

Attachment 2

Correspondence Received Through PIC Process

From: [judy.robson](#)
To: [Enrico De Cecco](#)
Cc: [Supporters for Building A Strong Healthy Community](#); [Tania Jobin](#); [Joe Bachetti](#)
Subject: 2020 Official Plan Recommendation and Discussion
Date: October 29, 2020 9:53:33 AM
Attachments: [2020 Official Plan Discussions & Recommendations.docx](#)

Good Morning Enrico.

I have gone through the 2020 Official Plan and I am sending to you those points that I would hope to address on Nov. 4th at 3:00 pm. There may be other points to address as well from our group participants.

Thank you,
Judy

New Official Plan Draft 2020-35

Points for Discussion and Recommendations

Key additional/changes

Section 1

- * ***Recommendation for Renaming of the Community in the North or the Municipality***
- * ***Recommendation for the change of Profiling the North Community as Residential and the South as Employment***
- * ***Recommendation for an explanation as to how the 2018 OMB Decision and how they are implementing it***

[35] The Board agrees with Mr. Storey that neither the Town nor Del Duca had appropriate regard for Policy 1.1.1(c) with respect to the proposed development. The Board questioned Mr. Zaghi as to his interpretation of “healthy, livable and safe communities” within the context of this and other policies using this language within the PPS. Mr. Zaghi’s interpretation was contextual and takes in to account the Town in its entirety, finding that in offering proper services, protecting natural heritage features, providing opportunities for shopping, living, working, and attending school, the Town satisfies the intent of this policy. **Mr. Hillman agreed that the interpretation of this policy should be for the Town as a whole. The Board cannot agree, in light of its earlier finding that the use of ‘community’ in the PPS is not synonymous with ‘municipality’, and that the community to be considered in this case is Oldcastle Hamlet, as** conceded by counsel for Del Duca and the Town.

...compact, mixed-use development that incorporates compatible employment uses **to support livable and resilient communities.** While the Board appreciates that the Town is working toward this objective on a Town-wide basis, **it is troubling that the Town has not considered this objective in the context of the Oldcastle Hamlet community. (2018 OMB Decision)**

Section 2

- * ***Recommendation for Maintaining a ten year residential supply in Oldcastle***
- * ***Recommendation for Protecting and promoting town centres and main streets by leaving the municipal owned lands designated as Institutional I for the purpose of creating an Oldcastle Community Hub and developing a sense of place and identity for the people in the Southern part of the Municipality.***
- * ***Recommendation for an Oldcastle Community Hub built on these lands - meeting rooms, Town Satellite Office, library, walking track, and gymnasium etc., Note: grant money for seniors programs utilized mostly in the North end.***

Section 3

***Discussion** Land use compatibility and human made hazard – example a cannabis Greenhouse in Oldcastle

Section 4

4.1 * greenhouse operations subject to a ZBA and meeting specified criteria

*** *Recommendation*** – time line for implementing a by-law
(Town of Kingsville Nuisance By-law as a possible model)

4.5 restrict offices, restaurants and other commercial type uses to Walker Rd. & North Talbot

***Discussion** – *Very problematic.*

***Discussion** *Policies applying to Expansion lands?*

4.7* **Recommendation** Promote an Oldcastle Community Hub built on Municipal owned lands - meeting rooms, Town Satellite Office, library, walking track, and gymnasium etc.,

Note: grant money for seniors programs utilized in the North end only due to no facilities in the South of the municipality to accommodate.

4.10 ***Discussion** *the Town will initiate the Oldcastle Special Planning Study- what does the Time line look like?*

Section 9

***Discussion** *Introduce policies related to complete streets, active transportation and public transit*

***Recommendation** – *Enter into discussion with the MTO for a safe pedestrian and multi use crossing at Highway 3 and the Oldcastle Road, in Oldcastle. The Walker Rd. & Hwy 3 intersection is not a safe crossing even with a light. It is one of the busiest intersections in the county with a high rate of accidents and fatalities.*

Section 10

***Discussion** Site Plan Control policies –all green houses or those used for cultivating cannabis?

Municipal Profiles

Section 1 Purpose and Basics of the Plan

1.4 v) direct all future **non-agriculture** development to locate within designated urban areas.

***Recommendation** to direct future intensive agriculture developments, such as the growing and cultivating of cannabis, mushroom farms to locate in the agriculture zone outside and a separation distance of the urban boundary.

x) Encourage the provision of a broad range of housing forms

***Recommendation** for the Town of Tecumseh to actively promote residential development in the community of Oldcastle as they have done in the other two communities of the municipality.

1.5.2

i) Tecumseh North Settlement Area;

The greater % of Tecumseh North is residential with a much smaller % for employment lands.

Tecumseh Hamlet Secondary Plan- continues the pattern of the greater % of land being for residential use. It may be the most densely populated area of the Town but I challenge the statement it is the most diversified when in proportion it lacks a substantial industrial component.

***Recommendation** to designate a greater % of land in the North Settlement Area for employment purposes to create a more balanced sustainable community and take pressure off the Oldcastle Settlement Area to provide all the employment lands.

ii) Oldcastle Hamlet Settlement Area

The greater % of Oldcastle Land use is employment lands. The expansion to Oldcastle of 57 hectares for employment lands was based on arguments including those that site the loss of industry to Windsor annexation and the construction of the Herb Grey. Noting that

Oldcastle has contributed more than their share of employment lands to the Municipality, (as stated in the OMB ruling of 2018),

*** *Recommendation for a clearer commitment to new housing development in the Municipal profile and to include community amenities in Oldcastle such as park, churches, convenient stores and multiple use bike path. This would indicate the Oldcastle Settlement as a desirable place for people and their families to live, encouraging new housing developments in Oldcastle.***

Several times, this report makes reference to the county's Official Plan under review.

****Recommendation to submit to the county, an amended profile of Oldcastle as well as having it reflect the OMB decision of 2018.***

1.5.3 ii) The population forecast of approximately 8,600 people by 2045 during this planning period for the Town was projected.

****Recommendation to include in the estimation, the possible migration of people toward the proposed new mega hospital and choosing Oldcastle as a preferred settlement to live.***

There will be a future demand for 4,377 housing units.

****Recommendation to include the % of this housing need that will be met in Oldcastle.***

1.5.4 Over the last three decades the town has been able to attract and maintain a healthy and diverse industrial sector.

****Recommendation to disclose % of the Town's industrial sector is in Oldcastle and therefore what % of the Town's Tax base is coming from Oldcastle.***

The Oldcastle expansion of 57 hectare is intended to meet the employment needs for the Town of Tecumseh over the 25 year planning horizon.

*** *Recommendation for lands in the North Settlement Area to contribute more employment land uses rather than relying on Oldcastle as the main supplier of land designated for this purpose. We agree with the OMB finding that Oldcastle has already provided more than it's' share of employment lands.***

1.5.5*Based on the Town's residential and non-residential growth forecasts, the Town has an adequate supply of land for future urban growth.

*** *Recommendation for sufficient land in Oldcastle is designated specifically for future residential growth.***

** **Recommendation that** while agreeing with the preservation of prime agricultural land, it would be advisable to acquire the North Half of lot 302 North of Talbot Road either through a land swap or boundary expansion request at this time.*

Section 2 Community Structure and Growth Management

2.1 Points and Clusters which include:

** **Recommendation to include***

** Weston Park/ Oldcastle Heritage Park*

** Tim Horton's*

** Emmanuel Baptist Church, Living Waters Assembly*

** Corner Commercial Nodes*

Lines which include

** Centennial Hub Trail*

** **Recommendation** 2.2 another main driver will be the Mega Hospital should be considered.*

** **Recommendation** for residential land use in the Oldcastle Hamlet refer to the **Recommended Oldcastle Land Use Map.***

2.3 vi) To promote and protect town centres and main streets as focal point

** **Recommendation to** create a focal civil point on the land owned by the Municipality on Hwy.3.*

Section 3 General Development Policies

3.2v) Site Suitability -adequate measures will be taken to alleviate or prevent and adverse effects that the proposed use may possibly have upon any existing or proposed adjacent use.

** **Recommendation to** make these measures more enforceable maybe through by-law, since it does not appear they had any power in alleviating or preventing the new development in Oldcastle of a Greenhouse for cultivating cannabis.*

3.3 * **Recommendation** for a minimum distance separation for cannabis growing facilities.

3.14.1 The Town will mitigate climate change by ii) promoting mixed use development to encourage active transportation.

* **Recommendation** to encourage new housing developments to include neighbourhood commercial in their plans of development, where possible, in order to stimulate active transportation in Oldcastle.

x) Addressing air quality impacts through land use compatibility.

* **Recommendation** to address through an impartial report the air quality impact on the settlement of Oldcastle by new first time industries such as the new cannabis greenhouse development.

3.18 Land Use Compatibility

vii) * **Recommendation that** the now existing Cannabis Greenhouse facility like other nonconforming developments be prohibited from further expansion to their operation as was initially presented and with the possibility of future closure the use for cultivating cannabis not permitted.

Section 4 Land Use Policies

4.1.2 **Agriculture** - v) Require an amendment to the Zoning By-Law and are subject to site plan control

* **Recommendation** (v) that a By-law be passed regulating cannabis greenhouse operations be addressed and passed immediately (using Kingsville and other Municipalities as examples).

4.2.1 **Residential** - * **Recommendation** When looking for adequate supply of residential building lots in the Town, the needs of each community should be considered and not the Town as a whole.

4.2.3 Special Residential Policies i) The Delduca Property c) iii) * Lands associated with the multi-use pathway included as part of the buffer strip.

* **Recommendation that** *this is not omitted from the site plan in-lieu of cash?*

4.3.1 General Commercial

ii) to ensure that suitable sites are available within the designated urban areas to accommodate a full range of commercial goods and services to meet the needs of the surrounding neighbourhoods, the community at large, and the travelling public.

* **Recommendation for a strip of land within the Oldcastle expansion along County Rd. 46** *be designated for Commercial.*

4.3.2 Policies

i) * **Recommendation** *the number of Gas Stations in Oldcastle should be regulated. Three already exist on Walker Rd. and one on Cty. Rd. 46*

* **Recommendation** *Previous Special Commercial designations such as an agriculture commercial should remain.*

4.4 Main Street Mixed Use

4.4.1 & 4.4.2 Goals & policies Oldcastle has very little lands reserved for General Commercial making it difficult to establish a Main Street. Our main Streets are Walker Rd., Hwy. #3 (Restricted) and North Talbot Rd. Walker Rd. if considered the Main Street does have Mixed Use.

* **Recommendation** *Rather than discourage and restrict mixed use the lands along Walker Rd. should continue in this pattern allowing for new developments that might serve the general public such as restaurant.*

Much attention is given to the renewal of the main street in Tecumseh Centre while little to none is given to Oldcastle.

* **Recommendation** *Walker Rd. from Hwy3 could take on more of the Characteristics of a Main Street considering there are existing churches and commercial establishments and fire hall as well as a community hub off of McCord Dr.*

4.5 Business Park

4.5.1 i) to provide suitable areas for a broad range of employment uses that include manufacturing, research and development, warehousing, construction and transportation characteristics and locational requirements: *In 2018 the OMB*

[59] Messrs. Zaghi and Hillman share the opinion that s. 3.2.4(i), subparagraph (i), directs employment uses to be the primary form of development in Oldcastle. **The Board agrees, and it is well-established through all of the planning evidence that this has already been achieved in Oldcastle.** Industrial and business park development is the largest land use category in the hamlet, representing 36% of existing development, with an additional 9% of designated industrial land that is vacant. In fact, the vacant land category may now be significantly larger given the addition of lands to the settlement area through the County OP, which are intended for business park/industrial use, though not yet designated.

Taking into account the board's statement that Oldcastle has provided the municipality with sufficient employment lands a change of perspective may be needed.

