



Our Aim:

- Provide bi-annual updates to community stakeholders
- Communicate information on upcoming policy and legislative changes
- Work together in developing the community
- Encourage new growth in Leamington

Inside this issue:

Message from the Director	1
New PPS 2014	1
Building Permit Activities	2
OBC Changes	3
Technologist of the Year Award	3
CIP Update	4
DC 5 Year Review	5
Planning Fees	5
DC Deferral Program	5
Zoning By-law Amendments	6
Destiny Estates	6
County OP Update	7
Leamington OP Update	7
Development Manual	7
Upcoming Events and Dates	8

Developers' Newsletter

Volume 2, Issue 1

April 25, 2014

Message from the Director of Development Services

Many challenges have been thrown our way in 2013 including the sale of H J Heinz, closures of retail stores.

We are now into 2014 and very hopeful that development will begin to prosper with the construction of the new Leamington District Secondary School, a large expansion of the existing medical village, subdivision lots becoming available for building and revitalization projects in the uptown.

The focus of Council and Development Services this year will be on Economic Development in order to help attract new businesses to our employment lands which in turn will grow more residential demands.

There are many positive changes planned this year which will help us meet our goal to prosper. Changes include a reduction in the Greater Essex County District School Board

Education Development Charge from \$454 to \$305 per dwelling unit in Leamington, the review of the Leamington Development Charges, the expansion of the Development Charges deferral program, the new Provincial Policy Statement, the updated County Official Plan and Leamington Official Plan, proposed changes to the Ontario Building Code, the review of the Development Manual and the new combined planning process for zoning by-law amendments that are conditions of consent applications. All of these changes are explained further in this newsletter.

It has also been a year since the inaugural Developers' Workshop. I was very pleased with the turnout as your participation and input has been a key component to learning more about developing the community. We are currently in the planning stages of the next workshop which will be held this summer. There will also be opportunities for stakeholders to

provide input in the Development Charges By-law review, the Leamington Official Plan review and the Development Standards Manual review.

If we continue to work together to stand strong for Leamington and share ideas, the future prosperity has many possibilities.

If you have any questions or comments, please contact me at tpillon-abbs@leamington.ca or 519-326-5761 ext 1403.

*Tracey Pillon-Abbs
Director of Development Services*



New Provincial Policy Statements (PPS)

The PPS is the statement of the government's policies on land use planning. It applies province wide and provides clear policy direction on land use planning to promote strong communities, a strong economy and a clean and healthy environment.

It includes policies on key issues that affect our communities such as: the efficient use and management of land and infrastructure, protection of the

environment and resources and ensuring appropriate opportunities for employment and residential development, including support for a mix of uses.

Municipalities use the PPS to develop their Official Plan and to guide decisions of Council and the Committee of Adjustment on planning matters.

The PPS is issued under section

3 of the *Planning Act* and all decisions affecting land use planning matters "shall be consistent with" the PPS.

The new PPS will take effect on April 30, 2014 and applies to all planning decisions made on or after that date. It replaces the PPS, 2005.

The new PPS can be downloaded here: <http://www.mah.gov.on.ca/Page10679.aspx>

2013 Year End Building Permit Activities

Building Services staff is devoted to the enforcement of the Ontario Building Code (OBC) for Leamington and Pelee Island.

The majority of staff time is dedicated to the issuance of building permits and carrying out inspections to insure compliance with the OBC regulations.

A report to Council was presented by staff in April summarizing the 2013 year end building permit activities.

It was reported that as a result of residential construction slowdown, building staffing was permanently reduced by one inspector.

It was further reported that the number of permits issued has been consistent over the last 5 years in Leamington and comparable with many of the other municipalities in the area.

It was also noted that despite the decrease in building new

residential dwellings, the number of permits for additions and renovations have increased.

Regarding the number of residential units created, it was reported that construction has been on the decline for the past 5 years for many municipalities in the area. More specifically it appears that Kingsville, Lakeshore, LaSalle, Tecumseh and Leamington all had a significant reduction in 2013.

There are a number of factors which may have contributed to a decrease in residential construction in 2013 for Leamington which includes the concern that the number of serviced lots has been limited and there has been a minimum number of new lots created.

