

Public Council Meeting AGENDA

Tuesday, July 26, 2016, 5:15 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 consider a proposed Official Plan and Zoning By-law amendments pursuant to the provisions of the *Planning Act, R.S.O.* 1990. An application has been filed with the Town of Tecumseh requesting that the St. Clair Beach Official Plan be amended by changing the land use designation which currently applies to a 1,000 square metre (10,764 square foot) property located on the east side of St. Mark's Road (116 St. Mark's Road), approximately 60 metres south of its intersection with Riverside Drive from "Single Family Residential" to "Commercial" with a site-specific policy area. The proposed site-specific land use policy would facilitate an addition to the existing Lakeview Montessori private school consisting of an auditorium/gymnasium.

5. DELEGATIONS

6. COMMUNICATIONS

a. Notice of Consideration, June 29, 2016

Re: OPA and ZBA, Lakeview Montessori School
b. Essex Region Conservation Authority, Michael Nelson, Watershed
Planner, July 18, 2016

Re: Application for Official Plan Amendment OPA, Zoning By-Law
Amendment ZBA 116 ST MARK'S RD
c. Sandra and Steven Crouse, Residents, July 18, 2016

Re: Expansion of Lakewood Montessori School on St. Mark's Road

 d. Manager, Planning, June 22, 2016, Report No. 11/16
 Official Plan Amendment and Zoning By-Law Amendment, Lakeview Montessori School, 116 St. Mark's Road

7. ADJOURNMENT



6

TOWN OF TECUMSEH NOTICE OF PUBLIC MEETING PROPOSED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday**, **July 26**th, **2016 at 5:15 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider proposed Official Plan and Zoning By-law amendments pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

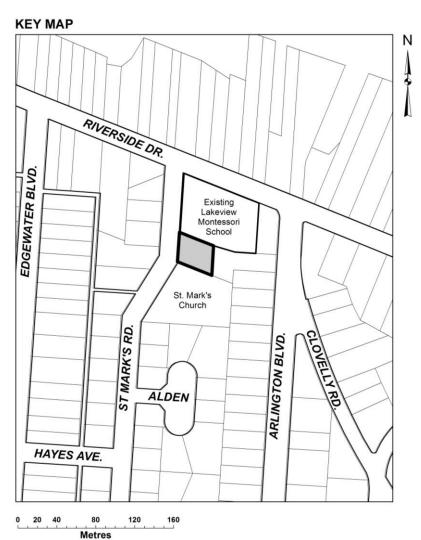
An application has been filed with the Town of Tecumseh requesting that the St. Clair Beach Official Plan be amended by changing the land use designation which currently applies to a 1,000 square metre (10,764 square foot) property located on the east side of St. Mark's Road (116 St. Mark's Road), approximately 60 metres south of its intersection with Riverside Drive (see Key Map below) from "Single Family Residential" to "Commercial" with a site-specific policy area. The proposed site-specific land use policy would facilitate an addition to the existing Lakeview Montessori private school consisting of an auditorium/gymnasium/special event facility. Private schools are specifically permitted within the "Commercial" designation and zoning that applies to the existing private school property. A Commercial designation is being proposed in order to maintain consistency with the balance of the school site's Commercial designation; however it is proposed that the permitted uses for the subject property be limited to only the proposed new auditorium/gymnasium/special event facility and associated on-site parking. A residential dwelling used as a church rectory associated with the St. Mark's By-The-Lake Church (which abuts to the south) previously occupied the subject property. The property was subsequently purchased by Lakewood Montessori private school and the dwelling was demolished in June of 2015. This former residential lot has now been consolidated with the balance of the school's land holdings (which front onto Riverside Drive).