*** *Recommendation*** *The County OP concerning employment lands in Oldcastle is amended. Consider designating more land in the Northern portion of the Town of Tecumseh for employment uses.*

4.5.2 iii) the following additional uses are permitted as complementary uses which are intended to serve the industrial areas and the broader community and shall be permitted on properties adjacent to County Road 11 (Walker Road). North Talbot Road, County Road 46.

a) offices; b) restaurants, convenience retail stores, financial institutions c) automobile sales and service establishments, automobile service stations or gas bars:

Question* *What does this means since in section 4 this was restricted on Walker Rd. and North Talbot?*

iv) cannabis operations including the **growing, harvesting**, cleaning, packaging, and shipping of cannabis and any other uses related to cannabis production are also permitted in the Business Park designation but require an amendment to the Zoning By-law and are subject to site plan control. When an application for a by-law amendment to allow a cannabis operation is made, Council shall have due regard to the following:

** **Recommendation** The growing and cultivating of cannabis (green house) is not a permitted use in the business park. The growing of Cannabis regulated to the agriculture zone outside settlement boundaries and regulated.*

4.7 Community Facility

The Community Facility designation is shown on Schedules "B-1", "B-2" and "B-3" of this Plan.

** **Recommendation** The municipal owned land in Oldcastle designated for institutional use remains designated as Community Facility.*

iv) to encourage community facilities to be co-located in **community hubs** to promote cost effectiveness and facilitate service integration, access to transit and active transportation;

****Statement** The Town of Tecumseh inherited this land from the former Township of Sandwich South. In the past citizens have lobbied for community use of this land, (community centre, heritage park). Oldcastle does not have a community hub to integrate a variety of services for the public, (the Town Hall, a former school, was sold) Why take away land, suitably located for future community use badly needed in the Southern Area of The Township?*

4.7.2 Policies

The following policies shall apply to those lands designated Community Facility on the Land Use Schedules of this Plan:

- i) the permitted uses shall include schools, places of worship, **community centres**, cemeteries, private clubs, places of assembly, libraries, and other buildings and facilities used by the Town, the County and other levels of government;
- ii) wherever possible, schools should be considered and used as multi-purpose facilities, and should be available for use by the surrounding neighbourhood and broader community for leisure, recreational, educational, and other community sponsored events and activities;

** **Recommendation to** reserve this municipal land for a future community hub. To cultivate a community of people in Oldcastle, a community hub is desperately needed to coincide with future residential growth.*

4.8 Recreational

The Recreational designation is shown on Schedules "B-1", and "B-2" of this Plan. The Parks and Recreation Master Plan provides the community with a long range planning document that helps guide investment in the Town's parks, recreation, trails and sports system. The goals and policies of this Section reflect the recommendations of the Town's Parks and Recreation Master Plan.

4.8.1 Goals

The following goals are established for the Recreational area:

ii) to ensure that recreational uses are located in suitable locations so as to maximize their accessibility to area residents and minimize their conflicts with other uses;

** **Recommendation** to provide indoor recreational and civic space to implement programs for all in keeping with the evolving community needs.*

4.8.2 Policies

The following policies shall apply to those lands designated Recreational on the Land Use Schedules of this Plan:

i) **the permitted uses shall include indoor and outdoor, public and private recreational uses** such as parks, playgrounds, golf courses, arenas and clubs. Wherever possible, **recreational uses serving the community at large** should be part of a multiuse, larger, more visible and adaptable facility and/or site;

** **Recommendation** Since North Tecumseh is receiving an addition to their arena, consideration should be given to the fact that South Tecumseh has no indoor facility serving the community and a plan to remedy this should be made.*

v) the Town supports the reuse of abandoned railway rights-of-way for recreational uses, such as walking, cycling and other physical and leisure activities. The permitted uses within these corridor areas shall include public and private recreational uses. Existing major utility corridors as shown on Schedules "B-1" and "B-3" of this Plan should also be considered for these types of recreational uses;

** **Recommendation to** acquire the railway from Oldcastle to Maidstone Hamlet and connect the two parks. The abandoned railway, north of Weston Park, is centrally located and easily connected to other multi use trails.*

vii) The Town may request cash-in-lieu for all or part of any required land dedication

under the *Planning Act* under the following circumstances:

* **Recommendation that** *this be not applicable to the proposed buffer strip along the 8th concession bordering the Delduca Property?*

4.10 FUTURE DEVELOPMENT

* **Recommendation to** *create a balanced Oldcastle community.*

4.10.1 Goals

The following goals are established for the Future Development area:

- i) to provide suitable locations for additional residential, commercial, employment, recreational and institutional land uses in the Oldcastle and Tecumseh Hamlet settlement areas;
- ii) to ensure future urban land uses take place in an orderly manner, are appropriately integrated into the existing community and that they maintain and strengthen community identity; and
- iii) to ensure future urban land uses develop in an orderly fashion and are serviced with full municipal services.

(Furthermore, the Board finds that this provision of the PPS 1996 emphasizes the necessity to provide sufficient lands for all of the uses which comprise a community. Inherent in this concept is the idea of balance. There is to be a balance in the provision of lands for the various competing uses to ensure that a municipality can provide for all components of a healthy community. OMB 2018)

Recommendation **Up until 2018, The Town of Tecumseh's growth plan for Oldcastle was "Industrial Only." There seems to be reluctance by the Town to foster a sufficient residential component to create a balanced community. To date the driving force to create a sustainable community has come from the people. The Town should take the initiative to build the residential community with commitment as they did when acquiring lands for employment purposes.*

In 2014, 6 years ago, the Town requested from the Province, land for employment uses. The Sandwich South area has lost housing to industry, Windsor annexation and the building of the Herb Grey. A request for a boundary expansion for lot 302 North half, North of Hwy. 3 for residential use should be made. It has also been suggested the possibility of trading this

agricultural zoned land for residential land that is not being developed in the Hamlet of Maidstone.

i) b) the Town will initiate the “Oldcastle Hamlet Special Planning Study for Future Development Lands” and incorporate its findings and recommendations into this Plan by way of an amendment;

** **Recommendation** This study has now been delayed until 2021. Since the resolution by council for a Special Planning Study for Future Development Lands was issued, an intensive employment agriculture use on these lands has been permitted and a building permit issued. The use of these lands for employment purposes defeats the objective of creating a balanced Oldcastle with a larger residential component. A target date for completion of this Oldcastle Special report should be made.*

ii) it is the policy of this Plan that individual, privately initiated, site specific Official Plan amendments on lands designated Future Development will not be permitted, rather these lands will only be considered for redesignation as part of the Town’s planning studies and associated Town-initiated Official Plan amendments;

** **Recommendation that** the lands on the Oldcastle Road be designated for residential use under this Official Plan.*

Section 7 Urban Design Principles

7.3.2 The following guiding principles should be used to ensure the development of successful communities:

- i) foster attractive communities and a sense of place;**
- ii) create compact, accessible, mixed-use communities;**
- iii) provide a variety of housing types;**
- iv) provide access and visibility to open spaces;**
- v) encourage environmentally sustainable development;**
- vi) foster developments that are context appropriate;**
- vi) create a street network for active transportation and transit;**
- vii) integrate and highlight cultural heritage resources; and**
- viii) encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.**

* ***Recommendation that the Town promote these policies in Oldcastle.***

7.3.7 Several roads provide principal entrances to the Town for vehicular traffic including: Tecumseh Road, Old Tecumseh Road, Brighton Road, Riverside Drive, Lesperance Road, Manning Road, County Road 42, County Road 46, County Road 34, Highway 3, County Road 9, County Road 11 and Malden Road. **Each provides an important entry or “gateway” to the Town. Treatment of these roadways is therefore a high priority.**

* ***Recommendation that Highway 3 in Oldcastle an important gateway with cemeteries having park like setting creating a pleasing vista an ideal location for n impressive gateway to Oldcastle, Tecumseh and the county.***

7.3.7 Along individual corridors, the Town will develop an appropriate streetscape for the corridor through the implementation of public works, site plan control review, and through the effort of individual owners by providing such features as tree plantings, gardens, boulevards, public and private signage, and where feasible, underground utilities.

7.3.8 The Town will implement urban design policies through one or more of the following mechanisms:

- i) zoning, subdivision and site plan control review, urban design guidelines, a sign bylaw, guidelines for persons with disabilities, or any other relevant guideline adopted by Council;
- ii) the preparation and implementation of community improvement plans and programs, as budget permits;
- iii) the design, construction, and installation of public works or facilities;
- iv) undertaking the preparation of secondary plans or other planning exercises; and
- v) consultation with the private sector with respect to development applications.

* ***Recommendation for a community improvement plan be initiated on Walker Rd. North of Highway 3.***

Section 8 Municipal Services

8.2.1 Goal

The provision of safe, reliable and cost effective municipal water and sanitary sewer services is necessary to enable the Town to carry out critical, important and/or desirable functions related to the continued operation, maintenance, safety, security and well-being

Of the Town and its' residents. The objectives of this Plan related to municipal water and sanitary sewer services include:

Impact of a Cannabis Facility on Municipal Services in Oldcastle

Cannabis production facilities are generally significant water users as water is needed for irrigation of the plants, cleaning and disinfecting, processing activities where applicable, as well as domestic use for employees. Within the Hamlet of Oldcastle the area is serviced with a piped in water supply but not a piped in sewage removal sources. The cannabis facility has the potential to impact groundwater water and the water supply of the nearby residential cluster and future new developments. It is appropriate for the Town to consider impacts on groundwater and water supply as part of applications for Zoning By-law amendment and Site Plan Control.

Recommendation for water Impacts

- 1) In the absence of public sewer, it might be appropriate to include the requirement for a Private Servicing Report prepared by a Qualified Professional that includes information relating to septic systems, identifies water supply and potential impacts on the water table. Further, depending on the water supply proposed as Waste Management Report could also be required identifying the waste products produced and how they will be disposed of. The ability to request such a study should be included in Town's Official Plan as part of complete applications for Zoning By-law amendment and Site Plan Control. considered in light of recommended Official Plan policy respecting value-added agricultural uses in Agricultural areas which speak to not hindering surrounding agricultural operations and uses being appropriate to available rural services.*
- 2) Official Plan policies should include the requirement for, maintenance, monitoring and Contingency Plans to ensure that systems remain in good working order, water conservation practices are being adhered to, detect issues early and implement back up plans in the event of failure.*
- 3) It remains troubling that this new development for growing cannabis with high employment numbers was permitted within the Settlement Area without municipal sewage services. This may occur on agriculture lands outside settlement boundaries but not occur on lands reserved for hamlet development.*

Section 9 Transportation

It is the intent of this Plan to develop a multi-modal transportation system that is safe, efficient, economical, convenient and comfortable for all users. The policies of this Section reflect their commendations of the Town's Transportation Master Plan.

Recommendation for Oldcastle Transportation Objectives

- 1) A traffic study and report on the Walker Rd, North Talbot and 8th Concession for the purpose of developing a safe multi-modal transportation system for all users.*
- 2) The alignment of the Oldcastle Road with the 8th Concession or the construction of a roundabout.*

9.2 COMPLETE STREETS

The concept of "complete streets" encapsulates the notion that streets should be designed to safely accommodate the access, mobility and safety needs of motorists, transit users, bicyclists and pedestrians of all ages and abilities in the context of an efficient multi-modal transportation network. The Town is committed to the development of complete streets.

Recommendation for complete streets in Oldcastle

- 1) The construction of a Multi-use trail along the Oldcastle Road from Highway 3 to North Talbot and along North Talbot East to Weston Park to provide efficient movement of pedestrians of all ages and abilities and space for other street elements such as utilities and services, trees, landscaping and green infrastructure.*
- 2) The highest possible safe pedestrian crossing at Highway 3 and the Oldcastle Road.
(Note the proposed crossing at the intersection of Highway 3 and Walker Rd. is unsafe considering the number of accidents, high fatalities and high volume of vehicles.*

9.3 Road Classification System

A road classification system is the orderly grouping of roads into systems according to the type of service they provide to the public. When a road system is properly classified, the characteristics of each road are readily understood. Classification assists in establishing the geometric design features for each group of roads, consistent with the short and long term operational needs of that particular group.

Recommendation for Road Classification System in Oldcastle

Both the Oldcastle Road and the North Talbot Road East are classified as Local Roads according to schedule “E-2.”

Due to the High volume of traffic at certain times of day changing the classification of these roads might be considered.

