



Report to Council

Department: Development Services

Division: Planning

Date: December 7, 2020

Prepared by: Rita Jabbour, RPP, Manager, Planning Services

Report Number: PLANNING2020-27

Subject: Draft Plan of Subdivision Approval, Parkland Estates
(Applicant: Noah Homes, 1552843 Ontario Limited) File
No. 37T20004

Number of Pages: 6 including attachments

Recommendation(s)

That Planning report PLANNING2020-27 entitled Draft Plan of Subdivision Approval, Parkland Estates (1552843 Ontario Limited) File No. 37T20004 prepared by Rita Jabbour, RPP, Manager, Planning Services dated December 7, 2020 be received, and

That Council request that the Manager of Planning Services for the County of Essex give draft plan of subdivision approval to 1552843 Ontario Limited (Noah Homes), for the development of the "Parkland Estates" subdivision on lands comprising Part of Lot 12, Second Range of the Gore, on the East side of County Road 13, south of Pollard Drive, to permit the development of single-detached and semi-detached dwellings, in accordance with the draft plan prepared by Verhaegen Land Surveyors and dated July 16, 2020 subject to the following:

1. That 1552843 Ontario Limited (Noah Homes) enter into a subdivision agreement with the Town for the provision of roads and other services and facilities to the subdivision, in accordance with the draft plan attached to this resolution; and

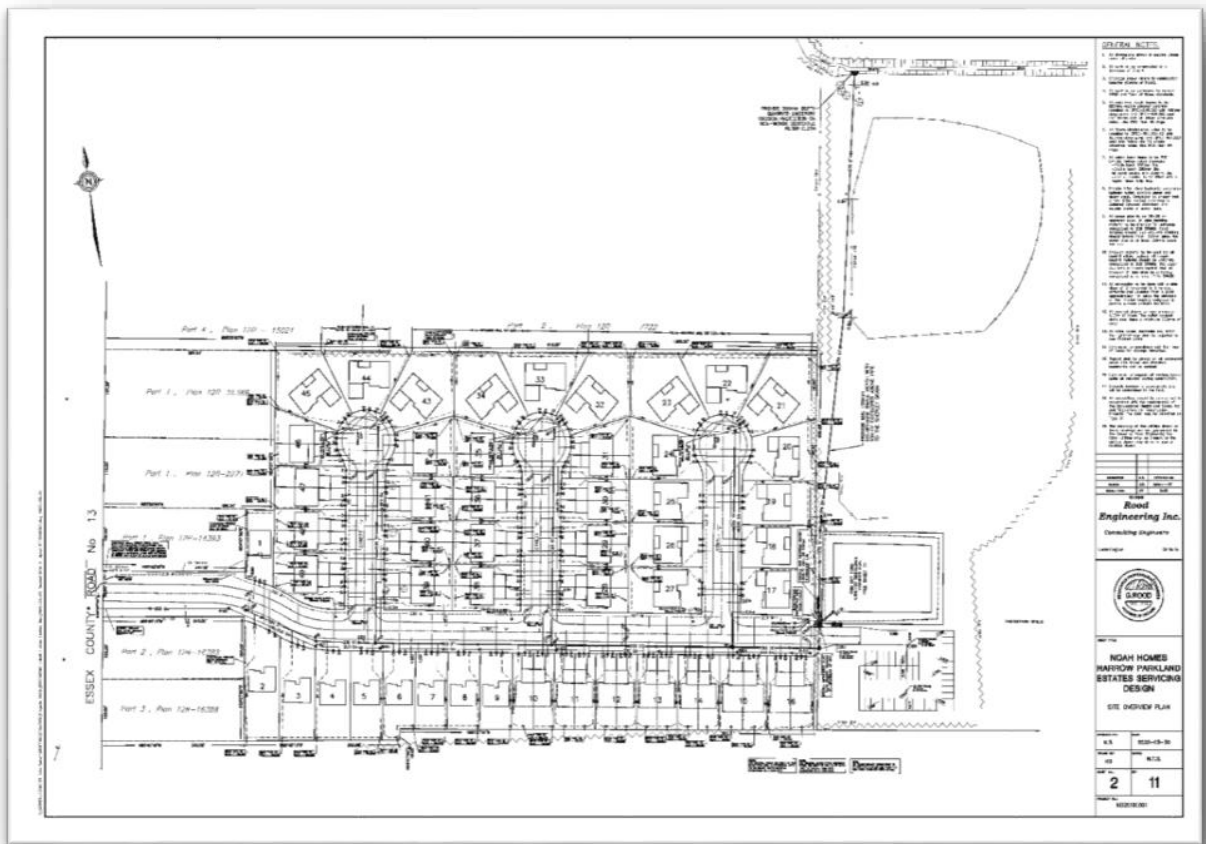
2. Such other conditions requested by the Manager of Planning Services for the County of Essex, as a condition of draft plan of subdivision approval; and
3. That Council agree to accept cash in lieu of a parkland dedication and to permit the construction of a storm water management pond and public parking area on Town lands, in accordance with the provisions of the subdivision agreement.

