

Tuesday, January 24, 2017, 6:30 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

1. CALL TO ORDER

2. ROLL CALL

3. DISCLOSURE OF PECUNIARY INTEREST

4. INTRODUCTION AND PURPOSE OF MEETING

The purpose of the meeting is to hear from any affected landowner on the proposed zoning by-law amendment. The proposed amendment will rezone an approximate 19.7 hectare (48.7 acre) agricultural property situated on the west side of Holden Road (6485 Holden Road), approximately two kilometres south of its intersection with South Talbot Road from “Agricultural Zone (A)” to a site specific “Agricultural Zone (A-27)” in order to prohibit the construction of a residential dwelling unit in accordance with Section 2.3.4.1 c) of the Provincial Policy Statement (PPS).

5. DELEGATIONS

6. COMMUNICATIONS

- a. Notice of Public Meeting, December 20, 2016 2
Re: Proposed Zoning By-Law Amendment, 6485 Holden Road
- b. Manager Planning Services, Report No 36/16 3
Re: Zoning By-law Amendment, Agricultural Surplus Dwelling - 6485 Holden Road, Condition of Consent for Surplus Dwelling Lots
- c. Essex Region Conservation Authority, January 12, 2017 10
Re: Zoning By-Law Amendment 6485 Holden Rd

7. ADJOURNMENT

TOWN OF TECUMSEH

NOTICE OF PUBLIC MEETING

PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, January 24th, 2017 at 6:30 p.m.** in the Town Municipal Office at 917 Lesperance Road to consider a proposed Zoning By-law amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

The purpose of the proposed amendment is to rezone an approximate 19.7 hectare (48.7 acre) agricultural property situated on the west side of Holden Road (6485 Holden Road), approximately two kilometres south of its intersection with South Talbot Road (see Key Map below) from “Agricultural Zone (A)” to a site specific “Agricultural Zone (A-27)” in order to prohibit the construction of a residential dwelling unit in accordance with Section 2.3.4.1 c) of the Provincial Policy Statement (PPS).

Provisional consent for the severance of a 0.5 hectare (1.24 acre) surplus dwelling lot (6485 Holden Road) from the subject property was granted by the Committee of Adjustment at its May 16, 2016 meeting (Application B-09/16). As a condition of severance, and in order to conform to Section 2.3.4.1 c) of the PPS, it is necessary to undertake the aforementioned Zoning By-law Amendment.

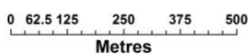
ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law amendment.


If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Council of the Corporation of Town of Tecumseh on the proposed Zoning By-law amendment, you must make a written request to the Corporation of the Town of Tecumseh, c/o Laura Moy, Clerk, at the mailing address noted below.

KEY MAP



 **Lands Subject to Proposed Amendment**

ADDITIONAL INFORMATION relating to this matter is available for review during regular office hours at the Town Municipal Office on Lesperance Road.

DATED AT THE TOWN OF TECUMSEH THIS 20TH DAY OF DECEMBER, 2016.

LAURA MOY, CLERK
TOWN OF TECUMSEH
917 LESPERANCE ROAD
TECUMSEH, ONTARIO
N8N 1W9



**THE CORPORATION OF THE
TOWN OF TECUMSEH**

**Planning and Building Services
Report No. 36/16**

TO: Mayor and Members of Council

FROM: Chad Jeffery, MCIP, RPP
Manager, Planning

DATE: December 7, 2016

DATE TO COUNCIL: December 13, 2016

SUBJECT: Zoning By-law Amendment
Agricultural Surplus Dwelling – 6485 Holden Road
Condition of Consent for Surplus Dwelling Lots (B-09/16)
Mr. Matthew Rau
OUR FILE: D19 RAU

RECOMMENDATIONS

It is recommended that:

1. The scheduling of a public meeting, to be held on Tuesday, January 24, 2017, at 6:30 p.m., for the application submitted by Mr. Matthew Rau, to amend Sandwich South Zoning By-law 85-18 to rezone an approximate 19.7 hectare (48.7 acre) agricultural property situated on the west side of Holden Road (6485 Holden Road), approximately two kilometres south of its intersection with South Talbot Road, from "Agricultural Zone (A)" to a site specific "Agricultural Zone (A-27)" in order to prohibit the construction of a residential dwelling unit in accordance with Section 2.3.4.1 c) of the Provincial Policy Statement; and
2. The preparation of a draft zoning by-law amendment for consideration at the same meeting be authorized.