- 1) North Talbot Road East classification changed from **local to Commercial Main Street** as is the classification on North Talbot West of the 8th Concession*
- 2) Oldcastle Road from **Local Road to possibly Collector Road**.*

Section 10 Implementation And Interpretation

The Town will prepare a new comprehensive Zoning By-law to zone lands in accordance with the policies and designations contained in this Plan.

Recommendation for implementing Zoning By-law

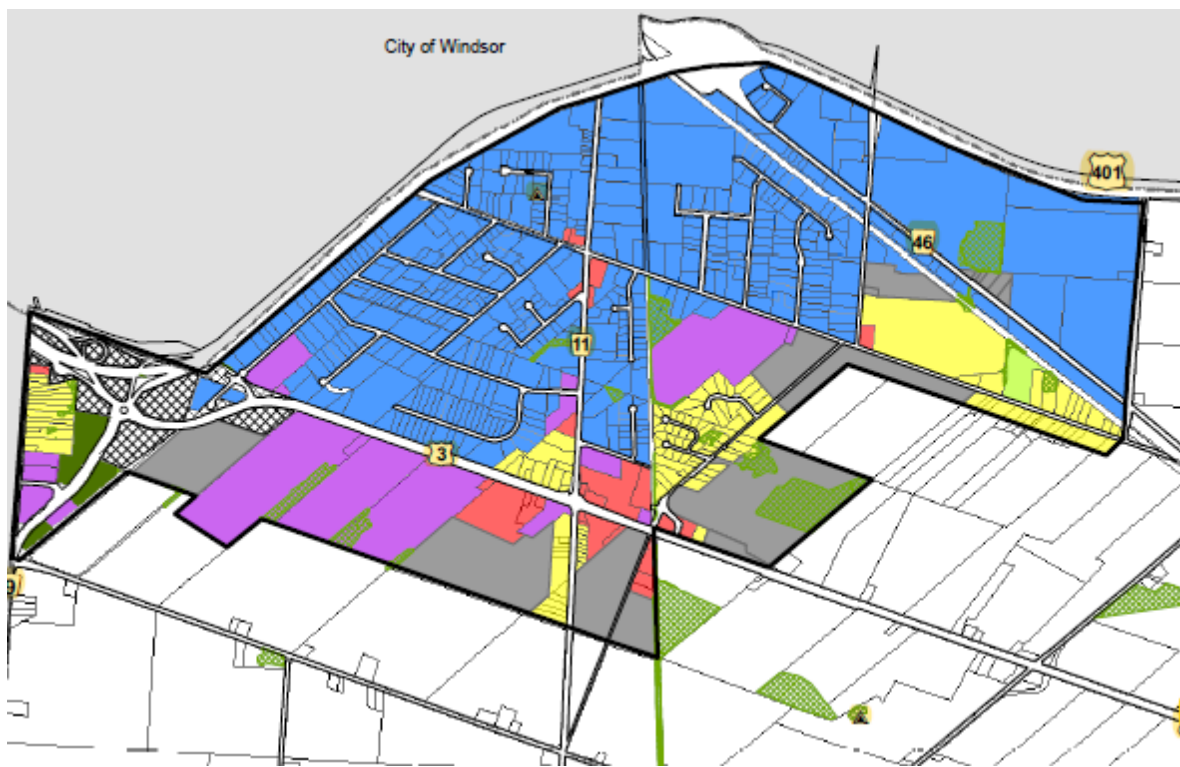
- 1) **10.2** The new comprehensive Zoning By-law be implemented within or before the three years to conform to the new official plan.*
- 2) **10.2** 2020 Zoning by-laws relating to cannabis in the official plan be implemented as soon as possible and no later than the 2021 year end.*
- 3) Amended the Development Charges By-law to require development charges for “cannabis production facilities.”*
- 4) **10.6** Council establish a Planning Committee in accordance with provisions of the Planning Act to make decisions on specific planning reports, studies, secondary plans and new development applications*
- 5) **10.8** Community improvement project areas be identified in the Oldcastle Settlement Area and appropriate strategies for their revitalization detailed by Council through the adoption of **community improvement plans. Example: The Walker Rd. Corridor.***
- 6) **10.8.5 vi)** Address the inadequate community services such as public indoor recreation, public open space, library, Town satellite office, daycare etc.*
- 7) **10.8.6 Within** the Community Improvement Area policies i) xi) need to be applied to the southern settlement areas.*

10.12 EXISTING LAND USES AND BUILDINGS

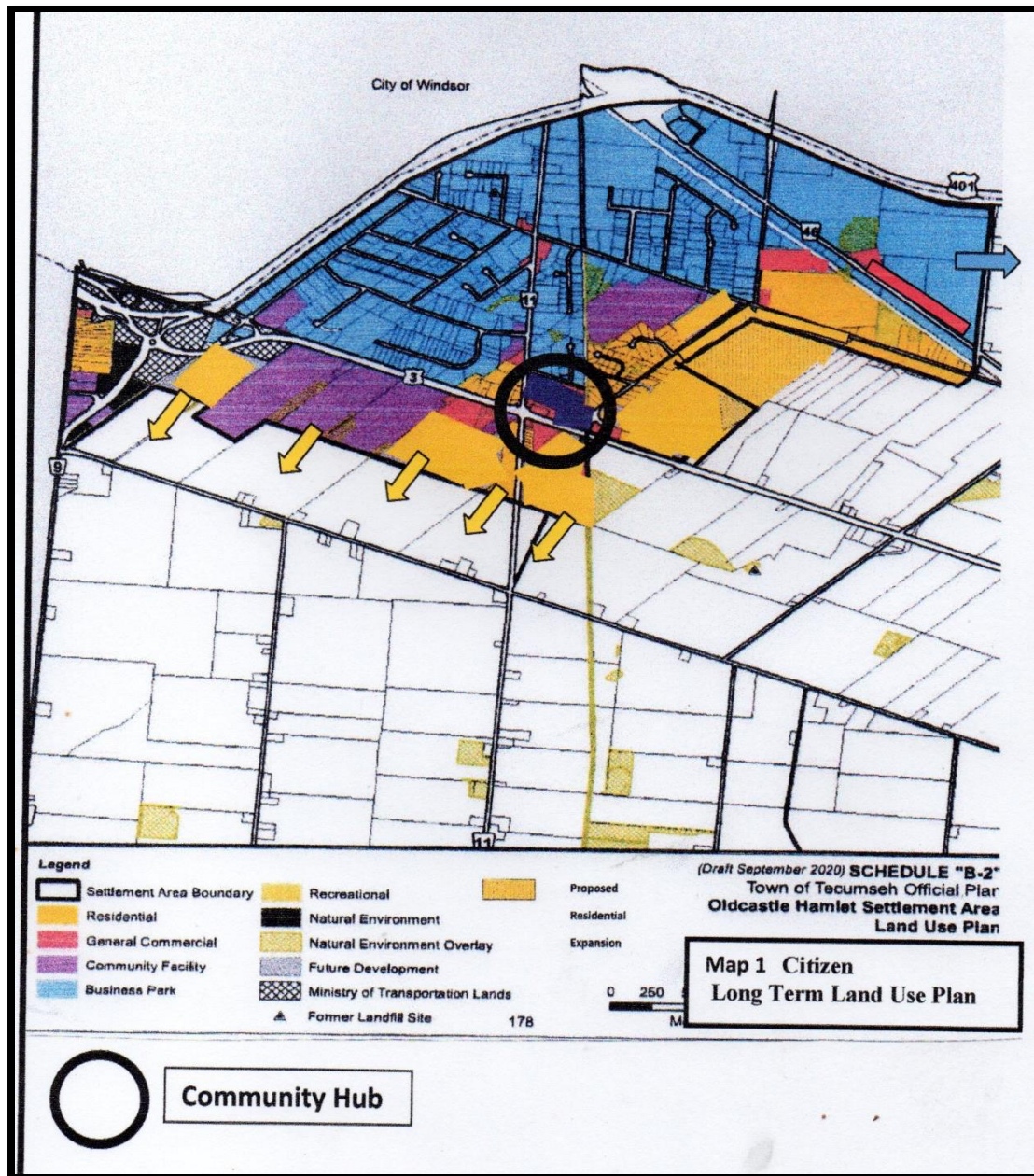
Recommendation for land uses not conforming to the Official Plan

The cannabis Facility granted on Lands for Hamlet Development inside the Settlement boundary did not comply with the Sandwich South Official Plan at the time of construction in 2020.

- 1) Since, the use to be permitted does interfere with the desirable development of neighbouring properties a special zoning by-law be implemented that does not allow expansion of this facility and the zoning amendment for agriculture lands inside settlement boundary be carried forward and applied.
- 2) 10.13 Non-Conforming Uses. The Greenhouse on Highway 3 be left as a non-conforming use in the Zoning By-law.
- 3) 10.23 Municipal Plan Review. The County Official Plan 3.2.4 i) be amended to more accurately describe Oldcastle and to bring it into conformity with the OMB ruling of 2018.



Schedule "B-2"
Town Of Tecumseh Official Plan
Oldcastle Hamlet Settlement Area
Land Use Plan



Recommendation for Land use Plan in Oldcastle

1. The Municipal owned land on Highway 3 and McCord remain as Community Facility designated for a **COMMUNITY HUB**
2. **General Commercial Land Use** along County Rd. 46 including up to Concession 9
3. **the N ½ of lot 302 bordered by the Oldcastle Rd. & North Talbot** become a boundary expansion for residential use
4. Any long term future expansion would see industry expanding North East along 401 and residential southward to South Talbot.

From: [judy.robson](#)
To: [Enrico De Cecco](#)
Subject: Additional Comments for new Official plan Draft
Date: November 6, 2020 9:47:32 AM
Attachments: [Additional Comments for New Official Plan 2020.docx](#)

Good Morning Enrico,

Our thanks to the entire planning department for accommodating our group with an extra time slot.

I have attached a few additional comments, concerns and recommendations that I feel we did not adequately address yesterday.

Thank you,
Judy



RE: Official Plan

Please find three more points our group wanted to make regarding the new official plan.

- 1.) The new official plan mentions the upcoming review of the Essex County Official Plan. We would like to request an amendment to 3.2.4 Primary Settlement Areas i) Oldcastle Hamlet (Town of Tecumseh)
- 2.)

Recommendations:

- a) *To more accurately define its historical beginnings, growth and development as has been done in the Tecumseh Official Plan. It should reflect our historical character as originally being an agriculture hub that has evolved into an important manufacturing centre due to its location on major transportation routes.*
- b) i) **“Oldcastle Hamlet shall be primarily developed with employment uses ...”** *should be amended to reflect more accurately the 2018 OMB decision.*

3.) 10.5 The Municipal Act, The Development Charges Act, The Community Benefits Charge

Recommendation:

To require development charges for a set minimum size greenhouses, to be based on industrial use rather than agricultural use

9.2 Complete Streets

viii) Improving the quality, safety and convenience of active transportation options within all communities ...

Recommendation:

... And giving priority to those streets without sidewalks and multiple use lanes such as the Oldcastle Rd.

4.) 9.3 Road Classification System

ii) a) **...Focus in the development of the multi-modal street network will be on crossing these corridors safely and efficiently;**

Recommendation

...priority will be given to a safe crossing of Highway 3 in Oldcastle.

Comment: The preferred crossing would be at the Oldcastle Rd.

- a) long term residential growth will be along the Oldcastle Road
- b) this is the preferred crossing of cyclists travelling the greenway
- c) The Walker Rd. and Highway 3 intersection is one of if not the busiest multi vehicle crossings in the county with a high accident and fatality rate.

From: [Cheryl Hardcastle](#)
To: [Brian Hillman](#); [Enrico De Cecco](#); [Chad Jeffery](#)
Cc: [pbarntnick@](#) [REDACTED]
Subject: Re: Solar panels
Date: November 6, 2020 2:38:05 PM
Attachments: [Solar USB charger!.png](#)

Sorry, the picture wasn't done downloading - this is a USB charger in Isreal.



On Nov 6, 2020, at 2:35 PM, Cheryl Hardcastle [REDACTED] wrote:

Happy Friday!