Purpose

To recommend draft plan approval to the Manager of Planning Services at the County of Essex for the Parkland Estates Subdivision in the Harrow Primary Settlement Area.

Background and Discussion

The subject lands are located on the East side of County Road 13, south of Pollard Drive. The 5.65 hectare (14 acre) property was rezoned to permit single and semi-detached dwellings and townhomes in 2019. The proponent, Noah Homes (1552843 Ontario Limited), is proposing to construct twenty-six (26) single-detached dwellings and twenty-three (23) semi-detached dwellings for a total of seventy-two (72) dwelling units, according to the following lot and road plan:



A local road will extend from County Road 13 (Erie Road) to the East limit of the property, terminating at the West limit of the Town-owned recreational lands, identified as the Pollard Park and Kinsmen Participark Trail. Three (3) other cul-de-sac streets will accommodate the bulk of the dwellings.

Unique to this subdivision is the provision of the parkland dedication and storm water management system required for this subdivision. Rather than dedicate lands within the subdivision itself for such purposes, subject to Council's approval, the proponent will place the storm water management system within the property boundaries of Pollard Park. In lieu of providing parkland within the subdivision, it is also proposed that the proponent will construct a public parking area within the boundaries of Pollard Park and just South of the storm water management system.

There is a mutual benefit to this approach. For the Town, there will now be access to the park directly from County Road 13 by way of a dedicated public road. Currently, access to the park is via the former Harrow High School playground. The parking area will provide public parking for users of the park and its recreational facilities. For the proponent, more land will be devoted to dwellings and no cul-de-sac will be required at the East terminus of the main road within the subdivision. The cost saving, combined with the cash in lieu of parkland contribution, will cover the cost of the public parking area. This approach is addressed in the draft servicing agreement.

Public Meeting and Agency Comments

Public notice of this subdivision proposal was given in writing to all property owners within 120 meters of the subject lands affected, and was published in the Harrow News, a local paper of general circulation. A virtual public meeting was held on Monday, November 23 to hear public comments and receive submissions. **The presentation is attached to this report.**

One (1) person addressed Council at the public meeting to receive additional information concerning the proposed access road into the subdivision and light pollution impacting his property. Administration noted that although the design of the road is not yet finalized, the access area off of County Road 13 will be the only access area into the subdivision and that the intersection of the site at County Road 13 will be controlled by a stop sign on the westbound approach with a single ingress and egress lane. Administration also noted that a photometric analysis was completed for the subdivision that ensures light pollution will be controlled and that fixtures will be dark sky compliant, and that the submitted Traffic Impact Study (TIS) was reviewed and approved by the County of Essex Engineering department.

Generally, Administration is in support of the draft plan of subdivision subject to the execution of a subdivision agreement, **a draft of which is attached to this report.** Comments were received from the Essex Region Conservation Authority, Windsor-Essex District Catholic School Board, Hydro One and the County of Essex Department of Public Works. All recommendations have been incorporated into the draft subdivision agreement.

Next Steps

Council, by resolution, will ask the Manager of Planning Services for the County of Essex to give draft plan of subdivision approval to the proposed Parkland Estates subdivision. Once satisfied with the plan and the terms of approval, the County will relay draft approval to the Town of Essex Clerk and list the conditions of approval. Most importantly, draft approval will include the requirement that the proponent and Town execute a subdivision agreement incorporating the terms of approval and such other conditions required by the Town and County. Development Services will subsequently report to Council with the recommendation that the draft subdivision agreement be adopted by by-law to permit its signing and registration, thereby setting the framework for the development of the subdivision to proceed.

If draft approval is granted, the proponent will have three (3) years to satisfy all conditions. Final approval of subdivision is granted only when all conditions are fulfilled.

Financial Impact

All development charges applicable to the construction of residential dwellings within the subdivision will be waived until December 31, 2021, which the Town is required to fund, be it through taxation, user rates or any other form of revenue. The total amount of development charges to be waived is as follows:

Municipal Wide (Hard Services)	Municipal Wide (Soft Services)	Area Specific Wastewater	Total
\$226, 656	\$375, 408	\$184, 752	\$786, 816.00

All costs associated with the construction of the public parking area on the municipal recreational lands will be borne by the developer.

Consultations

Robert Auger, Town Solicitor/Clerk

Doug Sweet, Director of Community Services/Deputy CAO

Jeffrey R. Morrison, Director, Corporate Services/Treasurer

Kevin Girard, Director, Infrastructure Services

Kevin Carter, Manager of Building Services, Chief Building Official

Link to Strategic Priorities

- ☐ Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- ☐ Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- ☐ Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- ☒ Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- ☐ Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.
- ☐ Improve the Town's capacity to meet the ongoing and future service needs of its citizens while ensuring the corporation is resilient in the face of unanticipated changes or disruptions.