Currently there are approximately 225 approved lots, 1028 draft approved lots and 190 draft lots being proposed. It is anticipated that development could possibly increase over the next few years,

however not at the rate that was seen in 2010.

The number of inspections performed varies depending on the type of permits and the number of residential units created each year. On average, staff perform over 2000 inspections per year.

In spite of the reduction in units, our inspectors have been busy assisting with other related areas where no permits are issued and in the slow time, inspectors are working on clearing outstanding permits.

Finally, the total department revenue for Leamington continues to focus on full cost recovery and generates on average over \$300,000 per year in addition to an average of \$12,000 for Pelee Island permits.

For more information, contact Bechara Daher, Manager of Building Services at 519-326-5761 ext 1701.

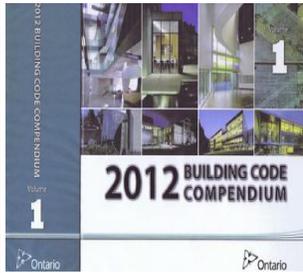
Number of Permits Issued								
	AMH	ESSEX	KINGSVILLE	LASALLE	LAKESHORE	LEAMINGTON	TECUMSEH	PELEE ISLAND
2013		338	337	253	721	359	363	11
2012	327	395	329	327	782	411	401	10
2011	279	326	261	330	648	346	339	13
2010	372	354	329	269	774	360	352	10
2009	227	421	315	189	621	352	337	25

Number of Residential Units Created								
	AMH	ESSEX	KINGSVILLE	LASALLE	LAKESHORE	LEAMINGTON	TECUMSEH	PELEE ISLAND
2013	79	53	77	152	168	19	34	2
2012	62	41	84	183	194	33	22	1
2011	58	30	55	187	190	36	16	1
2010	104	25	60	136	159	41	20	0
2009	50	24	69	103	107	36	14	3

Number of Inspections								
	AMH	ESSEX	KINGSVILLE	LASALLE	LAKESHORE	LEAMINGTON	TECUMSEH	PELEE ISLAND
2013	1743	N/A	2649	N/A	4326	1908	N/A	72
2012	1534	N/A	3130	N/A	4692	2242	N/A	60
2011	1602	N/A	2578	N/A	4072	2100	N/A	75
2010	1447	N/A	2596	N/A	4644	2186	N/A	60
2009	1085	N/A	2054	N/A	3819	2124	N/A	90

Total Department Revenue								
	AMH	ESSEX	KINGSVILLE	LASALLE	LAKESHORE	LEAMINGTON	TECUMSEH	PELEE ISLAND
2013	281,003	531,000	576,983	348,151	653,093	350,720	275,651	12,480
2012	554,495	300,000	653,007	483,815	627,755	344,848	239,164	12,000
2011	237,847	245,000	482,411	347,616	619,006	325,393	272,066	12,000
2010	260,546	322,000	613,592	382,077	571,991	305,420	298,934	12,000
2009	142,996	362,000	412,731	225,139	592,513	451,254	142,494	21,687

Proposed Changes to the Ontario Building Code (OBC)



The 2012 OBC came into force on January 1, 2014. All permit applications applied for after that date must meet the new requirements.

Some provisions of the new OBC have delayed implementation dates as per the following:

- January 1, 2015 - Certain energy efficiency measures
- January 1, 2016 - Re-inspection of the On-site sewage system in certain areas
- January 1, 2017 - New energy efficiency targets

The 2012 OBC changes provide a balanced document that:

- Builds on health and safety and environmental protection requirements,
- Helps the competitiveness of Ontario's building sector through:
 - New and updated standard
 - Clarifying Building Code Requirements
 - Allowing for the use of new Products
 - Recognizing of best practices

- Offer more flexible requirements,
- Maintains Ontario's leadership in energy and water conservation, and
- Has the potential for savings of operating costs over time for building owners.

The following is a summary of a few areas of change under Part 9 of the OBC which will affect stakeholders.

Smoke Alarms:

Smoke Alarms are required in each sleeping room and each bedroom and in a hallway between sleeping rooms and the remainder of the floor area and on each floor. They must be interconnected and equipped with a battery back-up capable of sustaining power for the duration of 7 days.