A corresponding application has been filed with the Town of Tecumseh requesting that St. Clair Beach Zoning By-law 2065 be amended by rezoning the subject property from "Residential Type Two Zone (R2)" to a site-specific "General Commercial Zone (C1)". The proposed site-specific "General Commercial Zone (C1)" zone restricts the uses on the subject property to only an auditorium/gymnasium/special event facility associated with the existing school facility. No other commercial uses will be permitted. The zone will also establish a reduced minimum interior side yard width of 10 feet (rather than the typical requirement of 25 feet) for a portion of the property. In addition, the minimum interior side yard width provision pertaining to the existing Lakeview Montessori's site will be revised to facilitate the proposed expansion.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan amendment and/or 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 Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of the County of Essex (the Approval Authority) 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 is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Ontario Municipal Board.



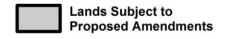
If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Official Plan amendment is adopted or the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing 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 adoption of the proposed Official Plan amendment, or of the refusal of a request to amend the Official Plan, 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.

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 29TH DAY OF JUNE, 2016.

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







360 Fairview Avenue West, Suite 311, Essex, ON, Canada, N8M IY6 | P519-776-5209 | F519-776-8688 | erca.org | ourgreenlegacy.org

Partner Municipalities

July 18, 2016

Town of Amherstburg

Town of Essex

Town of Kingsville

Town of Lakeshore

Town of Lasalle

Municipality of Learnington

Township of Pelee

Town of Tecumseh

City of Windsor

Ms. Laura Moy, Clerk

Town of Tecumseh 917 Lesperance Road

Tecumseh, ON N8N IW9

Dear Ms. Moy:

RE: Application for Official Plan Amendment OPA, Zoning By-Law Amendment

ZBA 116 ST MARK'S RD

ARN 374436000016100; PIN: 752670128

Applicant: Town of Tecumseh

The following is provided for your information and consideration as a result of our review of the Notice of Public Meeting to Consider an Application for a proposed Official Plan Amendment and Zoning By-Law Amendment. The purpose of the site-specific application is to provide for an addition to the existing Lakeview Montessori private school and to recognize the change in use from residential to commercial.

SECTION 28 CONSERVATION AUTHORITIES ACT

For the owner's information, we note that 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). The subject parcel falls within the regulated area of Lake St. Clair. 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 or other activities affected by the regulations.

WATER RESOURCES MANAGEMENT

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

FINAL RECOMMENDATION

Our office has no objection to the application for official plan amendment and zoning by-law 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.







Ms. Moy July 18, 2016

Thank you.

Sincerely,
Mile Nebra

Michael Nelson, Watershed Planner

/mn



127 St. Mark's Road, Tecumseh, ON N8N 2H3 July 18, 2016

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

Dear Council Members of the Town of Tecumseh,

I am writing this letter on behalf of my husband and myself concerning the proposed expansion of the Lakewood Montessori school on St. Mark's Road.

We are unable to attend the meeting scheduled for July 26, 2016 but would like our concerns read into the minutes at that meeting.

We live at 127 St. Mark's Road, directly across from the currently vacant lot.

We have great concerns because of the limited parking that is now available to that school. When functions have occurred over the past years the on-street parking has been an issue. We are worried that if a large special events facility is added the parking problem will become a more frequent burden on our neighbourhood. At present the school relies on the St. Mark's By the Lake Anglican Church parking lot. The teachers and staff park there on school days. Parents park there during morning drop-off and afternoon pick-up times. At these times that parking lot is often full and that lot contains approximately thirty spaces. These spaces are not guaranteed to be available to the school at all times and therefore we feel there should be an obligation on the part of the school to provide more than the approximately 8 additional parking spaces indicated on the proposed site plan. If the church hosts an event at the same time as the school, parking will be way beyond the problem it currently is for neighbours.

A second concern is the location and enclosing of the schools WDS bin and 7 large blue recycling bins. At present they are situated on the now vacant property

near St. Mark's Road for easy access by the WDS trucks. It took numerous complaints by many neighbours over a seven month period before those bins were enclosed. We do not want that eye sore on our street to occur again. It does not indicate on the proposal by the school where these will now be located.

