

The previous owner applied for an application for plan of subdivision in 2002 under the Ministry of Municipal Affairs and Housing (MMAH) file number 37-T-02008. The concept plan was very similar and public meetings were held. However, the owner withdrew their application due to economic reasons.

**Proposal:**

The concept plan proposes to develop 37 single detached dwelling units, 21 single attached dwelling units within 7.120 hectares (17.593 acres) all fronting onto proposed internal streets (see concept plan). This is a total density of 10.52 residential units per hectare.

The proposed development offers a range of prices and types of homes.

The developer will be required to fully construct the extension of Street A through the Municipal property to the north from the north stub of Street A easterly to the Bevel Line Village Subdivision lands (area to the northeast) as they are eliminating the road that was to have been built at the extension of Cherokee Lane to the lands.

A one foot reserve will be required at the east end of Street B, and at the east end of the street extension through the Municipal property (to the Bevel Line Village). The reserve will be removed when the two abutting subdivisions are connected.

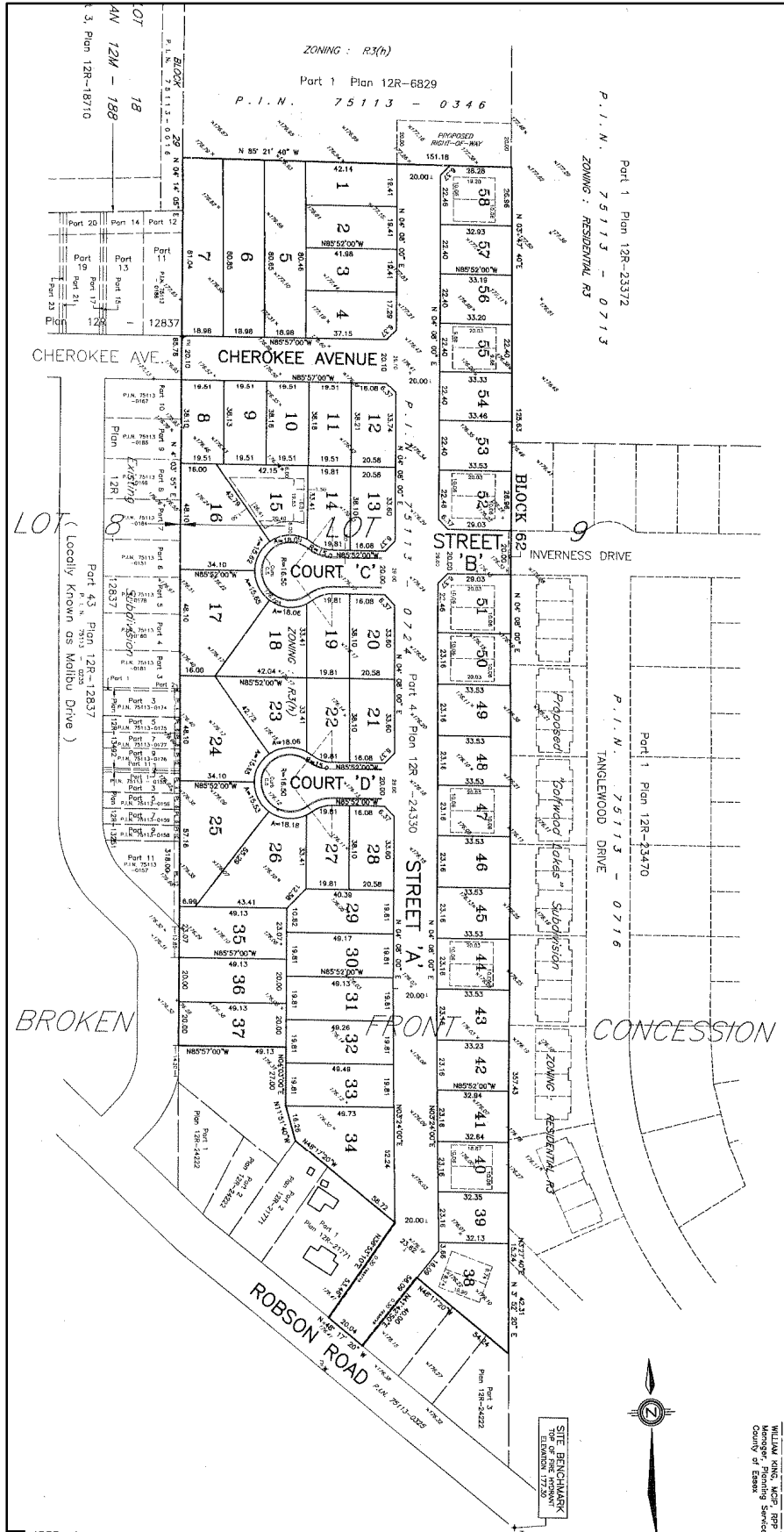
Servicing and grading plans and specifications will need to be submitted to be approved by Engineering Services and commenting agencies as a condition of the subdividers agreement.