Foundation Walls Height:

There is a new table for solid concrete and concrete block foundation walls to allow for a design of foundation walls with height up to 3m subject to conditions listed in the code.

Stairs, ramp, handrails and guards:

Steps, ramp, handrail and guards located in all residential garages are subject to the same requirements as the ones located inside the dwelling. Guard height for stairs and landing more than 10m must not be less than 5'-0" high.

Exit Signs:

There are new requirements for an exit sign. It now includes a green pictogram with a white graphic symbol of the running man and is subject to the specifications listed in the code.

Regarding training, starting January 1, 2014, anyone qualifying for the first time or taking on a new qualification category will be required to pass the new 2012 examinations.

For more information, please visit the Ministry of Municipal Affairs and Housing (MMAH) web site at: www.ontario.ca/buildingcode or contact Bechara Daher, Manager of Building Services at 519-326-5761 ext 1701.

Engineering Technologist of the Year



Congratulation to Bechara Daher, Manager of Building Services for winning The Ontario Association of Certified Engineering Technicians and Technologists (OACETT) Engineering Technologist of the Year Award during the National Engineering Week event for Windsor-Essex County.

The award is for outstanding service to the community in a professional and personal capacity representing the interface between engineering and the public.

OACETT is a non-profit, self-governing, professional association with over 24,000 members.

OACETT is Ontario's independent certifying body for engineering and applied science technicians and technologists and confers the designations C.Tech. (Certified Technician) and C.E.T. (Certified Engineering Technologist).

Designations are recognized across Canada by employers and other engineering professionals.

OACETT promotes the interests of engineering and applied science technicians and technologists in industry, educational institutions, the public and government.

OACETT was incorporated in 1962 and legislated under the Statutes of Ontario by the OACETT Act of 1984. The Act established OACETT as a self-governing body with right to title for its members.

Later, the provincial legislature passed the OACETT Act of 1998, a revised act that includes a description of work for technicians and technologists.

The Association's Code of Ethics and Rules of Professional Conduct outline for members of the association the precepts of personal integrity and professional competence.

Community Improvement Plan (CIP) Update

In August of 2012, Council approved the Leamington Uptown Commercial District Community Improvement Plan (CIP).

Under the regulations of the *Planning Act*, a CIP provides a planning and financial tool which allows the Municipality to effectively use, reuse and restore lands, buildings and infrastructure.

The objective of a CIP is to continually improve communities through the realization of environmental, social, cultural and economic benefits achieved from more sustainable growth management and development practices.

There are two types of initiatives under the CIP. One initiative is a grant application program (see list below) that is offered to businesses and/or property owners within the defined CIP area to cover some of the cost of interior and exterior renovations. The other initiative is a municipal

revitalization program under which the municipality invests funds directly into capital infrastructure and operating costs to achieve the objectives of the CIP.

Projects for the revitalization program includes the development of four gateway features, parking lot landscaping, new gathering spaces, additional parking signage, walk your bike signage and bike parking signage.

The amounts allocated to the grants and programs are established in the CIP and reviewed annually by Council at the time of budget deliberation.

Administration is available to meet on-site with property and business owners to discuss the types of projects which qualify for funding under the grant programs and to assist with the application process.

Administration has consulted with several property and

business owners about projects being considered for 2014.

Grant applications must be completed in full, including signatures of the registered owner of the property, detailed concept plans or project samples and 2 quotes for each type of work to be completed.

Grants are allocated to approved applications on a first come first serve basis.

There is currently \$180,000.00 available for grants in 2014.

Property or business owners who are interested in discussing if their project qualifies under a CIP program for a grant or to make an appointment to meet on-site are to contact Danielle Truax, Manager of Planning Services at 519-326-5761 ext 1405.

Applications and additional information can also be found at: www.leamington.ca.