St Mark's Road and the surrounding streets are a quiet, single family, residential neighbourhood. It is hoped that Lakewood Montessori School will review its present proposal to allow space for parking of staff and visitors on their own property and the hiding of garbage containers from public view.

Sincerely,

Sandra and Stephen Crouse



THE CORPORATION OF THE TOWN OF TECUMSEH

PLANNING AND BUILDING SERVICES DEPARTMENT Report No. 11/16

TO: Mayor and Members of Council

FROM: Chad Jeffery, MA, MCIP, RPP

Manager, Planning

DATE: June 22, 2016

DATE TO COUNCIL: June 28, 2016

SUBJECT: Official Plan Amendment and Zoning By-Law Amendment

Lakeview Montessori School

116 St. Mark's Road

OUR FILE: D19 LAKMON

RECOMMENDATIONS:

It is recommended that:

- The scheduling of a public meeting, to be held on Tuesday, July 26, 2016 at 5:15 p.m., in accordance with *The Planning Act* for the applications submitted by Lakeview Montessori School to amend the Village of St. Clair Beach Official Plan and Zoning By-law 2065 by redesignating and rezoning a 1,000 square metre (10,764 square foot) property located on the east side of St. Mark's Road (116 St. Mark's Road), approximately 60 metres south of its intersection with Riverside Drive, from:
 - i) the Official Plan land use designation of "Single Family Residential" to "Commercial" with a site-specific policy area; and
 - ii) the zoning of "Residential Type Two Zone (R2)" to a site-specific "General Commercial Zone (C1)"

to permit an auditorium/gymnasium/special event facility expansion to the existing Lakeview Montessori School, be authorized.

BACKGROUND:

The 1,000 square metre (10,764 square foot) subject property has a frontage of 30.48 metres (100 feet) and is located on the east side of St. Mark's Road, approximately 60 metres south of its intersection with Riverside Drive (116 St. Mark's Road) (see Attachment 1 for location).



Figure 1: View of subject property from St. Mark's Road, as of May 2015

A residential dwelling used as a church rectory associated with the St. Mark's By-The-Lake Church (which abuts to the south) previously occupied the property. The property was subsequently purchased by Lakewood Montessori School ("the applicant") and the dwelling was demolished in June of 2015. This former residential lot has now been consolidated with the balance of the applicant's land holdings (which front onto Riverside Drive).

The subject property is situated in the former Village of St. Clair Beach within a stable, low-density, residential neighbourhood. Abutting the subject property to the immediate north is the existing Lakeview Montessori private school, to the immediate east of which is an additional separate commercial property. Abutting the subject property to the immediate south is the St. Mark's By-The-Lake Church. The balance of the surrounding neighbourhood (along St. Mark's Road, Arlington Boulevard and Riverside Drive) is composed of single detached residential dwellings (see Attachment 2).

It should be noted that although the Lakeview Montessori private school functions as an institutional use, the lands which it occupies are designated and zoned commercially. Private schools are specifically permitted within the "Commercial" designation and zoning that applies to the existing private school property.

Over the past several months, the applicant has met with Town Administration to discuss a proposed new auditorium/gymnasium/special event facility expansion to the existing Lakeview Montessori School. The expansion is proposed to occur at the south-western portion of the existing school (which fronts onto St. Mark's Road) and extend onto the currently vacant former residential lot. The applicant has provided a preliminary site plan and architectural renderings of the proposed expansion (see Attachments 3, 3A and 3B). Based on the foregoing, the applicant has now filed applications with the Town to amend the St. Clair Beach Official Plan and Zoning By-law 2065 to permit the proposed expansion southerly onto the vacant lot.