In our wonderful discussion yesterday I can't believe I skipped over this. I do realize there are other input opportunities but this is directly related to the discussion of land use and intensification:

Solar panels should not be allowed on undeveloped property. Maybe not an issue now that the FIT attraction has dried up. But there really good examples of employing solar panels - solar canopies on parking lots can add amenities that pay for themselves, like security lighting, pond pump, bus shelter, charging station... My point yesterday to include OP language that does not disqualify considering tradeoffs for land intensification (i.e. living/green roof) should have included mentioning this important lesson. Solar panels are great when they are used in clever ways.

From: [Jeff Bolichowski](#)
To: [Enrico De Cecco](#)
Cc: [Andrew Payne](#); [John Armstrong](#)
Subject: Info from Masonry Works
Date: November 6, 2020 11:08:40 AM
Attachments: [Masonry Works - Progressive Practices - May 2020 Consolidation.pdf](#)

Hello,

Thank you for taking the time to meet with my colleague John Armstrong concerning the OP! As discussed, please find attached Masonry Works's handbook of examples of progressive planning language from municipalities leading the way in design policy. We will also be working to develop a line-by-line series of recommendations for you as you proceed with the new Plan.



Jeff Bolichowski

[Redacted signature block]





**MASONRY
WORKS**

**BRICK
BLOCK
STONE**

PROGRESSIVE POLICIES IN BUILT FORM AND URBAN DESIGN

Policy Excerpts from Ontario Municipalities
Raising the Bar on the Built Environment



MASONRY WORKS

www.masonryworks.ca

This page intentionally
left blank

TABLE OF CONTENTS

Introduction	2
Legislative Authority	3
Unambiguous Policy Language	5
Design and the Provincial Policy Statement	6
Recommended Guidelines	7
Case Studies	
Guelph 2018	8
Burlington 2019	10
Whitby 2016-17	12
Cornwall 2016	14
Clarington 2016	16
Niagara-on-the-Lake 2016-17	18
Russell 2017-18	20



INTRODUCTION

How This Document Supports Progressive Planning Policies

Within the last 10 years, amendments to the Planning Act and the Provincial Policy Statement (PPS) have placed new legislative powers in the hands of municipalities that enable planners to exercise more control over the exterior built form of communities.

Municipalities across Ontario have taken different approaches to implementing Urban Design Guidelines and enabling Official Plan language into their design policies. Province-wide, Ontario is a patchwork of design policies at various levels of strength and force. While certain steps must be taken to enable the powers outlined by the Act and by the PPS, these steps have not been taken uniformly, and while some municipalities share occasional common practices, determining a best practice is difficult because language varies widely from planning department to planning department.

This document, provided by Masonry Works, provides a number of case studies in Urban Design policies intended to serve as examples of progressive language used across Ontario to inform plan-

ning decisions around the Urban Design function.

This is an evolving document and we encourage municipalities to propose progressive design policies and language in the establishment of strong rules for exterior form and urban design. By establishing a set of progressive Urban Design and built form language, the steps taken to build more enduring, more climate-resilient communities from the exterior cladding on out can become best practices for the Province of Ontario.

The current form of this document is an updated draft, intended for discussion purposes only. We invite your comments and additions to this briefing. As well, if we have included your municipality, we ask that you review this draft document for accuracy and reply with any clarifications or corrections as required.

We look forward to your responses, and to developing this document further as we share a fruitful relationship with Ontario's municipal experts in the realm of Urban Design.



LEGISLATIVE AUTHORITY

The Planning Act's Framework

In 2006, changes to the Planning Act allowed municipalities greater control over the exterior design of structures provided a proper legislative framework exists at the municipal level to enable these powers. These powers were retained and affirmed following the recent review of the Act by the Ford government.

Recent policy moves by the Province have placed emphasis on speeding the approval process for new development. Based on feedback received by the Province, one of the best ways to hasten this process is to ensure that Urban Design policies are clear and unambiguous. Ambiguity is a major cause of delay in the approval process. However, the Planning Act empowers setting clear design expectations for developers to follow.

Section 41 of the Act contains the following:

(4) No person shall undertake any development in an area designated under subsection (2) unless the council of the municipality or, where a referral has been made under subsection (12), the Municipal Board has approved one or both, as the council may determine, of the following:

1. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under clause (7) (a), including facilities designed to have regard for accessibility for persons with disabilities.

2. Drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display,

(a) the massing and conceptual design of the proposed building;

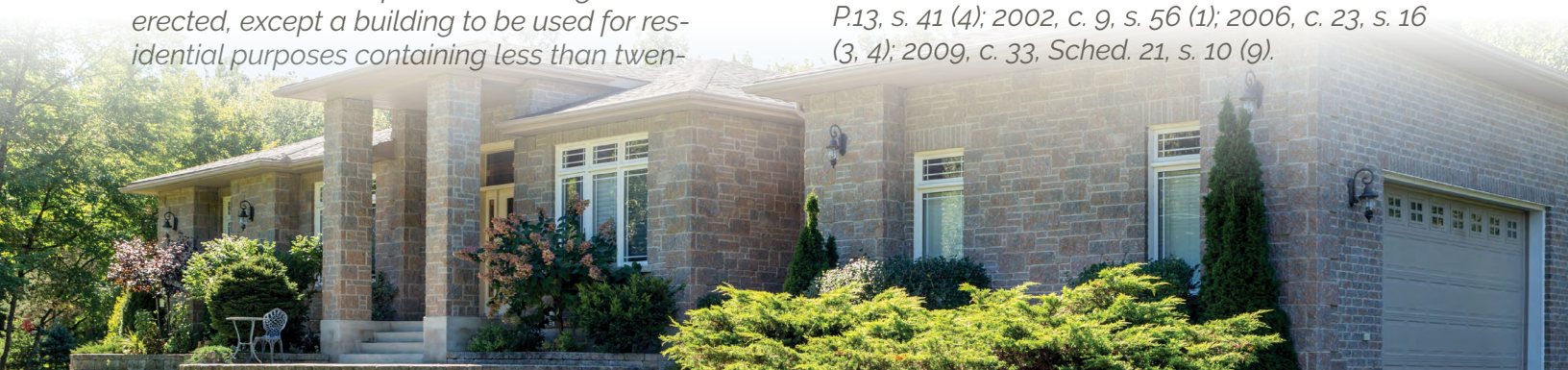
(b) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

(c) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

(d) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality;

(e) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, if an official plan and a by-law passed under subsection (2) that both contain provisions relating to such matters are in effect in the municipality; and

(f) facilities designed to have regard for accessibility for persons with disabilities. R.S.O. 1990, c. P.13, s. 41 (4); 2002, c. 9, s. 56 (1); 2006, c. 23, s. 16 (3, 4); 2009, c. 33, Sched. 21, s. 10 (9).



Exclusions from site plan control

(4.1) The following matters relating to buildings described in paragraph 2 of subsection (4) are not subject to site plan control:

- 1. Interior design.*
- 2. The layout of interior areas, excluding interior walkways, stairs, elevators and escalators referred to in subparagraph 2 (c) of subsection (4).*
- 3. The manner of construction and standards for construction. 2006, c. 23, s. 16 (5).*

Drawings for residential buildings

(5) Despite the exception provided in paragraph 2 of subsection (4), the council of the municipality may require the drawings mentioned therein for a building to be used for residential purposes containing less than twenty-five dwelling units if the proposed building is to be located in an area specifically designated in the official plan mentioned in subsection (2) as an area wherein such drawings may be required. R.S.O. 1990, c. P.13, s. 41 (5)

These changes, enacted in 2006, allow municipalities to approve or deny building applications based on a range of criteria, including approving or disallowing development based on "matters relating to exterior design." This includes the "character, scale, appearance and design features" of structures, "without limitation." The exterior cladding material is a design feature. Exterior cladding is a primary determinant of exterior design character and appearance and falls within the scope of the Act, giving the municipality a significant degree of new input over the exterior appearance of a structure.

As well, Subsection 5 grants municipalities the ability to require drawings for small residential dwellings, provided the Official Plan specifically designates an area "wherein such drawings may be required." Adding this enabling language to the Official Plan allows municipalities to set Urban Design Guidelines for built form for small residential.

Subsection 5 of the Act gives municipalities the authority to extend Site Plan Control to small residential dwellings provided a suitable by-law is in place.



UNAMBIGUOUS POLICY LANGUAGE

Speeding Up Development Approvals Through Specificity

In 2019, the Ford Government undertook a review of the Planning Act with an eye to speeding up development approvals, particularly focusing on affordable housing. This review ultimately set new timelines for approval processes, while retaining the existing power of municipalities to implement strong Design Guidelines through processes such as Site Plan and Architectural Control.

One of the issues emerging from this review was the subject of what causes delays in the approval process. According to a 2013 Bousfields-Altus study, the bulk of these delays (58.8%) are attributable to bureaucratic issues: Time lost circulating an application between city departments, slow response times and disagreements between different departments and agencies.

A key source of slowdown the report identified concerning design issues was that of ambiguity. Bousfields-Altus recommended the following:

In order to reduce subjectivity and provide additional clarity in the process, it is our opinion that official plan policies relating to exterior design should be directed towards achieving clearly expressed and specific design objectives as opposed to providing a general policy permission to review exterior design without any stated parameters or objectives. This would provide a clearer understanding for applicants of the expectations of the exterior design review process as well as providing additional predictability and objectivity in the process.

Consider the following two examples of design policies:

EXAMPLE A:

(The Town will) encourage, by all means possible, the aesthetic and physical improvement of the Downtown.

EXAMPLE B:

All buildings should be finished with prominently natural and durable materials such as stone and brick. Generally, replica materials such as pre-cast concrete panels made to look like stone or brick are not recommended within the first 3 storeys of a building within signature areas, i.e. along Gordon Street and within the older built-up area.

Example A - a policy from the Official Plan of a town in Southwestern Ontario - is open to interpretation and debate. What constitutes improved aesthetics? What must a developer do to satisfy this policy? Is there a bar that the Town expects to be met?

Example B - a policy from Guelph's guidelines for mid-rise and townhouse guidelines - is not open to interpretation. The primary building materials are brick and stone. Pre-cast replicas are discouraged. Developers know what they must do to meet the City's objectives.

Masonry Works recommends clear, specific and unambiguous design policies to help speed the approval process along.



DESIGN AND THE PROVINCIAL POLICY STATEMENT

How Good Design Aligns With Provincial Priorities

While the Provincial Policy Statement has received a number of updates, many of its principles have remained consistent. The PPS speaks not only to big-picture land-use planning issues, but to the importance of design as a lever to achieve sustainability, economic prosperity and climate resiliency.

According to the PPS, "Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety." Masonry can contribute strongly to these objectives.

The PPS includes the following guidance:

1.7.1. Long-term economic prosperity should be supported by:

d. maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

e. encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character;

j. promoting energy conservation and providing opportunities for increased energy supply;

k. minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature;

...

1.8.1. Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

f. promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure

Durable, well-designed exterior cladding materials, such as masonry, maintains a sense of place over the long term and positively contributes to a community's built form in all types of residential and commercial development. Much of Ontario's built heritage consists of masonry buildings, demonstrating its exceptional longevity and contribution to a community's enduring character.

The longevity of masonry buildings, too, allows for future consideration for adaptive re-use, adding a renewed dimension to a community's built form, as seen in many Ontario heritage buildings today.

The durability of masonry products ensures they can withstand the extreme wind, precipitation, cold and heat events associated with climate change.



RECOMMENDED GUIDELINES

Masonry Works's Positions for High-Quality Built Form

Our recommended policies for Urban Design are as follows:

The entire municipality shall be subject to site plan control with the exception of agricultural development.

Building materials should be chosen for their functional and aesthetic quality, sustainability, ease of maintenance, long-term durability, and match with the cultural heritage of the overall community.

Street-facing facades should be of the highest design quality. Materials used for the front facade should be carried around the building where any facades are exposed to the neighbouring/public view at the side or rear.

Facing materials consisting of high quality, natural materials, particularly masonry, should be used wherever possible. Side and rear facades should have a design and materials standard equal to the front facade treatment.

Use the same detail and design consideration on all sides of the building. Materials should turn corners to extend beyond the facade.