A subdivision agreement will need to be entered into for the development of the lands. The agreement will cover issues such as oversizing fees etc.

Based on Policy Manual T06 - Sidewalks, a sidewalk will need to be installed on one side of Cherokee Lane, and on one side of Street A north of Street B. The sidewalk on Street A north of Street B needs to be located on the west/north side so that it is on the same side as the parkland. A sidewalk will also need to be installed on both sides of Street B to match to the development to the east, as well as both sides of Street A from Robson Road to Street B. In addition to the policy, it is requested that the developer install a sidewalk on both sides of Street A and Cherokee.

Water Services do not have any comments at this time. They will comment on the servicing plans when they are submitted.

Public Works has indicated that the development should be contributing to the parkland to the north for development and should be installing a chain link fence along the north limits of the subdivision and Street A right of way extension.



**COMMENTS:**

**Provincial Policy Statements (PPS):**

Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

1. efficiently use land and resources;
2. 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; and
3. minimize negative impacts to air quality and climate change, and promote energy efficiency.

It is in the opinion of Administration that PPS supports this type of development. It is proposed that the lots will be serviced with municipal water and storm and sanitary sewers.

**County Official Plan (OP):**

The subject property is designated within the Settlement Area identified on Schedule "A" of the Official Plan for the County of Essex.

A goal which applies to this type of development is to encourage compact, mixed-use development within County settlement areas where a broad range of services and amenities which are available to meet the evolving needs of the broader community in a cost-effective, environmentally sound and efficient manner.

It is in the opinion of Administration that the County OP supports this type of development.

**Leamington Official Plan (OP):**

The subject property is designated Residential on Schedule "A-6E" of the Official Plan for the Municipality of Leamington (see OP map).

Section 7.8 of the OP sets out that it shall be the policy of the Municipality to recommend for approval, only those plans of subdivision which comply with the provisions of this Plan, which can be supplied with adequate servicing such as road access, fire protection, water supply, drainage and sewage disposal facilities, and which are appropriate in light of the Municipality's financial position.

It is in the opinion of Administration that the Leamington OP supports this type of development.

**Leamington Zoning:**

The subject property is zoned R3 (H) - Residential Holding Zone on Map 61 in the zoning by-law for the Municipality of Leamington.

The R3 Zone permits the following uses:

- a) One single unit detached dwelling per lot;
- b) one converted dwelling per lot;
- c) one two unit dwelling per lot;
- d) one semi-detached dwelling per lot;
- e) one single unit attached dwelling per lot;
- f) multi unit dwellings excluding apartment style buildings;
- g) nursing homes; or



**CONCLUSION:**

As part of the new Bill 51 regulations of the Planning Act, pre-consultation was used to review all the 'prescribed information' and any 'additional information' required in order to consider the application complete. Prior to deeming the application complete, Section 34 (10.3) of the Act sets out that Council must receive all the information or material it needs to make a decision.

The County of Essex has requested that the Municipality of Leamington hold a public meeting on their behalf. Administration suggests that this matter should be scheduled for **Monday, December 19, 2011 at 7pm.**

Notice of public meeting will be circulated to all commenting agencies, municipal departments and abutting landowners within 120 m (400 ft) of the subject property. Notice will also be posted in the local newspaper. As part of the new Bill 51, all information will be made available to the public and commenting agencies.