Proposal Details

The applications filed with respect to the subject property are summarized as follows:

Application 1: Official Plan Amendment

The St. Clair Beach Official Plan is proposed to be amended by redesignating the subject property from "Single Family Residential" to "Commercial" with a site-specific policy area. A Commercial designation is being proposed in order to maintain consistency with the balance of the school site's Commercial designation; however it is proposed that the proposed expansion lands will be limited to permitting the proposed new auditorium/gymnasium/special event facility and associated on-site parking.

Application 2: Zoning By-law Amendment

The St. Clair Beach Zoning By-law 2065 is proposed to be amended to rezone the subject property from "Residential Type Two Zone (R2)" to a site-specific "General Commercial Zone (C1)" that will limit the permitted use to an auditorium/gymnasium/special event facility associated with the private school located to the immediate north. In addition, the minimum interior side yard width provision

pertaining to the existing Lakeview Montessori's site will be revised to facilitate to proposed expansion.

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 encourages and supports development on lands identified for urban growth in settlement areas. Relevant excerpts include:

- "1.1 <u>Managing and Directing Land Use to Achieve Efficient and Resilient Development</u> and Land Use Patterns
- 1.1.1 Healthy, liveable and safe communities are sustained by:
 - b) accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;
- "1.1.3 Settlement Areas
- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within settlement areas shall be based on:
 - b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated."

Intensification includes the development of a property at a higher density than currently exists through, among other things, the expansion or conversion of existing buildings. The proposal is looking to introduce an expansion to the existing school by way adding a new auditorium/gymnasium/special event facility and thereby providing a more diverse educational opportunity at this site.

Given that the PPS encourages and supports an appropriate mix of urban uses along with redevelopment on lands that are within settlement areas, these proposed amendments would be in keeping with the policy direction outlined in the PPS.

County of Essex Official Plan, 2014

The subject property is within a Secondary Settlement Area as identified in the County Official Plan. The County Official Plan encourages urban development within identified settlement areas.

The following goals and policies of the County Official Plan are of relevance in the assessment of the subject proposal:

"3.2.2 Goals

The following goals are established for those lands designated as Settlement Areas on Schedule "A1":

- a) Support and promote public and private re-investment in the Primary Settlement Areas.
- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.
- d) To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place."

It is the opinion of the writer that the proposed applications conform to the County of Essex Official Plan.

St. Clair Beach Official Plan

As noted previously, the subject property is located within the former St. Clair Beach settlement area and is currently designated "Single Family Residential" in the St. Clair Beach Official Plan (see Attachment 4). The current designation reflects the historical use of the property as a residential dwelling. The balance of the applicant's land holding (where the existing school is located) is designated "Commercial" in the St. Clair Beach Official Plan. This designation permits the existing private school, in addition to a wide range of other commercial/retail uses.

In order to permit the proposed expansion of the Lakeview Montessori School onto the subject property, an amendment to the Official Plan, changing the land use designation of the subject property to "Commercial" with a site-specific policy area is required. The site-specific designation will be similar to the balance of the existing school lands (in that the property will be in a commercial designation); however, the site-specific policy will establish that the only use permitted on the subject property would be the proposed auditorium/gymnasium/special event facility.

Subsection 8.13 of the Plan, Amendment Procedures, establishes that, when contemplating an amendment to the Official Plan, due regard shall be had to the following matters:

i) the physical suitability of the land to be used for the proposed use;

The subject property is currently vacant. The property is of a size that will accommodate the proposed expansion and associated parking requirements as established by the zoning by-law.

ii) the adequacy of municipal and utility services;

The subject property is currently serviced by a municipal water supply and municipal sanitary and stormwater sewers. Any new development on the property will be fully serviced.

iii) the adequacy of the road system to accommodate the projected traffic volume increases;

It is acknowledged that over the years there have been issues with traffic congestion and "illegal parking" along St. Mark's Road during the morning drop-off and the afternoon pick-up at the school. It is Administration's understanding that protocols and procedures have been introduced (i.e. staggered drop-off/pick-up times, staging in the parking lot north of the school) that have significantly reduced the adverse impacts to the user of the public road and the adjacent residents. The proposed expansion should not have any direct impact as it relates to the morning drop-off and the afternoon pick-up time periods. In fact, with the provision of some additional parking to the immediate south of the proposed building expansion, there may be some marginal improvement.

