



## **The Corporation of the Town of Essex**

### **Special Council Meeting Minutes**

November 23, 2020, 5:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

This meeting was hosted from the Town of Essex Municipal Building, 33 Talbot Street South, Essex. Due to the ongoing COVID-19 pandemic, this meeting can only be viewed by the public electronically via livestream on YouTube.

Present: Mayor Larry Snively  
Deputy Mayor Richard Meloche  
Councillor Joe Garon  
Councillor Morley Bowman  
Councillor Kim Verbeek  
Councillor Steve Bjorkman  
Councillor Sherry Bondy  
Councillor Chris Vander Doelen

Also Present: Chris Nepszy, Chief Administrative Officer  
Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Doug Sweet, Director, Community Services/Deputy CAO  
Jeffrey Morrison, Director, Corporate Services and Treasurer  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services  
Rita Jabbour, Manager, Planning Services

Mayor Snively advised that the purpose of this statutory public meeting is to consider a Proposed Draft Plan of Subdivision for the vacant lands located on the east side of County Road 13, also known as Parkland Estates, Harrow and to hear representations from the public in regards to the merits and concerns related to the application.

#### **1. Call to Order**

Mayor Snively called the meeting to order at 5:00 PM.

#### **2. Declarations of Conflict of Interest**

There were no declarations of conflict of interest noted at this time.

#### **3. Adoption of Published Agenda**

##### **3.1 Special Council Meeting Agenda for November 23, 2020**

**SP20-11-001**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**That** the published agenda for the November 23, 2020 Special Council Meeting be adopted as presented.

**Carried**

**4. Reports from Administration**

**4.1 Office of the CAO 2020-08**

RE: AMO Board Vacancy: Expression of Interest

Chris Nepszy, CAO spoke to Council about submitting an Expression of Interest to the Association of Municipalities Board vacancy and the direct and indirect rewards our municipality would receive for his service on the Board.

**SP20-11-002**

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

**That** Office of the CAO Report 2020-08, entitled "AMO Board Vacancy: Expression of Interest", prepared by Chris Nepszy, CAO dated November 23, 2020 be received, and

**That** Council supports the Town of Essex Chief Administrative Officer (CAO), Chris Nepszy's, candidacy to sit on the AMO Board and serve on it its Rural caucus together with support for any expenses that may be associated with the Board directorship.

**Carried**

**5. Presentations**

**5.1 Proposed Plan of Subdivision: Parkland Estates, Harrow**

Rita Jabbour, Manager, Planning Services advised Council and provided a power point presentation stating that the purpose of the public meeting is to consider a Draft Plan of Subdivision, known as the "Parkland Estates" and to gather information from the public and Council. Ms. Jabbour emphasized that the purpose of this meeting is to obtain public feedback and comments and that no decision should be made by Council tonight.

Ms. Jabbour advised that the subject lands are 5.65 hectares (14 acres) of vacant land on the East side of County Road 13 in the Harrow Primary Settlement Area, just south of 1 Pollard Drive (Harrowood) and just West of Pollard Park and Kinsmen Participark Trail. She explained that the property is currently zoned Holding Residential District 2.2 (HR2.2),

medium density housing on urban lots, and the applicant is looking for permission to develop the property to accommodate 26 single detached and 46 semi-detached dwelling units for a total of 72 dwelling units.

Ms. Jabbour explained the impact of the development on Pollard Park and the Participark and that cash-in-lieu of parkland will be directed towards the construction of a gravel public parking area on abutting recreational lands to accommodate 60 vehicles and that this would be the Developer's responsibility and a Storm Water Management System will be composed of a dry detention pond located on abutting recreational lands.

Ms. Jabbour explained further that the Traffic Impact Study conducted indicated a nominal impact of the T intersection of Pollard Drive at County Road 13 and Dunn Road and County Road 13. The study also indicated that the proposed stop controlled intersection of County Road 13 at site access will operate favourably; no obstructions exist within sight lines; and negligible impact associated with the addition of the parking lot accessed via site access.

Ms. Jabbour advised Council that Agency's comments were received by the Director of Education Windsor Essex Catholic District School Board, recommending sidewalks or recreational pathways for student safety and bus stops and the Watershed Planner, Essex Region Conservation Authority (ERCA), recommending storm water be addressed in accordance with Regional SWM Standards Manual. No comments and concerns were received by Hydro One.

Ms. Jabbour further advised that Notice was given to all property owners within 120 metres of subject site, the Notice was published in the Harrow News and posted on the Town's website and no written comments were received as of November 18, 2020.

Ms. Jabbour advised of the next steps:

1. The results of this Public Meeting will be forwarded to the Manager of Planning Services for the County of Essex.
2. A report will be prepared for Town of Essex Council outlining the recommended development servicing conditions.
3. At the December 7, 2020 Regular Town Council Meeting, Council may set out by resolution the request that the Manager of Planning Services for the County of Essex to approve the draft Plan of Subdivision, subject to compliance with the recommended development servicing conditions.
4. That Council's resolution for draft Plan Approval of Subdivision be forwarded to the County of Essex. If draft approval is granted, proponent has three (3) years to satisfy conditions. Final approval of subdivision is granted only when all conditions are fulfilled.