Site designs that conserve energy will be encouraged. Energy conservation will be addressed at the development application stage and during the preparation of building and site designs. Buildings

should be designed, oriented, constructed and landscaped to minimize interior heat loss and to capture and retain solar heat energy in the winter and to minimize solar heat penetration in the summer. The use of natural materials, particularly masonry, in the construction of buildings is strongly encouraged both as structural elements due to their thermal mass properties and as exterior facing for buildings due to their environmental sustainability.

Use brick and stone as the primary cladding materials. Other materials, such as stucco, wood, metal, decorative concrete or glass may be considered based on design merit and when used in combination with the primary materials.

Implementation Options:

Specify the use of Site Plan Control for all residential dwellings under 25 units. (Ideal for infill development)

Require that all new Plans of Subdivision include a Control Architect and supplemental Architectural Control Guidelines, including brick and stone masonry as primary building materials. (Ideal for subdivisions)

Implement Urban Design Guidelines for new development within all new Community Improvement Plans. (Ideal for downtown neighbourhoods and areas of special interest)



GUELPH 2018

A Model for Urban Design Standards

POLICIES IN BRIEF:

- Policies express a set of clear design expectations for developers and staff
- Clear statements of what constitutes appropriate building materials for mid-rise and townhouse development in greenfields
- Clear guidance on the treatment of side and rear facades, and an expectation of architectural treatment similar to the front facade
- Strong commitment to a high quality of architectural design



In 2018, Guelph developed a new series of Urban Design Guidelines for Midrise and Townhouse buildings.

Part of the philosophy informing Guelph's mid-rise standards is an interest in setting "clear design expectations." The guidelines are aimed at setting clear, easy-to-understand rules for city staff, developers and the general public. This dovetails with input received by the Provincial Government through 2019, in which developers noted that ambiguity is a major slowdown in the development process.

Guelph considers it essential for an Urban Design Brief to be submitted, demonstrating compliance with their built form standards. These standards address both infill and greenfield development. Developers must justify their deviations from the City's built form standards, and those deviations may be accepted or rejected at the discretion of City staff.

Beyond providing guidance for matters such as siting, massing, landscaping and parking, the design manual goes into detail about what the City expects for built form. In particular, it says the following for mid-rise design policy:

1. A range of materials for façade design are encouraged to promote visual diversity in texture and colour, reflecting varied built form materials used within Guelph, including brick and stone.

...

4. All buildings should be finished with promi-

nently natural and durable materials such as stone and brick. Generally, replica materials such as pre-cast concrete panels made to look like stone or brick are not recommended within the first 3 storeys of a building within signature areas, i.e. along Gordon Street and within the older built-up area.

5. Primary building elevations (those that interact with a main street frontage) should feature a high-quality of design, and may include canopy structures and arcades.

6. Secondary building elevations (those that do not face a public street) should complement the primary building façade through a similar level of design.

This is an example of what Masonry Works considers a best practice. The language lays out for developers that there are primary building materials expected on all faces of the structure, without dictating architectural style or specific massing. In this way, a balance is struck between clarity and creativity: The designer can still exercise creative vision, provided that vision is congruent with the Municipality's broader view on the character of the neighbourhood and of high-quality built form.

Guelph carries this language over into their treatment of design standards for townhouses. For this type of dwelling, the City makes a point of noting not only which materials are preferred, but which are discouraged.

1. A range of high-quality materials for façade design are encouraged to promote visual diversity in texture and colour, reflecting varied built form materials used within Guelph, including brick and stone. The use of large areas of vinyl and EIFS are strongly discouraged.

By singling out EIFS and vinyl siding and discouraging their use, Guelph identifies materials which it deems to be unsuitable for building frontage. These materials age and deteriorate quickly and require maintenance more quickly than other building materials.

The plan goes on to encourage architectural variation within development blocks "to reduce sameness in design." Again, this illustrates how to walk the line between architectural creativity and a material vision for the character of a community. The guidelines effectively illustrate how Guelph sees the built character while still leaving developers and homebuilders a free hand to create unique touches through architectural styles, articulation and other issues.

Here, as with mid-rise dwellings, Guelph continues its focus on ensuring equal treatment for all facades of a given structure.

5. Primary building elevations (those that contain the principal building entrance) should feature a high level of façade articulation.

6. Secondary building elevations (those that do not feature the principal building entrance) should complement the primary building façade through a similar level of design.

7. Townhouses located on corner sites should be designed to have 2 primary facades with an equal level of articulation on each street oriented façade.

The plan document provides a few other considerations for Guelph. They include provision for requiring Urban Design Briefs which show a contextual plan, illustrating how a proposed development fits into a given neighbourhood.

The manual also recommends Guelph consider implementing city-wide Urban Design Awards, recognizing successful mid-rise and townhouse development within the community.

Overall, these guidelines are an example of what municipalities can do within the bounds of the Planning Act, and they are supported by policies from the Official Plan.

Guelph fully cites Section 41 of the Planning Act in the Site Plan Control section of its Official Plan, as well as explicitly citing their intention to use it to ensure that Urban Design Guidelines are applied. The plan empowers council to establish aesthetic design guidelines and explicitly gives them the option to ask for drawings for low-density residential dwellings. Guelph also requires Plans of Subdivision to be consistent with the design standards and notes that subdivision agreements will be used to maintain "acceptable standards of development."

Strong Urban Design Guidelines along these lines are functional when paired with Official Plan language empowering their use, through Section 41 of the Act. Guelph succeeds on both of those fronts. It is, in effect, a model for how to do built form design standards well.

BURLINGTON 2019

Strong Focus on Mid-Rise Development

POLICIES IN BRIEF:

- Focus on built form for higher densities
- Clear articulation of both preferred building materials and materials discouraged due to their poor maintenance qualities
- Preference for a mix of glazing and higher-mass materials to create a transition of mid-rises and tall buildings
- Preference for materials that age well



Burlington approved a series of guidelines for Mid-Rise Buildings in 2019. These guidelines continue Burlington's strong approach to Urban Design, laying out standards for mid-rise development in the City.

Burlington's new guidelines apply city-wide, wherever mid-rise building forms are permitted by the Official Plan. The City states that the guidelines are intended to provide guidance to developers and architects in the design of such buildings, noting that City staff will use them as a tool for reviewing and evaluating development applications. They will also be used for City-initiated projects.

Aside from covering massing and transitions, these guidelines speak to the expected materiality of mid-rise buildings. They divide such structures up and address materiality separately for the podium and for the tower section of the building.

1) The lower building should be constructed with the highest quality of architectural design and materials.

...

4) Materials should reflect their intended use and complement the established physical character of the streetscape where appropriate. Do not use materials that mimic other materials (e.g. stucco made to look like stone) or which deteriorate quickly. The use of EIFS and stucco is strongly discouraged.

5) The use of 'heavy' materials such as brick, stone, and metal should be used within the lower building to anchor the building. Other natural and sustainable materials such as wood is strongly encouraged.

6) Façade design should use architectural elements as well as materials to define unique components within the building and to create vertical and horizontal articulation.

7) In general, use quality materials that are long lasting, can be easily maintained, and wear well with age. Whenever possible, source local and/or recycled materials with a low embodied energy.

This policy language is abundant with strong, progressive language.

Not only does Burlington tell developers explicitly what language should be used for the lower levels of a mid-rise structure, they are also very clear about what materials should not be used - namely, materials which deteriorate quickly. This reflects the experiences of some municipalities with lower qualities of materials, which, when not properly maintained, can degrade both property values and the character of a given neighbourhood or district.

Burlington's guidelines consider the tower separately from the podium of the building, recognizing the need for different building materials and styles there. The City lays out the following policies:

1) The upper building should be constructed with the highest quality of architectural design and materials and complement the lower building façades.

2) In general, lighter materials such as glass are encouraged in the design of the upper storeys to minimize perceived mass. Heavier materials such as metal, brick, or stone may be used to define unique components within the building elevations and to create vertical and horizontal articulation (Fig 3.3).

Not only do these policies visually distinguish the podium from the tower, they strike a balance between the use of glazing and the use of heavier materials such as masonry to characterize the upper half of the structure.

This approach is congruent with good practices not only in terms of character and form, but energy management. It has been shown that the use of extensive glazing in taller buildings can significantly increase energy consumption. A study of high-rise towers found that energy savings of 15% can be achieved by changing the window-to-wall configuration to include a combination of masonry and glazing. These savings are approximately 10% for office towers. This principle can be easily carried over to mid-rise structures, and Burlington's guidelines demonstrate a model example of how this can be achieved.

Burlington does not only use these policies for mid-rise buildings. They recur in the City's guidelines for tall buildings, as well.

WHITBY 2016-17

Above and Beyond the Planning Act

POLICIES IN BRIEF:

- West Whitby Secondary Plan: Strong, decisive language regarding building materials carried around the structure for low-rise and mid-rise buildings
- New OP empowers the Municipality to force developers to exceed the Planning Act
- Developers may be required to fund their own block plans and design standards
- Commitment to developing a city-wide Urban Design Manual

Whitby approved a new Official Plan in late 2016 and early 2017.

Broadly, Whitby is an advanced user of tools such as Architectural Control. The Municipality has also committed in the new Plan to developing a city-wide Urban Design Manual. However, existing planning tools in place within Whitby's body of planning policy are strong and noteworthy, particularly the use of Secondary Plans to delineate appropriate building materials - and their appropriate use - for certain types of dwellings.

One of the strengths of Whitby's planning policies is in the Secondary Planning area. In particular, the West Whitby Secondary Plan demonstrates strong language regarding the standard expected for exterior building materials.

The predominant wall cladding material throughout West Whitby will be masonry (brick and stone). Other materials may be permitted, in consultation with the Control Architect and the Town, based upon suitability, quality and durability.

The use of vinyl siding as a main cladding material is generally discouraged within the community due to its tendency to require a higher degree of homeowner maintenance.

The use of accent materials such as stone, stucco, precast, cement-fibre siding, vinyl siding, prefinished shakes/shingles or prefinished panelling is encouraged where consistent with

the architectural style of the dwelling. Its use should be complementary to the primary cladding materials.

Where stucco is proposed as a main wall material it shall be used in conjunction with a masonry base.

Main wall cladding material should be consistent on all elevations of the dwelling; no false fronting is permitted (i.e. brick on front elevation with siding on rear elevations). Exceptions to this may be permitted where an upgraded stone façade, stucco façade or stone plinth is incorporated into the design and the side and rear walls have brick. These features should return along the side walls a minimum of 1200mm from the front of the dwelling or to a logical stopping point such as an opening, downspout or change in plane.

These guidelines also note that, while building materials should be carried around to all elevations of the dwelling unit, they may be "simplified" on faces of the building not exposed to public view.

For mid-rises and high-rises, the guidelines also provide some guidance as to the use of appropriate building materials, noting that "wall cladding materials may include brick, stone, glass, curtain wall or metal panels" and encouraging the use of "other accent materials" so long as they suit the primary building material. For these buildings, the main wall cladding material should be carried around the building.

Also notable is this requirement:

Development to be resilient to climate change and weather related events;

A step new to Whitby's Draft OP is the requirement for developers to undertake Area-Specific or Corridor Studies, which may speak to matters of urban design.

10.1.5.1. The Municipality may prepare, or require the preparation of, at the expense of the proponent, area specific studies or corridor studies for the purposes of providing land use or urban design plans and policies to guide new development and redevelopment in a coordinated and comprehensive manner.

...

10.1.5.2. Area specific studies or corridor studies may be implemented through amendments to the Official Plan and/or Zoning By-law, subdivision approval or site plan approval processes, or the adoption of urban design guidelines and/or concepts/plans.

This is a powerful piece of policy which gives Whitby the power to demand that the developer conduct certain studies before development of an area or corridor goes forward, including those related to Urban Design Guidelines. This can be used to implement Architectural Control.

Whitby also gives itself powerful tools to demand that developers exceed the standards of the Planning Act before approval is ever granted for a project.

10.1.14.2. The Municipality requires that applicants for Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, Plans of Condominium, and Site Plans, provide certain information or material that the Municipality considers it may need, or as required by the Region of Durham or other relevant agencies, in addition to the Planning Act Requirements.