Having stated that, there will now be the potential for some impacts during special events at the school in the proposed new building (e.g. graduation). These events are typically irregular and infrequent, yet common to both public and private schools. There is an increase in parking pressure during these limited times, however the applicant has advised that Lakeview Montessori School has an informal agreement (by way of financial compensation) with the abutting church property that permits the school to use the church's parking area during these peak times. This arrangement does offer considerable mitigation when higher parking demands occur as a result of special school functions.

iv) the compatibility of the proposed use with existing and potential future uses in the surrounding area.

As noted earlier in this report, the subject property is situated in the former Village of St. Clair Beach within a stable, low density, residential neighbourhood. Abutting the subject property to the immediate north is the existing Lakeview Montessori private school, to the immediate east of which is an additional separate commercial property. Abutting the subject property to the immediate south is the St. Mark's By-The-Lake Church. The balance of the surrounding neighbourhood (along St. Mark's Road, Arlington Boulevard and Riverside Drive) is composed of single detached residential dwellings.

Although a significant addition is proposed that primarily adds a new component to the academic experience at the school (i.e. gymnasium), the external impacts to the neighbourhood should be negligible. The overall site will fundamentally continue **as** a school, granted with a larger "footprint". Accordingly, other than some building mass changes, the character of the surrounding area should remain relatively stable and the uses complimentary with one another.

It is noted, however, that the design and layout of the proposed building addition will have to take into consideration the proximity of the residential dwellings to the immediate east and west to ensure the uses remain compatible

Based on the foregoing, it is the opinion of the writer that the proposal warrants further consideration and in particular that public input be sought as part of the review of the proposed amendment to the St. Clair Beach Official Plan.

St. Clair Beach Zoning By-law 2065

As noted above, the subject property is currently zoned "Residential Type Two Zone (R2)" on Schedule "A", of St. Clair Beach Zoning By-law 2065 (see Attachment 5). The proposed zoning by-law amendment will place the lands into a site-specific "General Commercial Zone (C1)". The current school lands are zoned "General Commercial Zone (C1-3)", which permits the private school, along with various other commercial uses.

The site-specific "General Commercial Zone (C1)" proposed to apply to the subject property will restrict the uses on the subject property to only an auditorium/gymnasium/special event facility associated with the school facility. No other commercial uses will be permitted. In addition, the zone will establish a reduced minimum interior side yard width of 10 feet (rather than the typical requirement of 25 feet). As noted above, the current school's "General Commercial Zone (C1-3)" will be revised to also reflect the proposed reduced interior side yard width.

Given the policies of the PPS, County of Essex Official Plan and the St. Clair Beach Official Plan, the proposed rezoning, in the opinion of the writer, warrants further consideration and can be contemplated in conjunction with the associated Official Plan amendment application.

Site Plan Control

The subject property is subject to site plan control. If the Official Plan and Zoning By-law amendment applications were successfully approved and adopted, the applicant will need to enter into a site plan control agreement with the Town prior to any development taking place. This will enable the Town to use the site plan control process to adequately address all servicing and site design issues (including curbing and paving of access/parking areas, landscaping, lighting, stormwater management, etc.) prior to any new development occurring on site.

Building Services / Fire and Emergency Services

No concerns with the proposed applications have been identified by Building Services or Fire and Emergency Services.

Engineering / Municipal Services

No concerns with the proposed applications have been identified by Public Works and Environmental Services.