Before



After

Grant Type	Purpose of the Grant	Key Details of the Grant	Sample Projects
Building Exterior and Façade Improvement Grant	To improve the front and rear appearance of existing building facades. Create a more attractive streetscape. Improve public safety.	Improvement costs includes brick work, windows, entranceway modifications, signage, etc.	Exterior painting and building finishes, additional or replacement of architectural details, awnings, signage, lighting, new entrance ways.
Renovation Grant	Encourage the upgrading, rehabilitation and redevelopment of commercial, mixed use and residential buildings. Improve safety by bringing the buildings into compliance with the Ontario Building Code and Ontario Fire Code. Encourage conversion of second floor storage to residential units. Retrofitting for energy efficiency and accessibility.	Eligible work includes smoke alarms, fire escapes, roofing, electrical, flooring, new residential units, etc.	Installation of energy efficient heating and cooling systems, replacement energy efficient windows and doors, automated door openings, floor leveling and installation of accessible ramps.
Residential Development Charges Grant Program	Construct new residential units through redevelopment and/or expansion of existing buildings.	Grants are for the residential development charge amount.	Construction or conversions of non-residential 2nd floor space to a residential unit.
Municipal Fee Grant Program	Grants are for the cost of the development process.	Applications and fees.	Includes building permit fees, planning application fees, sign permit fees, etc.
Sidewalk Cafe Grant Program	To construct patios and temporary sidewalks on municipal right-of-way for existing food and beverage establishments. Encourage street level pedestrian activity.	Costs include sidewalk re-alignment, raised patio, overhangs, roofs, stairs, handrails, signage, etc.	Professional design costs, patio materials, patio installation costs.
Business Relocation & Expansion Grant	Encourage new and existing businesses to locate along Talbot Street East to foster and develop an area that is struggling with vacancies and business turnover.	Costs include moving expenses, equipment setup, utility service setup, temporary storage, etc.	Debit / Credit machine set-up; computer system wiring set-up; exterior signage.

Development Charges Five Year Review



Council has commenced the process of reviewing the Development Charges (DC).

The consulting firm of Watson and Associates Economist Ltd has been retained to prepare a background study and draft a new by-law.

Municipalities may impose rates against land to pay for capital costs required because of increased needs for services (new roads, sewers, water, recreational facilities, fire trucks, etc.) arising from development.

A DC by-law is valid for up to five years and applies to the entire Municipality. It also provides for annual indexing on January 1st of each year.

The existing by-law will expire on August 25, 2014 and will be reviewed in a comprehensive manner with the consultant prior to that time.

The consultant will do the following: project plan and timeline; prepare population projection based on how the Municipality has grown in the past using census data and building permit information; prepare the relevant background report, including pertinent projects the Municipality will require based on how it is expected to grow; and proposed project manager and staff and their roles as well as relevant experience and education background of each.

Workshops are scheduled for May 15, 2014 at 9:00 am for

developer stakeholders and at 11:30 am for greenhouse stakeholders to be held in Council Chambers. Invitations will be sent out and input is valued.

As part of the review a public meeting is also required and will be set for July. Council will adopt the plan in August. Notices will be sent out.

After the decision is made by Council, there will be an appeal period once notice is given.

All documents will be available online closer to the above dates at: www.learmington.ca.

For more information, contact Tracey Pillon-Abbs, Director of Development Services at 519-326-5761 ext 1403.

Planning Fees and Process Review



An informal open house was held in October of 2013 to discuss proposed revisions to planning fees. Fees were reviewed internally by Staff to determine whether the fees charged were an accurate reflection of the costs to process applications.

As part of the review, Administration also completed a review of the fees charged by other area municipalities and found current fees to be at the

mid to low end. The review also suggested that new fees for services not currently listed within the fees by-law be established.

Council was satisfied that the current fees were appropriate to encourage development within the Municipality and kept the fees the same. However, Council did establish new a combined fee and process for the consideration of consent and

zoning by-law amendment applications in efforts to help streamline the approval process for applicants. This process should be implemented in late Spring 2014.

Planning Fees are listed on Schedule "I" of the Municipal Fees By-law which can be found online at: <http://www.learmington.ca/en/document/document.aspx>.

Development Charges (DC) Deferral Program



The program provides a financial benefit to developers by allowing them to defer payments for a period of time that could allow them to build and sell a house before having to pay the development charge.