10.1.14.3. Information or material that may be required, or determined by the Municipality in consultation with other government agencies and following consultation with the applicant in order to deem a development application complete may include, but is not limited to, the following:

...

Design Considerations: Site Plan; Building Elevations; Landscape Plans/Analysis; Open Space and Parks Plan; Urban Design Study; Urban Design Plan; Comprehensive Block Plan; Sun/Shadow Study; Lighting Plan; Wind Study; Refuse/Recyclable Storage and Pick-up Plan; View/Vista Study, Bird Mitigation Study.

...

10.1.14.5 All required reports and technical studies shall be prepared by qualified professional consultants retained by and at the expense of the proponent and in accordance with any applicable Terms of Reference or specifications by the Municipality, Durham Region or other public agency. The Municipality will review all reports and studies and may also require a peer review by an appropriate public agency or by a qualified professional consultant retained by the Municipality at the proponent's expense.

These guidelines put the onus on the developer to ensure a high standard of Urban Design even before the development starts. With an Urban Design Manual in place across the municipality, Whitby will have a powerful toolbox at its disposal to ensure developers not only meet a minimum standard, but build on that standard with specific studies like Comprehensive Block Plans and Urban Design Plans before a brick is ever laid.

CORNWALL 2016

Bold Statements of Principle

POLICIES IN BRIEF:

- Multiple references to building materials carried around the building included within the Official Plan
- Strong statements of principles for Urban Design in new section on design policy, many of them establishing a strong preference for specific building materials
- Commitment to the use of Site Plan Control for design matters concerning residential dwellings
- Statement of principle emphasizing energy-efficient building materials not only for exterior cladding, but as structural elements capable of temperature regulation – sustainability and other factors emphasized



Cornwall is currently – as of Summer 2016 – in the process of updating its Official Plan. A draft Official Plan was issued in January 2016, containing strengthened language around Urban Design and exterior form which is broadly in line with best practices and represents some of the most robust language in Official Plans seen in Ontario.

Many municipalities choose to sublet out discussion of appropriate exterior cladding materials into standalone Urban Design Guidelines. While this is good practice and widely followed in Ontario, Cornwall takes a step further by establishing strong statements of principle emphasizing both appropriate building materials and the best means to deploy them, ensconcing this language within the Official Plan document itself. This approach leaves no doubt as to the intentions of City planners and ensures that the City will have greater policy leverage in enforcing Urban Design standards.

One of the new additions in Cornwall's Draft OP is a new Section 9, focused on Urban Design. Among their statements of principles is the principal wish to "Establish Built Form and Architecture that is compatible with existing conditions." As section 9.2.3 of the plan, it reads as follows:

It becomes important for a city like Cornwall, with a rich history and culture, to ensure that any development, redevelopment and intensification are responsive to the existing conditions.

New and renewed/repurposed built form should be context sensitive to ensure that the City of Cornwall retains its unique sense of place. For example, building materials should be chosen for their functional and aesthetic quality, sustainability, ease of maintenance, long-term durability, and match with the cultural heritage of the overall community. Such is the case with the use of brick, stone and engineered stone as preferred types of cladding materials. Other materials, such as stucco, wood, metal, decorative concrete or glass for example may be considered based on design merit and possibly when used in combination with such preferred materials.

Establishing appropriate built form and architecture can be achieved in many ways. Building heights, for example, should have a smooth transition to adjacent existing built form, in turn protecting the existing stable neighbourhood. Development, redevelopment and intensification through the provision of a mix of densities, and encouraging higher density close to major street intersections, can be achieved through moderately scaled building varying in height. This built form scale responds well to the existing built fabric as well as local market demands. It also promotes liveability through pedestrian scaled development. In addition, an effective design practice is to use the same or compatible detail and design consideration on all sides of the building. Materials should turn corners to extend

beyond the façade. Avoid exposed edges that may cause a jarring material change and artificial appearance.

This statement of principles is far more granular than many municipalities tend towards in their Official Plan language, but it also delineates a clear, unambiguous vision for what constitutes ideal built form in the City of Cornwall. It clearly presents developers with a vision of what the City is looking for in terms of context. Often, clauses in Official Plans calling for buildings to be "compatible with adjacent development" do not give a sense of what compatibility actually looks like, leaving it open to interpretation, and consequently to less appealing forms of development. The language demonstrated here removes ambiguity by outlining which building materials are preferred and how they should be used.

Fifth among Cornwall's priorities is to Create Healthy Communities and Sustainability through Urban Design. Their statement of principle here includes the following paragraph:

Technology will also play an important role in promoting and evolving sustainable design practices. All efforts should be made to study and update measures for sustainable urban design practices within the Official Plan. For example, site designs that conserve energy will be encouraged. Energy conservation will be analyzed at the development application stage and during the preparation of building and site designs. Buildings should preferably be designed, oriented, constructed and landscaped to minimize interior heat loss and to capture and retain solar heat energy in the winter and to minimize solar heat penetration in the summer. The use of natural materials, particularly masonry, in the construction of buildings is strongly encouraged both as structural elements due to their thermal mass properties and as exterior facing for buildings due to their environmental sustainability.

Section 9.5 of the plan contains more detailed guidance for built form for commercial properties. Among the policies noted there is this bullet:

xi) Building massing and detailing at retail unit entrances should be designed to emphasize the entry. This can include but is not limited to increased height, use of architectural projections, change in the roofline, or material changes to increase transparency. Street facing facades should have the highest design quality. Materials used for the front façade should be carried around the building where any facades are exposed to the neighbouring/public view at the side or rear.

The language provides policy weight to the municipality's stated interest of ensuring that high-quality building materials are carried around to all sides of the structure. For residential dwellings, meanwhile, "use of tools such as Site Plan Control is encouraged" in order to maintain a diversity of housing types and a strong visual perspective while sustaining a vibrant city.

The establishment of this language directly within the draft Official Plan allows Cornwall to use future Urban Design Guidelines as a very strong guideline, backed by robust Official Plan principles which strongly delineate what constitutes the sort of built form Council and the City's planning department consider suitable.

CLARINGTON 2016

Sustainability and Strong Design

POLICIES IN BRIEF:

- New emphasis on sustainability through a set of Green Development Guidelines
- General Architectural Design Guidelines outlining expectations for various types of development and required studies
- Language considering noise impacts, sustainability and appropriate use of building materials
- Requirement for developers to adhere to Urban Design Guidelines that are in place

In 2016, Clarington passed new changes to its Official Plan which make some major changes to the existing document.

While Clarington was already making use of General Architectural Design Guidelines, new to the amended OP is a focus on sustainability. One of the major additions is a large new section on Green Development, calling on developers to incorporate green technologies and sustainable design features intended to address the impacts of climate change. Developments must now be applied for along with a Sustainability Report demonstrating how the project meets the sustainability guidelines.

Clarington will seek to address climate change and become a more sustainable community that minimizes the consumption of energy, water, and other resources and reduces the impacts on the natural environment. To this end, the Municipality will:

b) promote the reduction of greenhouse gas emissions and the adaptation of buildings and infrastructure to be more resilient to the potential adverse environmental impacts of climate change;

...

5.5.3 – The Municipality will implement a Green Development Program. The Green Development Program will:

b) address sustainable development practices, including the sustainable design and climate change mitigation and adaptation measures outlined in this Plan; and

c) be used to assist in evaluating development applications.

5.5.4 – Development proposals shall incorporate sustainable design practices and standards such as green infrastructure and green building design features to reduce greenhouse gas emissions and adapt to climate change.

5.5.5 – To encourage development that exceeds the minimum standards outlined in the Green Development Program, the Municipality in collaboration with utilities and other key agencies, will explore incentive programs designed to reward sustainable design and development. This may include giving priority to processing development applications which exceeds the minimum standards.

Clarington supports these guidelines by developing new language with respect to built form. The expectations of the Municipality when it comes to sustainable form and a high built standard increased with this Plan, and the new language gives the Municipality more stated policy strength when the time comes to enforce these documents, especially for new developments.

New development and redevelopment in established neighbourhoods will be designed to:

b) have an appropriate built form and design as determined through a comprehensive Secondary Planning processes having regard for consistency with overall community character. ...

c) demonstrate compliance with the municipality's General Architectural Design Guidelines or any neighbourhood specific Architectural Design Guidelines;

e) consider noise impacts from various noise sources by using effective methods of sound attenuation;

g) achieve sustainable, attractive buildings, landscaping and streetscapes;

i) utilize appropriate exterior materials to achieve a cohesive urban design and a consistent sense of place.

These policies are reflected somewhat in new requirements added to development proposed within an existing neighbourhood:

c) Adhere to all relevant Urban Design Guidelines and expectations for high-quality exterior architectural design and sustainable building materials.

Clarington also improved its preamble by beefing up its statement regarding the priority given to Urban Design. In particular, the Municipality added references to architectural design as well as urban design, emphasizing the importance of excellence in built form. Emphasizing this fact in the preamble puts it effectively "front and centre" and establishes Clarington's intentions towards high-quality architecture right away.

The Municipality of Clarington is committed to excellence in the design of public spaces and in the design of public and private buildings, and in achieving greater sustainability through

community, site and building design practices. Urban and architectural design provides the context for the way in which people interact with the built environment – streets, blocks, buildings, landscaping, and open spaces. Good, sustainable urban and architectural design creates a comfortable environment for residents and establishes a positive image for our community. Sustainable design contributes to community and environmental health, a high quality of life, and climate change mitigation and preparedness.

Clarington maintains a document for General Architectural Design Guidelines. This document was last updated in 2011. Under these rules, infill sites and small groups of housing will require an Urban Design Brief, while full-on subdivisions need a Community Design Plan outlining a cohesive vision for built form in the area. That includes architectural themes and variations on the stock guidelines.

Clarington's guidelines feature high-detail notes on how to use masonry to support front steps and frame covered main entries. They also mention the "false facade" effect - namely, the use of lower-quality building materials on the sides and rear of a home, leaving the front facade to act almost as a Hollywood set piece - and "encourage" the use of consistent main wall cladding on all sides of a building to avoid this.

Clarington's guidelines ask builders to go into detail when they use masonry, encouraging styles like quoining, soldier coursing, pilasters, et cetera. The document goes into very fine detail on this topic, including how far masonry detailing must protrude from the wall base.

NIAGARA-ON-THE-LAKE 2016-17

Maintaining Community Look and Feel

POLICIES IN BRIEF:

- Specific Design Guidelines addressing the built character of various communities within NOTL
- OP language lays out expectations that design standards will be complied with
- Commitment to develop Community Design Guidelines for each urban area within the community as well as some countryside uses
- Intent to use Site Plan Control to implement the Community Design Guidelines
- Architectural Review as part of the Site Plan Control process, including addressing the built form



Niagara-on-the-Lake has recently wrapped up its Official Plan Review, with draft Plans currently out for review and consultation. The review is currently at the third draft phase.

As a municipality with a heavy heritage feel and a long, rich history, NOTL uses its planning policies robustly to ensure that the look and feel is maintained in each of its various hamlets and villages. The Town has addressed this by developing Community Design Guidelines for each community within Niagara-on-the-Lake. These guidelines speak not only to siting and zoning matters as well as uses and density, but they also address built form. These Guidelines tend to use language similar to those the Town uses for the village of St. Davids:

Part of the character of St. Davids' architecture is due to the natural local building materials used in construction as shown on this page: red brick, uncut stone, painted and natural wood siding. These high-quality materials should be used in new construction, both commercial and residential, to knit the new communities to the existing village and give St. Davids a unified character. The tradition of building with a wide variety of natural materials should be continued so that new development is linked to the existing Village without necessarily replicating styles and design.

Some Secondary Plans are also in place, including a long one for the village of Queenston which calls for building materials "similar to those in the village,

including clapboard siding, stone and clay brick." Exterior stucco as the main cladding is not encouraged on commercial structures. In residential areas, paved stone or old brick walkways are also encouraged.

In tune with these strong standards for community areas, NOTL's draft OP also toughened up the standards the Town employs for Site Plan Control, and clarified how it will be used.