Conclusion

Lakeview Montessori has been operating at the corner of Riverside Drive and St. Mark's Road for a considerable period of time. In essence, it has become an established use at this site and is an integral part of the surrounding, primarily residential, neighbourhood. As is common with other schools, there have been periods where these uses have co-existed with some level of disruption, particularly as it relates to traffic impacts during the morning drop-off and afternoon pick-up. However, these periods, we understand, are becoming less of a common occurrence.

Having regard to all the matters discussed in the Report, it is the opinion of the writer, along with Town Administration, that this proposal warrants further consideration and input from the neighbouring residents. A public meeting to consider the proposed official plan and zoning by-law amendments, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. This will offer an opportunity to fully evaluate and have proper regard to the various issues identified through the public consultation process.

CONSULTATIONS:

The application was reviewed at recent Planning Staff Review meeting(s) by:

Public Works and Environmental Services

Fire and Emergency Services

FINANCIAL IMPLICATIONS

There are no financial implications.

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	\boxtimes	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:

Prepared by:

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

Junior Planner

Chad Jeff**ér**ý, MA, MC1P, RPP

Manager, Planning

Reviewed by:

Brian Hillman, MA, MCIP, RPP

Director, Planning and Building Services

Recommended by:

Tony Haddad, MSA, CMO, CPFA

Chief Administrative Officer

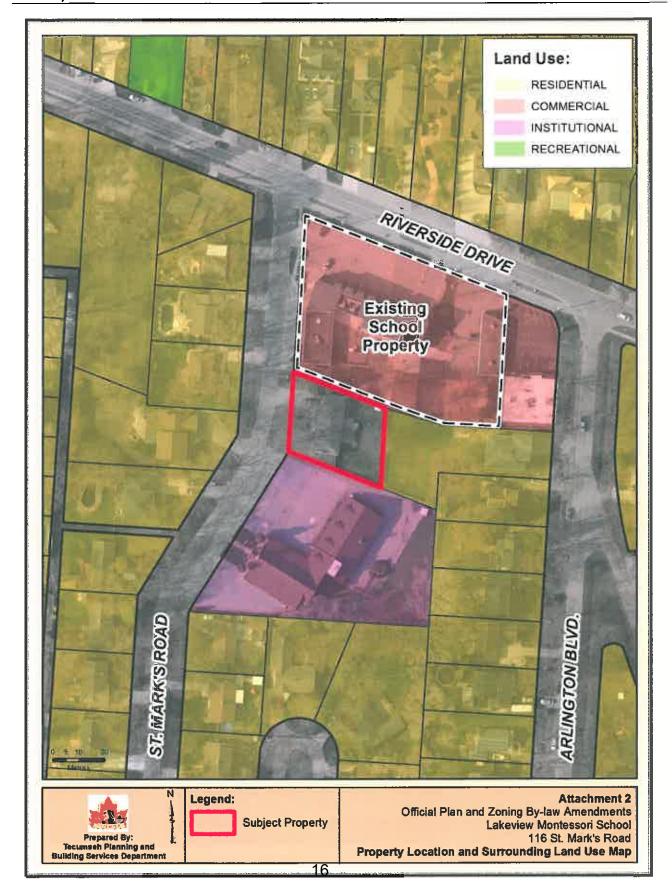
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Attachment(s):