A report by Administration will be presented to Council after the public meeting. This report will include recommended conditions to request to be included in the draft subdivision approval, such as street naming requirements, costs, fees, items to be registered on title, reserves, etc).

If the subdivision is adopted by Council, all the necessary information will be forward to the County of Essex for final approval. The County of Essex will make a decision and impose the conditions, as set out in Section 51 (20) of the *Planning Act*. If no appeals to the Ontario Municipal Board, the applicant may commence fulfilling the conditions of draft plan approval, prior to final plan of subdivision being approved.

**RECOMMENDATION:**

That the information pertaining to a proposed draft plan of subdivision for property located at N/S Robson Road, being the County of Essex File No. 37-T-11002 (Santos Construction Inc), be received (Report PLA 61/11);

And further, that administration be directed to schedule a public meeting for Monday, December 19, 2011 at 7pm.

Respectfully submitted,

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Tracey Pillon-Abbs,  
Director of Development Services  
/tpa

.....  
**Process Planning Associates Inc.**

28 November, 2011

Mr. William J. King, AMCT, MCIP, RPP

Manager, Planning Services

Corporation of the County of Essex

360 Fairview Avenue West, Suite 302

Essex, ON N8M 1Y6

Dear Sir:

**Re: Plan of Subdivision Application**

**Leamington TN File No. 37-T-11002**

**Applicant: Larry Santos Construction Ltd.**

**Robson Road, East of Malibu Drive**

**79 residential units total - 37 single detached and 42 semi-detached**

Our firm is writing as agent for the Greater Essex County District School Board (GECDSB) with respect to comments on this application.

This development proposal is located within the **Gore Hill Public School Attendance District**. This JK to Grade 8 School currently has sufficient capacity to accommodate the pupils to be generated by this development. The proposal could yield up to 10 elementary and 10 secondary students. Secondary students would attend Leamington District Secondary School.

It is necessary to advise the municipality that as further residential development occurs in this area the Board may have to make further boundary changes and place further portables to accommodate all the students that will be generated.

**On behalf of the School Board we would request the following specific conditions be applied at the time of draft plan approval:**

**1. That the subdivision agreement require sidewalks along streets in the plan per municipal requirements or a hard surface pad to facilitate bus stops, student safety and walkers at a location acceptable to the Town and the Greater Essex County District School Board.**

**2. That a condition be included in the subdivision agreement requiring notice on title for 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.**

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**Pursuant to Section 51 of the Planning Act we request written notice of any further action or decision on the plan of subdivision.**

The opportunity to comment is appreciated and welcome further dialogue. Please direct any questions to the writer at 705-385-9514.

Yours truly,

*"Original Signed By"*

Peter Neice, MCIP, RPP

President

Process Planning Associates Inc.

Copy to:        P. Allen, Superintendent of Business  
                      W. Kennedy, Director of Education  
                      T. Lyons, Superintendent for Accommodation Planning  
                      P. Antaya, Superintendent of Education  
                      A. Mastronardi, Principal, Gore Hill Public School  
                      M. Hawkins, Principal, Leamington District Secondary School  
  
                      D. Truax, Manager of Planning Services, Leamington

**From:** Brundritt, Shirley [mailto:SBrundritt@uniongas.com]  
**Sent:** Wednesday, December 07, 2011 12:37 PM  
**To:** Mary Ann Manley  
**Subject:** Draft Plan of Subdivision

Pt Lot 9, Concession BF  
N side of Robson Rd. Mersea

Thank you for your correspondence with regards to draft plan approval for the above noted project. It is Union Gas Limited's request that as a condition of final approval that the owner/developer provide to union Gas Limited the necessary easements and/or agreements required by Union Gas Limited for the provision of gas services for this project, in a form satisfactory to Union Gas Limited. Should you require any further information please contact the undersigned.

**Shirley Brundritt**  
Lands Support Analyst  
Union Gas Limited | A Spectra Energy Company  
50 Keil Drive North  
P.O. Box 2001  
Chatham, ON N7M 5M1

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