Ms. Jabbour asked Council if they had any questions to the draft Plan of Subdivision and the following questions were brought forward:

1. Deputy Mayor Meloche asked about rear yard drainage on existing properties that back up to the new subdivision.

Kevin Girard, Director, Infrastructure Services advised that there is a Storm Water Management Plan that is being proposed and rear yard catch basins are included as part of the development. He advised that adjacent properties will be notified of the development and notified that it will be each property owner's responsibility for drainage on their property and the impact thereof.

2. Councillor Garon had concerns with the location of the pond and the parking lot and wondered if positions could be flipped.

Kevin Girard, Director, Infrastructure Services advised that there is no opportunity to flip the pond and parking lot as access to the parking lot from the street is required and the location of the pond is the preferred location.

Councillor Garon is concerned that there is no turn around access and that Lots 15 and 16 will be used for that purpose.

Mr. Girard advised that it is the intention that the parking lot will be used for turn arounds, for emergency, buses and vehicular traffic.

3. Councillor Bowman asked who would be supplying the hydro, Hydro One or E.L.K.

Mr. Girard replied Hydro One would be the supplier of hydro.

4. Councillor Bondy asked for confirmation that access to the multi-use trail is from the main road and no sidewalks on the crescent.

Ms. Jabbour confirmed that access to the multi-use trail will be on Street A.

Councillor Bondy asked if the retention pond will be the Developer's property or Town property.

Ms. Jabbour advised that the retention pond will be located on Town property.

Councillor Bondy has concerns with the retention pond on parkland property, if the Town has plans for an additional ball diamond.

Doug Sweet, Director, Community Services/Deputy CAO advised that the Town has no plans for an additional ball diamond, only to

enhance the back diamond and the parking lot would be an asset.

Councillor Bondy asked if the Town will be requiring a tree to be planted on each property.

Ms. Jabbour advised that the Town's Development Standards stipulates that one tree be planted per lot.

Councillor Bondy inquired how much the Town would be receiving for cash-in-lieu of parkland.

Ms. Jabbour advised that they do not have a dollar amount, as it is the Developer's responsibility for the construction of the parking area.

Councillor Bondy asked if the parking lot is remaining gravel because of drainage issues or cost issues and is there a buffer between the parking lot and homes.

Mr. Girard advised that the existing trees in the park will provide a buffer so there should not be a need for additional vegetation to separate visibility to the park.

Mr. Sweet advised that the parking lot remaining gravel is for cost saving at this time.

Councillor Bondy asked if there is a start date available.

Ms. Jabbour said that the proponent is available at tonight's meeting, so Mr. Branco might be able to answer that question.

5. Councillor Vander Doelen asked if the number of semi-detached lots and single lots are set in stone.

Ms. Jabbour advised that the dwelling units can be changed.

6. Deputy Mayor Meloche asked if parking would be allowed on both sides of the street and if parking is being allowed only on one side is that the Town's standard.

Mr. Girard advised that parking would only be allowed on one side and that this is the Town's standard at this time.

Deputy Mayor Meloche asked if not having sidewalks would be an insurance issue.

Mr. Girard stated that he could not foresee not having sidewalks as being an issue, as the sidewalks would not be going anywhere.

**SP20-11-003**

Moved By Councillor Vander Doelen

Seconded By Deputy Mayor Meloche

**That** the presentation entitled "Proposed Plan of Subdivision for the Vacant Lands located on the East Side of County Road 13 also known as Parkland Estates, Harrow" dated November 23, 2020, as prepared by Rita Jabbour, Manager, Planning Services, be received.

**Carried**

**6. Delegations**

**6.1 Shane and Mary Ruthven**

Shane and Mary Ruthven from 1425 County Road 13, asked for clarification as to where the exit and entrance to the subdivision will be. They have a couple concerns as their property is directly adjacent from the subdivision, one of their concerns is with the lights from vehicles and secondly a potential safety concern would be if someone drives through the stop sign, they will end up in their front yard.

Ms. Jabbour advised that currently the access at County Road 13 will be the sole entrance to the property, it is where the ingress and egress will take place. She said that the main form of traffic control will be a stop sign. The "T" intersection will have a streetlight. As far as light pollution, a photometric analysis was done and complies with the Dark Sky Policy.

Mr. Girard added that the intersection will be stop controlled. He said that the road design has not been finalized and that the "T" intersection is no different than any other intersection in the Town and that there isn't much that can be done to control vehicular lights.

**6.2 Walter Branco, Noah Homes**

Mr. Branco appeared before Council to answer a couple of questions that Council had asked:

- RE: Sidewalks and Cul-de-sac  
Mr. Branco told Council that studies have shown that subdivisions with no sidewalks and/or cul-de-sacs creates more driveway parking.
- RE: Phase 1  
Mr. Branco advised that they are anxious to start. Once all approvals are received, spring is the target to get started.
- RE: Parkland  
Mr. Branco advised that 5% of lands is what is used for parkland. The subdivision is 14 acres and once a market value is placed on the lands, 5% of that portion will go towards the parking lot.
- RE: Pond  
The pond will be a "dry pond". On a regular basis there will not be any

water held in the pond, only when there is a large surge and then it will disappear quickly.

7.     **Adjournment**

Moved By Councillor Bjorkman  
Seconded By Councillor Garon

**SP20-11-004**

**That** the meeting be adjourned at 6:35 PM.

**Carried**

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Mayor

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Clerk