The intent of Site Plan Approval is to improve the efficiency of land use and servicing, to protect adjacent land use and to encourage a more attractive form of development by:

- a) Improving the treatment of site plan details to maintain a consistent municipal standard in the proposed Site Plan Control Area;*
- b) Implementing community design guidelines and sustainable design features in both the public and private realm;*

Bullet B is new to the draft OP, as is the word "intent," which replaced "overall objective." These two changes strengthen the applicability of Site Plan Control in matters of design. A new clause was also added to the draft:

As part of the Site Plan Approval process, the Town will require an architectural review, which will include a review of the exterior design, character, scale, colour, building materials and design features of buildings.

This measure significantly broadens the powers NOTL has when it comes to approving projects through Site Plan Control, giving Town planners a great deal of input into the matters of exterior design identified in Section 41 of the Planning Act.

Through Site Plan Control, NOTL can implement the Community Design Guidelines, which the Town considers to be documents “used to focus attention on the quality, layout and design of built forms, landscapes and the public realm, and can be at a broad, community-wide scale, or at a very local, street-level scale.” Language within the OP emphasizes the valuable role played by such Guidelines in creating complete communities and contributing to a strong quality of life.

The draft OP adds language committing to using these tools widely:

6.1.1.5 - The Town will develop Community Design Guidelines for all or parts of each urban area, and for specific uses within the Protected Countryside. These guidelines may be implemented through the preparation and approval of Community Plans, Community Improvement Plans, Heritage District Plans, or through a Development Permit System. Community Design Guidelines may be adopted by the Town as free standing initiatives following a public review and may be incorporated into site plan approval or development approval standards.

6.1.1.6 - Development applications will comply with the provisions of any applicable Community Design Guidelines adopted by the Town.

Through these Guidelines, and the fulsome use of Site Plan Control and Architectural Review to enforce them, NOTL can cover every neighbourhood within the urban boundary with high design standards, maintaining the look and feel and sense of place upon which the community prides itself.

RUSSELL 2017-18

Design Policy, Directly in the OP

POLICIES IN BRIEF:

- Design policies directly embedded in the Official Plan
- Clear guidance for appropriate primary building materials
- Strong expectation of compliance with the Official Plan and its Urban Design Guidelines
- Emphasis on guidelines for both settlement areas and non-residential areas, including Commercial Parks



In many areas of Ontario, communities are closer in size and resource availability to the Township of Russell. The Township passed a new Official Plan in 2017-18, implementing new design policies within the OP itself.

The Official Plan provides in many places for the Township's focus on attractive built form. The Plan makes numerous references to exterior design and notes that promotion of a high quality of architectural design is a priority for them. This mirrors the approach taken in Cornwall, utilizing the OP as a vehicle for design and built form policy.

Russell makes clear early in their Official Plan document that developers will be expected to adhere to the Guidelines laid out for built form. The word "shall" is used here, making expectations clear and explicit.

The urban design principles outlined below are intended to assist those involved in development with an understanding of the important design elements within the Township of Russell. The principles are high-level in scope and recognize that development proposals should be given the flexibility to address design matters in different ways, allowing for creativity and dialogue, particularly since different design responses may be appropriate depending on the context of each area. In addition, the Township shall develop Urban Design Guidelines addressing specific settlement areas and uses. Development proponents shall implement the policies of this section as well as the detailed Urban Design policies

delineating the Township's policies for these specific areas and uses, where they apply.

The Plan goes on to lay out a series of design guidelines for the village areas which make up the Township. These include guidelines concerning both siting and streetscaping. However, they also include guidelines addressing materiality.

9. Primary exterior building materials used should be durable, natural materials that have low maintenance requirements and are climate resistant, particularly brick, stone, and engineered stone, with other materials used based on architectural merit and in combination with the preferred materials.

...

11. The character, materials, and architectural treatment of development within the Village of Russell shall be compatible with the unique heritage character of the Village. Innovative architectural treatments shall be considered based on design merit and compatibility with the Urban Design objectives of this plan and any applicable Urban Design Guidelines.

12. Development within the Village of Embrun shall contribute to the particular enhancement of the Village's built community character and convey a sense of permanence and resilience through high quality architectural design and building materials.

Russell provides guidance for its commercial park area's architectural design, as well:

36. Primary exterior building materials used should be durable, natural materials that have low maintenance requirements and are climate resistant, particularly brick, stone, and engineered stone, with other materials used based on architectural merit and in combination with the preferred materials.

c) Any sustainable design features to be incorporated, such as green or white roofs, permeable surfaces, etc.

Extending design considerations to commercial properties is an important step for municipalities to take. While the Planning Act defaults to certain exclusions for residential areas under Site Plan Control, the process by default incorporates commercial, industrial and institutional properties. It is, accordingly, very easy for municipalities to set standards for commercial properties, and doing so should be a standard. By implementing this policy language, Russell takes advantage of the Planning Act's powers over character.

Russell's OP also gives the Township the power to ask for a Design Brief showing how a proposed development conforms to the Urban Design Guidelines.

While Russell contains most of its Site Plan Control policies in a bylaw external to the OP, it outlines a few expectations around design:

4. Drawings provided to the Municipality in support of applications submitted for site plan approval under s.41 of the Planning Act are required to show exterior architectural details and design features related to the character, scale, appearance and design features of buildings, and their sustainable design. These may include:

a) Finish, texture, materials, patterns and colours of all building exteriors, including roofs and functional elements such as canopies and stairs;

b) Location, size, colour, and type of all building exterior signage and lighting; and

From: [Tamra Teno](#)
To: [Enrico De Cecco](#)
Subject: Draft Official Plan - Teno submissions
Date: November 4, 2020 10:07:11 AM
Attachments: [Teno 2020 submissions for Draft OP.docx](#)

Hello Enrico.

Attached are my comments regarding the 2020 Draft Official Plan.

Sincerely,

TAMRA TOBIN TENO JD., LL.B



**2020 DRAFT OFFICIAL PLAN
FOR THE TOWN OF TECUMSEH**

**SUBMISSIONS BY
TAMRA TOBIN TENO**

November 1, 2020

SECTION	TOPIC	COMMENTS AND CONCERNS
2.3 And 4.7.2 (ii)	Community Structure Planning Principles	<p>Re: Land Banking.</p> <ul style="list-style-type: none">• This must be included as the predominant, guiding planning principle in this section. Wherever and whenever possible, the Town must thoroughly and seriously consider land banking as one of the most important ways of ensuring sufficient land for parks and other community purposes.• The principle of land banking should be repeated in section 4.7.2 (ii) and 7.3.1 to emphasize its importance.• When a community facility, such as a school, is rendered surplus (the educational function, that is) its role as a community function is not necessarily rendered surplus as well. As an example, the school yard acts as an open public place for the neighbourhood residents.• There must be an open public discourse regarding the school property fate before the municipality decides what action to take.• The default position for the Town must be to acquire/keep the property for current and future needs. Only extraordinary circumstances should prevent the Town from ignoring this principle. Potential purchasers of the property do not fall into the category of extraordinary circumstances.• Acquiring waterfront property is included under the policy of land banking.

3.1	General Development Principles	<p>This paragraph must be more forceful to promote strong, liveable, healthy, resilient and safe neighbourhoods. Such neighbourhoods give the people a sense of pride in a place of their own; these are the foundations of solid, vibrant, healthier and sustainable communities which contribute to a stronger Municipality.</p> <ul style="list-style-type: none"> • It also must include general language to protect and preserve the physical, social, and economic character of stable residential areas. • Concern must be given to the stability of existing neighbourhoods. • Where possible, new development in older established areas, including those of historic, architectural or landscape value will be developed in a manner consistent with the overall character of these areas. • The Town should avoid development and land use patterns which may cause environmental or public health and safety concerns. • In existing residential neighbourhoods, the goal will be to improve the neighbourhood and its amenities. • Consideration should be given to the conservation and rehabilitation of existing housing stock to maintain the supply of older housing which provides character and charm to the Town.
3.1	General Development Principles	<p>Re: Disposition of closed road allowances.</p> <ul style="list-style-type: none"> • I know the Municipal Act covers this. However, it promulgates a minimum standard which can and should be exceeded in many instances. • When it comes to development proposals, before the Town directs a sale of surplus road property or alleys, etc., to the developer, the Town should carry out a more comprehensive and wide-ranging circulation of its plans, beyond the usual scope of notices. This is to obtain greater public input. • The whole community will be affected by the development, so the whole community must be aware of when the Town is proposing to sell public lands to benefit the developer. This is a matter of fairness and should be included as a Town general development principle.

3.2	Site Suitability	<p>This section is poorly written. It makes it sound as if these are the only hurdles a development proposal must overcome. It should be re-worded as follows:</p> <p><i>As part of the approval process, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that...</i> [my emphasis]</p>
3.9 4.2.2	Bed and Breakfast Establishments	<p>Re: Airbnb housing: This type of arrangement comes with a host of problems, not the least of which is the peripatetic nature of the guests and no owner/host on site. I think this type of rental is fraught with issues and disruptive to a residential neighbourhood and should not be allowed.</p> <p>If the Town intends that Airbnb establishments are to fit in this policy, then it has to say that. If the Town wants a separate policy covering these, then it should be written with adequate safeguards for the neighbourhood.</p>
3.18	Land Use Compatibility	<p>This section lacks many of the components essential for proper planning for infilling and intensification projects.</p> <ul style="list-style-type: none"> • It is imperative that the concept of compatibility include consideration of the character, scale, density and appearance of the surrounding area. • Compatibility includes the component of maintaining or enhancing the standard of residential amenity area. • Protection of the existing neighbourhoods is of paramount importance and takes priority in considering an intensification project. • This section must be written from the perspective of the Town's affirmative duty and responsibility to protect neighbourhoods. Under the improper way it is written now, the developer need only demonstrate that from his perspective, the proposal is suitable.; this, of course, must be corrected. • As part of the approval process, the Town must evaluate how the development fits within and enriches the existing neighbourhood context. • Intensification in stable residential neighbourhoods may be permitted provided it is done <u>respectfully</u> vis a vis the neighbourhood and its residents.

		<ul style="list-style-type: none"> • The following land use compatibility factors should be <u>added</u> to the list set out in section 3.18: <ul style="list-style-type: none"> ➤ Height ➤ Setbacks ➤ Architecture ➤ Building materials ➤ Orientation ➤ Streetscape ➤ Building separation ➤ Increases in traffic • The development must provide adequate privacy, sunlight and sky views for existing and new residents. • Also, the range/supply of existing community facilities must be evaluated to determine if they are sufficient for any medium and high-density proposal. • The Provincial Policy Statement says that with regard to Intensification projects, the Town must look at local conditions in evaluating the proposal.
s. 4.2.2 (vi)	Residential Policies	<p>This policy includes several nebulous, undefined terms that are too subjective to give any comfort and protection to existing neighbourhoods and cannot lead to good planning. For example:</p> <ol style="list-style-type: none"> 1. “moderate increase” (i.e.: in building height) 2. “gradual transition” 3. “close proximity” – 4. “gross hectare” – what does this mean? 5. “and/or” at the end of s. 4.2.2 (vi). <p>The end of the paragraph is unclear. Does it mean that intensification must be near all of the items (transit routes, commercial areas, etc.) or just one of them?</p> <p>A proper policy needs specific standards instead of open ended and easily obfuscated terms.</p>

		The following should be added to the list of policies: “If one or more of these criteria outlined in section 3.18 cannot be addressed to the satisfaction of the Town, the processing and/or approval of development applications shall be held in abeyance, or deferred, until such time as all of the criteria have been addressed.”
4.2.B	Medium Density Residential Policies	<p>The density figure is unacceptable because it is much too high. The average of the medium density maximum figures of the 3 pre-existing Official Plans is 28.3/ha. This proposed OP density is 20 to 50/ha.</p> <ul style="list-style-type: none"> • Why is the range increased to 50/ha? This is way too high. • The range should be from 20 to 35/ha. <p>Medium density projects must front on and have access driveways on an arterial or collector road only.</p> <ul style="list-style-type: none"> • The sentence conferring maximum height of 4 storeys gives the impression that such height is a matter of right and is something which needs to be proven incompatible. This is backward. Requests for this height allowance must be proved to be <u>justified</u>, in addition to meeting all the other mandates of s. 3.18. • Suggested wording is: ‘A request for the maximum height allowance of 4 storeys must include evidence justifying such a request which shall then be evaluated by the Town. The maximum height is not a matter of right.’ • This section must specifically state that the density, height and character of the development will be compatible with adjacent uses. • For the protection of the adjacent areas, this section must state that the development will be subject to additional setbacks or landscaping to provide an appropriate transition. • This section must insist that the development is adequately serviced by parks and school facilities.
4.2.C	High Density Residential Policies	<ul style="list-style-type: none"> • This is poorly written in that it talks about a density <u>range</u> but then states “above 50 per gross hectare”. What is the top end of the range? It should be 65 MAX.