The deferral allows the developer to commit less money to each development and theoretically allow a builder to build more houses at once. The program may encourage development at a quicker pace.

The Program defers rates for up to 18 months from the date of the building permit issuance or the time of sale.

The deferral applies to single and semi-detached dwellings.

In the event that the deferred DC becomes payable and remains unpaid on the due date, the amount of unpaid DC may be added to the tax roll and collected as property tax with appropriate interest calculated.

The Program was originally only made available for one year, however Council has extended the program until August 25 2014, which is the same date the DC expires and will be re-examine at that time.

Application forms, agreements and instructions are available online at: www.learmington.ca.

For more information, contact Bechara Daher, Manager of Building Services at 519-326-5761 ext 1701.

Zoning By-law Amendments (ZBA) — What You Need to Know

A ZBA is required when you want to use your land in a way that is not permitted under By-law #890-09.

Prior to submission of an application, a formal pre-consultation meeting with the Municipality is required. The purpose of the meeting is to review the purpose of the application, to identify key issues and relevant policies; to identify whether any concurrent applications are required; to identify any studies that are required prior to acceptance of an application or that may be required prior to the approval of development; and to identify staff contacts.

Applicants are required to complete an application, submit any additional information as identified in pre-application consultation and pay the fees to the Municipality of Leamington. A complete application includes the prescribed information. Application forms containing insufficient or inaccurate information may be returned along with the application fee to the applicant of the application.

All applications must include a scale drawing, preferably by a qualified professional, showing the items listed below:

a. the boundaries and dimensions of the subject land;

b. the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;

c. the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that are located on the subject land and on land that is adjacent to it, and in the applicant's opinion may affect the application;

d. the current uses of land that is adjacent to the subject land;

e. the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;

f. the location of the parking and docking facilities to be used, if access to the subject land will be by water only;

g. the location and nature of any easement affecting the subject land.

Upon receipt, the application is reviewed and must be accepted as complete. From the acceptance of the application as complete, Council has 120 days to make a decision.

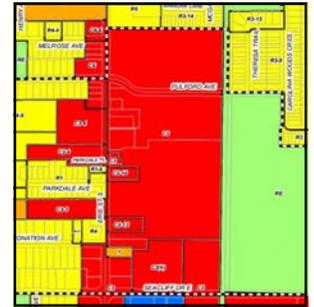
Notice of a complete and the date, time and location of the required public meeting are circulated to Agencies and the registered property owners within 120 m (400 ft) of the subject property. Notice is given by personal mail, posting of a sign on-site or within a newspaper.

A Public Meeting is held for the purpose of providing Council with input on the proposed amendment. Staff provides Council with a recommendation regarding the passing of the by-law to amend the zoning of a property.

Council is required to provide a Notice of Decision, to approve or deny the application to those that requested to be notified. Interested parties may appeal the decision of Council within 20 days to the Ontario Municipal Board (OMB). If no appeals are received, the decision of Council is final and binding and the zoning is in effect.

A copy of MMAH "Citizen's Guide to Zoning By-laws" can be obtained online at: <http://www.mah.gov.on.ca/Page1758.aspx>.

For more information or to schedule a pre-consultation, contact Danielle Truax, Manager of Planning Services at 519-326-5761 ext 1405.



Destiny Estates — Subdivision Showcase

Destiny Estates Subdivision is a plan of subdivision that was given draft approval by the County of Essex in 2012.

Larry Santos Construction Ltd. is the developer and a local Leamington businessman.

The development proposes the creation of 79 residential lots to be developed as 37 single detached and 42 semi-detached dwellings in 2 phases.

The subject property is currently a vacant 7.22 ha (17.85 acre) parcel located on the north side

of Robson Road with additional frontage on Malibu Drive.

The development is located immediately south of Bayview Park and in an area serviced by municipal services.

The developer will build to suit. The development is in walking distance to the Leamington Marina and Erie Shores Golf and County Club.

A subdividers agreement has been approved by Leamington Council and final conditions are being reviewed at the County of

Essex.

Construction of the streets and municipal services (water, sanitary and storm) is expected to begin in Spring 2014.