BACKGROUND

Severance application B-09/16 was granted provisional consent by the Committee of Adjustment at its May 16, 2016 meeting. The application proposed the creation of a 0.5 hectare (1.24 acre) surplus dwelling lot from an agricultural property and the retention of the remnant 19.7 hectare (48.7 acre) agricultural parcel situated on the west side of Holden Road (6485 Holden Road), approximately two kilometres south of its intersection with South Talbot Road (see Attachment 1). The Committee determined that the application conformed to the Land Division Policies for Surplus Dwelling Lots on lands designated Agricultural in the Sandwich South Official Plan.

The consent was granted subject to standard conditions including the passing of a zoning by-law amendment on the retained 19.7 hectare farm parcel that would prohibit a new residential dwelling, in accordance with the requirements of Section 2.3.4.1 c) of the Provincial Policy Statement.

Based on the foregoing, an application to amend the Sandwich South Zoning By-law 85-18 for the subject retained farm parcel has now been filed with the Town.

COMMENTS

Provincial Policy Statement, 2014

The Planning Act establishes that Council, when making decisions that affect a planning matter, “shall be consistent with” the 2014 Provincial Policy Statement (“PPS”) issued under *The Planning Act*. The PPS establishes the following land division policy for surplus dwelling severances on Agricultural lands:

“2.3.4 Lot Creation and Lot Adjustments

2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:

- c) *a residence surplus to a farming operation as a result of farm consolidation, provided that:*
 - 1. *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
 - 2. *the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.”*

The subject rezoning is intended to satisfy the condition that new residential dwellings are prohibited on the vacant retained farm parcel created by application B-11/16.

Official Plan Designation

The subject property is designated “Agricultural” on Schedule “A” of the former Sandwich South Official Plan (see Attachment 2). The policies encourage the conservation and preservation of land for agricultural purposes and agricultural related uses. The proposed rezoning ensures that the retained farm parcel is not used for residential uses or non-agricultural related purposes.

Zoning

The subject property is currently zoned Agricultural Zone (A) (see Attachment 3), which permits agricultural and agricultural related uses, including a single unit dwelling. In order to conform to subsection 2.3.4.1 c) of the Provincial Policy Statement, and to satisfy the previously noted condition of severance application B-11/16, it is necessary to place the consolidated retained farm parcel in a site specific Agricultural Zone that will allow the full range of agricultural uses but prohibit the construction of a residential dwelling.

Summary

The proposed zoning by-law amendment is in keeping with the Provincial Policy Statement and, if adopted, fulfills one of the conditions of consent for application B-09/16 regarding the prohibition of a new residential dwelling. A public meeting to consider the rezoning in accordance with the

requirements of the *Planning Act* will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and public agencies.

CONSULTATIONS

None.

FINANCIAL IMPLICATIONS

None.

LINK TO STRATEGIC PRIORITIES

No.	2015-16 Strategic Priorities	Applicable
1.	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.	✓
2.	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.	✓
3.	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.	
4.	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.	
5.	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.	

COMMUNICATIONS

Not applicable

Website Social Media News Release Local Newspaper

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



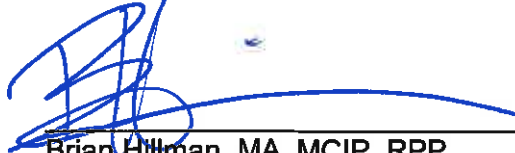
Enrico De Cecco, BA (Hons.), MCIP, RPP
Junior Planner

Reviewed by:



Chad Jeffery, MA, MCIP, RPP
Manager Planning

Reviewed by:



Brian Hillman, MA, MCIP, RPP
Director, Planning & Building Services

Recommended by:



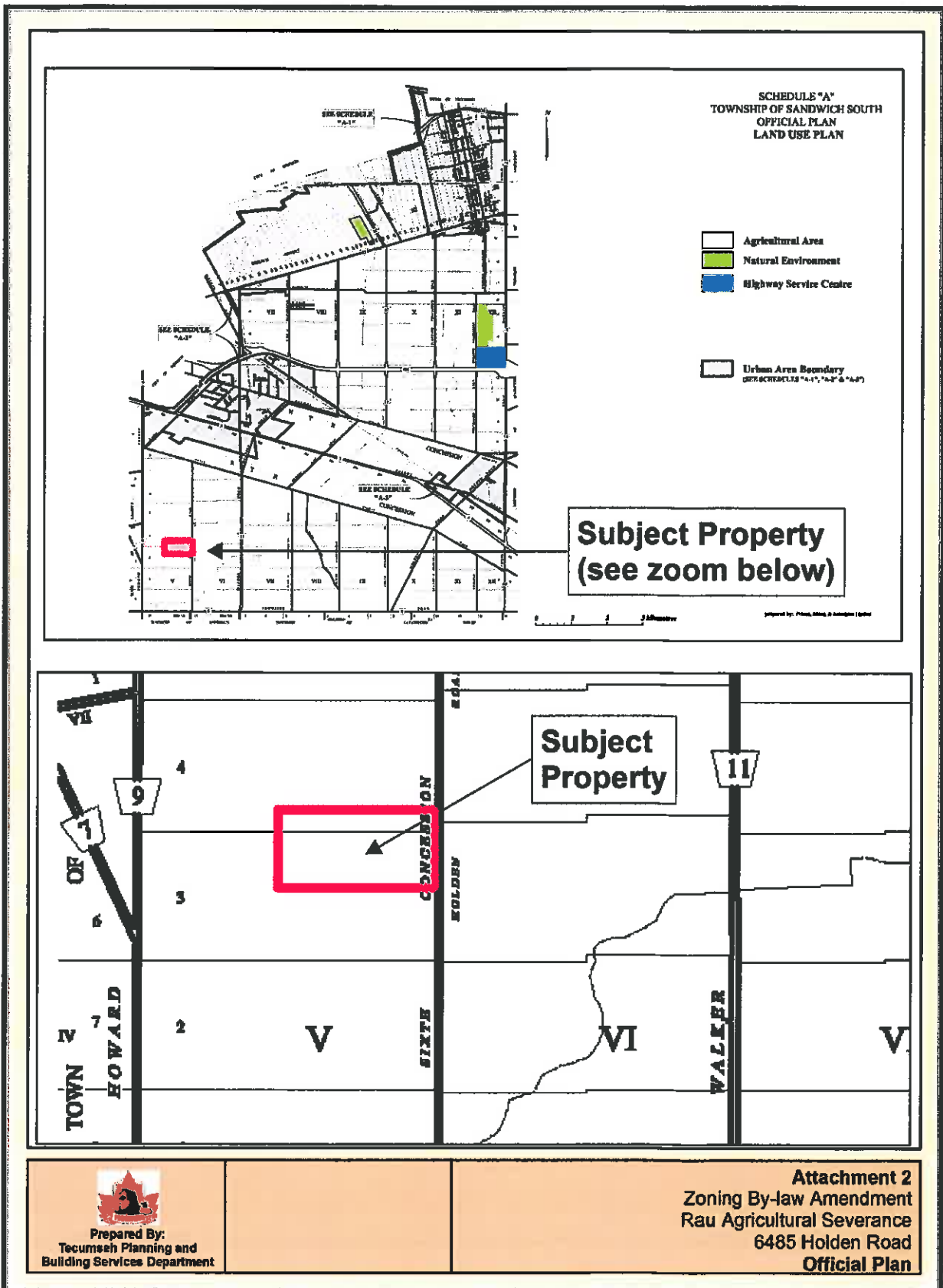
Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