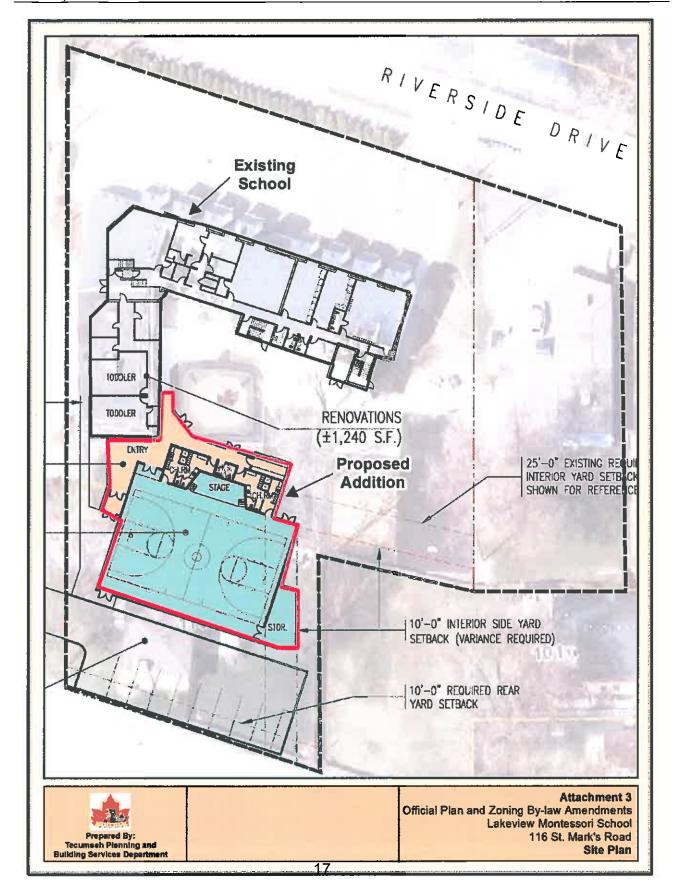
- 1. Subject Property Map
- 2. Property Location and Surrounding Land Use Map
- 3. Site Plan
- 3A. Architectural Rendering #1
- 3B. Architectural Rendering #2
- 4. Official Plan Map
- 5. Zoning Map

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OUR FILE: D19 LAKMON



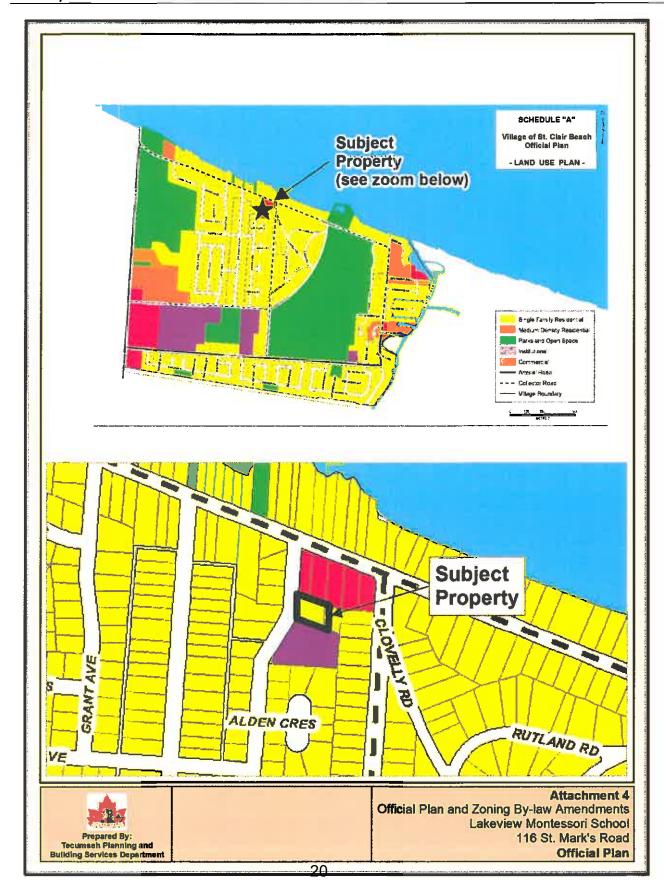
116 St. Mark's Road Architectural Rendering #1

116 St. Mark's Road OUR FILE: D19 LAKMON

> Prepared By: Tecumseh Planning and Building Services Department







Planning and Building Services Report 11/16
Official Plan Amendment and Zoning By-Law Amendment
Lakeview Montessori School

116 St. Mark's Road OUR FILE: D19 LAKMON