The approved lots range in size from 11.5 m (37.99 feet) by 33 m (108.26 feet) for a semi-detached unit and 19 m (62.33 feet) by 37 m (121.3 feet) for a single detached dwelling unit.

For more information contact: Larry Santos Construction Ltd. At (519) 322-1795 or online at: www.santosconstruction.ca.



County of Essex Official Plan (OP) Review Update



The County of Essex Official Plan has been adopted by County of Essex Council and is currently awaiting approval by MMAH. It is anticipated that this document will be approved prior to Spring 2014.

The review and update of the County OP commenced in June 2009 with the preparation of a Foundation Report leading into a Policy Background Report. The review process included public and stakeholder consultation hosted at the County of Essex building. Leamington Council was provided with timely staff

reports detailing proposed revisions and new policies to be included in the County OP.

Council forwarded comments to the County with respect to several policies that would impact land use decisions in Leamington. Those to be noted included a 20% affordable housing target, wording regarding the treatment of lands in southeast Leamington, as well as cultural, archeological and natural heritage policies.

Issues surrounding agricultural land severances were brought to

the attention of Council by many area farm owners and operators.

The draft documents proposed a minimum farm size of 40 ha. The OP policies require the County of Essex to complete a farm lot size study to determine the appropriate minimum farm lot size for areas within Essex County. Minimum farm lot areas within local OP's will be maintained in the mean time.

A copy of the final adopted document is available for review on the County website at www.countyofessex.on.ca.

Leamington Official Plan (OP) Review Update



Now that the County of Essex OP has been adopted and the revised PPS will come into effect on April 30th, 2014, Leamington Council can now begin the five year review of the local OP.

On September 10, 2007, Council adopted the OP for Leamington and on February 5, 2008, the County of Essex approved it.

The purpose of the OP is to provide direction for future land use throughout the Municipality.

The OP designates all lands for intended future use such as

Agricultural, Residential, Industrial, Commercial, etc.

It is anticipated that the project will commence this summer and will build on the work completed for OPA 1, which included policies to deem applications complete, natural heritage and land division.

The project should be completed by the end of next summer.

Public open houses and meetings will be conducted to obtain input from development stakeholders.

Notices will be sent and documents available online when they become available.

Stakeholder participation in the OP process is vary valuable.

The County of Essex is the approval authority for the Leamington OP. There will be an appeal period after approval is given.

For more information, contact Danielle Truax, Manager of Planning Services at 519-326-5761 ext 1405.

Development Manual Review



In an effort to streamline the development process, the Municipality consolidated all development requirements, processes and policies into a Development Manual, 2001, as amended.

Administration is now currently in the process of reviewing the standards, processes and policies found within the Development Manual to ensure that they are up-to-date.

The manual is intended to be a dynamic document used by all

professionals involved in developing, redeveloping and shaping the built environment of the Municipality.

As new standards and best practices emerge the manual should be updated as required.

It is anticipated that a draft manual will be ready for stakeholder input by fall of this year.

Opportunities for the development community to provide input on new standards which promote sustainable and efficient development practices

will be offered through a series of workshops.

Stakeholder participation in the review process is vary valuable.

Topics of review include the type, amount and timing for the collection and release of securities, the coordination of multiple approvals, the provision of trials, pathways etc.

For more information, contact Danielle Truax, Manager of Planning Services at 519-326-5761 ext 1405.



Summary of Upcoming Events

May 6/14	Great Essex County School Adoption of Education Development Charge
May 15/14	Development Charges—General Stakeholders at 9:00 am
May 15/14	Development Charges—Greenhouse Stakeholders at 11:30 am
July 2014	Development Charges—Public Meeting
August 2014	Development Charges—Council Adoption
Summer 2014	Developers' Workshop
Fall 2014	Next Developers' Newsletter

All meetings listed above will be held in the Leamington Council Chambers.

If you have any comments or suggestions, please contact staff at:

Municipality of Leamington
111 Erie Street North
Leamington, ON N8H 2Z9

Phone: 519-326-5761
Fax: 519-326-2481

Email: devservices@leamington.ca
Website: www.leamington.ca



“building on the past, as we prepare for future prosperity”