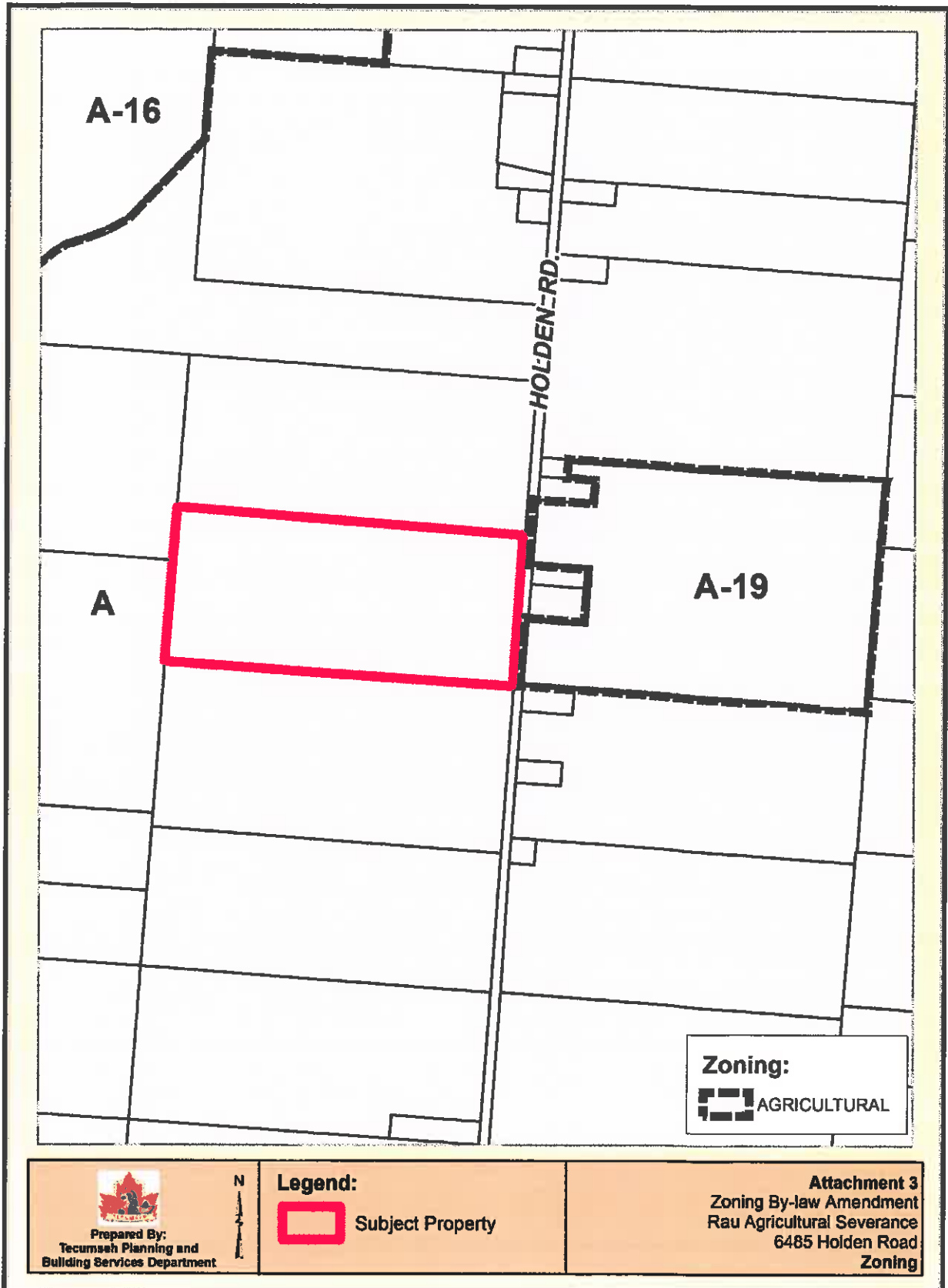
ED

- Attachment(s):
1. Location Map
 2. Official Plan Map
 3. Zoning Map

File Name (R:\ZBA & OPA APPLICATIONS\D19 RAU\Planning Report 36-16, D19 RAU, Rau Agricultural Severance ZBA.docx)









regs@erca.org
P.519.776.5209
F.519.776.8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

January 12, 2017

Ms. Laura Moy, Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, ON N8N 1W9

Dear Ms. Moy:

RE: Zoning By-Law Amendment 6485 HOLDEN RD
ARN 374445000003900; PIN: 013980328
Applicant: Matthew Rau

The following is provided for your information and consideration as a result of our review of the proposed Zoning By-Law Amendment. We understand that the purpose of this amendment is as a result of a provisional consent B-09-16 that granted the severance of a surplus dwelling from the retained farmlot parcel.

NATURAL HAZARD POLICIES OF THE PPS, 2014

The most western portion of the above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). This portion of the subject parcel falls within the regulated area of the Rupley Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration (specifically any works within the regulated drains such as the installation of a culvert or drainage outlet) or other activities affected by the regulations.

WATER RESOURCES MANAGEMENT

Our office has reviewed the proposal and has no concerns relating to stormwater management.

NATURAL HERITAGE POLICIES OF THE PPS, 2014

We acknowledge that this application will amend the zoning from Agricultural (A1) to a site specific "Agricultural Zone (A-27)" which will prohibit the construction of a residential dwelling unit on the subject lands. The successful approval of this zoning amendment is a satisfactory demonstration that no negative impact will result on the natural heritage feature located on the subject lands. **It is our opinion, that there are no outstanding natural heritage concerns associated with this application.**



Ms. Moy
January 12, 2017

FINAL RECOMMENDATION

We have no objections to this proposed zoning amendment.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA Watershed Planner, Michael Nelson by phone at (519) 776-5209 ext. 347 or by e-mail at mnelson@erca.org.

Thank you.

Sincerely,



Michael Nelson, *Watershed Planner*
/cor