4.2.C (i)		<ul style="list-style-type: none"> • High density residential uses must have frontage and access driveways on an <u>arterial road</u> only. • High density developments shall not abut a low-density neighbourhood. • Consideration must be given to the form of the adjacent development. • What does 'gross hectare' mean? • The same problem about the height increase as a matter of right (as discussed with Medium Density proposals) exists here. The wording must be changed to say that 'a request for the maximum height of 6 storeys must include evidence justifying such a request which shall then be evaluated by the Town. The maximum height is not a matter of right.' • For new large-scale developments, the Town may require architectural design guidelines or an urban design brief to ensure appropriate built form transition and relationships.
4.5.2 (iv)	Business Park Policies	<p>Re: Cannabis:</p> <ul style="list-style-type: none"> • The Oldcastle area has already been blindsided, sabotaged and damaged by Cannabis. • Tecumseh does not need more Cannabis operations at all. Cannabis should be strictly forbidden in business parks or any other place in Tecumseh. • While the damage is currently being borne by Oldcastle, the rest of the Town must be protected from other, future cannabis projects and their overwhelming problems including, but not limited to, light pollution, smell, impact on groundwater and water supply. • This ill-advised policy would allow cannabis production in the business park(s) in the Tecumseh North Settlement area, specifically where the Bonduelle food processing plant is, surrounded by residential and commercial nodes. • Just because it is a legal crop does not mean that the Town has to invite it in to any other agricultural or business park area. • No amount of "due regard" by Council of any proposed cannabis operation will protect the Town. Neither will any mitigating measures. • No amount of perceived economic benefit to the Town can offset the irrefutable negative impact of cannabis production. • Section 4.5.2 (v) prohibits certain activities. As such, a prohibition on cannabis be done. • Prohibiting cannabis in areas designated as a business park needs its own Special Policy. • Any zoning by-law must include this prohibition.
s.4.5.2(v)		

7.3.1	Urban Design Policies	This section should also include the concept that Land Banking is a foremost policy for the Town and provides a good base upon which Urban Design can be practised.
-------	-----------------------	---

From: [Tamra Teno](#)
To: [Enrico De Cecco](#)
Cc: [Brian Hillman](#); [Chad Jeffery](#)
Subject: Draft Official Plan - second submission by T. Teno
Date: November 19, 2020 7:55:47 PM
Attachments: [Teno Submission #2 re Tec Draft OP.pdf](#)

Hello Enrico,

I have been reviewing the official plans for different municipalities across Ontario. Our group likes the concept of Stable Residential Neighbourhoods with areas in the Town being designated in a particular category under that umbrella heading. Policies for the neighbourhoods are then developed for each designation.

I am attaching our second submission for consideration.

Thank you.

TAMRA TOBIN TENO JD., LL.B



**2020 DRAFT OFFICIAL PLAN
FOR THE TOWN OF TECUMSEH**

**SECOND SUBMISSION BY
TAMRA TOBIN TENO**

November 19, 2020

Stable Residential Neighbourhoods

The Official Plan should include a section called **Stable Residential Neighbourhoods**. Certain areas of Tecumseh would be designated as falling under this umbrella section. A variety of residential uses can be accommodated through different designation categories such as the following suggestions:

1. Urban residential
2. Suburban residential
3. Apartment residential
4. Recreational residential
5. Institutional

These designations provide for a full range of housing types, forms and densities. A key objective of the section would be that new development respects and reinforces the general physical patterns in stable residential areas.

Growth and new development could be properly managed in these designated areas. Each designation would have specific policies setting pretty distinct standards regarding intensification, infilling, how to deal with surplus community facilities, infrastructure, etc.

The policies in this section should include language such as:

- Development and redevelopment within stable residential areas shall respect and reinforce the existing and planned physical character of buildings, streetscapes and open space patterns in these areas. Physical changes to a neighbourhood must be sensitive, gradual and generally 'fit' the existing physical character.
- Opportunities for intensification of lands to create higher residential densities or remove existing obsolete uses will be done in a manner that respects and reinforces existing and planned patterns and physical character.

- New development in stable residential neighbourhoods will be guided by principles such as Sense of Identity, Compatibility, Connectivity, Sustainability and Legacy.
- Dealing with surplus community facilities must include a formal review and determination of what is best for the neighbourhood.
- The stable neighbourhood must be evaluated for any deficiencies in open space for the residents. This is a significant, important factor which will influence the Town's decision to purchase surplus schools, etc., as each opportunity arises.

The organization of the Town neighbourhoods into Stable Residential Neighbourhood Designations allows for particular policies to be developed for each designation. It would streamline the various policies and allow any Town resident or developer to easily determine what policies affect his/her neighbourhood.

Tamra Tobin Teno

[REDACTED]

Tecumseh

[REDACTED]

[REDACTED]

From: [Enrico De Cecco](#)
To: [Enrico De Cecco](#)
Subject: OP Comments for 1106 Laramie
Date: November 24, 2020 9:25:59 AM

-----Original Message-----

From: jiwaniwinsurance@ [REDACTED]
Sent: October 13, 2020 4:14 PM
To: Chad Jeffery [REDACTED]
Subject: RE: 1106 Laramie

Hey Chad,

Hope this finds you well and you had a nice Thanksgiving weekend!

I just reviewed the draft on line for the new official plan. I believe you mentioned that my building would be considered "Main Street"? If so I understand all of the properties along "main street" would be commercial use. However as you are aware my building is really not on main street. Its off of main street heading west and is not really visible from Lesperance Rd. Unfortunately only having it designated as commercial use will not work for me. With the lay out of the building and the 30ft ceilings it is definitely an Industrial Building. With that being said I would require some type of an Industrial designation (light) along with the Commercial designation.

Please reach out to me at your convenience to discuss. I definitely need to address my concerns and deal with them. I am not sure what the platform is but I do not want to miss the opportunity to appeal if needed. As always I appreciate your time and I look forward to chatting with you. Enjoy your week and we will chat soon!

Respectfully

Joe Iwaniw
[REDACTED]

-----Original Message-----

From: Chad Jeffery [REDACTED]
Sent: September 25, 2020 3:42 PM
To: Joe Iwaniw [REDACTED]
Subject: RE: 1106 Laramie

Hi Joe,

The draft OP is being presented to Council on Tuesday night. Following that meeting, there will be a public consultation process involving a couple of open houses on Zoom in late October/early November followed by a formal public meeting (also on Zoom) in late November/early December. If all goes smoothly we may be in a position to present the final document for adoption by the end of the year or in January 2021. I will follow-up with you after Tuesday night's meeting to talk about the timing of your ZBA application.

Have a good weekend.

Chad

-----Original Message-----

From: Joe Iwaniw [REDACTED]
Sent: September 24, 2020 11:55 AM

To: Chad Jeffery [REDACTED]
Subject: 1106 Laramie

Hey Chad,

Hope you and your family are well. I'm sure you very busy! I just wanted to check in. I met with the Lalovich's yesterday at my building. We are preparing to market and sell the building. Can you give me an idea of the timeline on the OP and when you think would be a good time to submit the zoning application. I know you mentioned in the past that I could probably apply within a few months of the OP approval and obviously zoning would be contingent upon that. Anyways when you have some time just let me know your thoughts. If it's easier to just call me by all means please do!

Cheers

Joe Iwaniw
[REDACTED]

Chad Jeffery
Manager Planning

Enrico De Cecco
Junior Planner, MCIP, RPP

From: [Linda Rochon](#)
To: [Enrico De Cecco](#)
Subject: Re: Official Plan
Date: November 3, 2020 3:11:42 PM

Dear Enrico,

I agree with the new official plan's Bed & Breakfast establishment policy but I would ask that you please consider the Zoning by-law amendment as a minor one in order to reduce application fees for the owner.

Thank you so much!

Linda Rochon
[REDACTED]
Tecumseh, ON
[REDACTED]
[REDACTED]

On Tue, 3 Nov 2020 at 14:43, Enrico De Cecco <[REDACTED]> wrote:

Hi Linda,

Here is the policy related to Bed and Breakfast establishments.

Regards,

Enrico

3.9

BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast operations are permitted in single-detached dwellings, subject to a Zoning By-law amendment. The following requirements must be met to the satisfaction of the Town in order to support a Zoning By-law amendment for the establishment of a bed and breakfast establishment:

- i) the owner and operator resides in the building;
- ii) the property has access from a public road;
- iii) the Zoning By-law limits the number of guest rooms and sets standards for parking, landscaping and buffering;

- iv) no other commercial operation, such as a restaurant, is permitted and food preparation is for guests only;
- v) the requirements of the Ontario Building Code; and
- vi) signage for all bed and breakfast operations will meet the requirements of the Sign By-law.

From: Linda Rochon [REDACTED]
Sent: November 3, 2020 2:25 PM
To: Enrico De Cecco [REDACTED]
Subject: Official Plan

I wish to attend the PIC and register for a time slot please.

Name: Linda Rochon

[REDACTED]

Tecumseh, ON [REDACTED]

[REDACTED]

Thank you.

Linda Rochon



Enrico De Cecco
Junior Planner, MCIP, RPP

[REDACTED]
Town of Tecumseh - 917 Lesperance Rd. - Tecumseh, ON. - N8N 1W9
Phone: 519-735-2184 ,123 Fax: 519-735-6712 - www.tecumseh.ca

*** DISCLAIMER ***

This e-mail and any attachment(s) are confidential and may be privileged.
If you are not the intended recipient please notify me immediately by return e-mail, delete this e-mail and do not copy, use or disclose it.
Messages sent to and from us may be monitored.



From: [Jessica Kipping-Labute](#)
To: [Enrico De Cecco](#)
Subject: RE: Tecumseh Official Plan
Date: November 10, 2020 12:16:23 PM

Hi Enrico,

Firstly, I must congratulate you on the Official Plan as it is one of the most comprehensive documents I have reviewed, and it really does cover all elements of health-in-all-policies. At this time, the WECHU does not have any recommendations or suggestions for the overall plan. I thank you again for the opportunity, and would love if you could keep us in mind in the future when creating other plans as well.

JESSICA KIPPING-LABUTE | Policy Advisor | Planning & Strategic initiatives

Windsor-Essex County Health Unit
1005 Ouellette Avenue, Windsor, N9A 4J8
Ph. 519-258-2146 ext. 3246
Fx. 519-258-6003



Our vision is a healthy community.

Help Prevent COVID-19

- 1. Maintain a 2 metre distance from others.**
- 2. Wash your hands with soap and water thoroughly and often.**
- 3. Avoid touching your eyes, nose, and mouth with unwashed hands.**
- 4. Use a non-medical mask (e.g, cloth) in public settings and when physical distancing may not be possible.**
- 5. Cover mouth & nose with a tissue or use the inside of your elbow when you cough or sneeze.**
- 6. Stay home if you are sick.**

CONFIDENTIALITY NOTICE:

This e-mail and attached material is intended for the use of the individual or institution to which it is addressed and may not be distributed, copied or disclosed to other unauthorized persons. This material may contain confidential or personal information that may be subject to the provisions of the Freedom of Information and Protection of Privacy Act, the Municipal Freedom of Information and Protection of Privacy Act or the Personal Health Information Protection Act. If you receive this transmission in error, please notify me immediately by telephone at the number listed above and do not print, copy, distribute or disclose it further.

From: Jessica Kipping-Labute
Sent: October 27, 2020 2:24 PM
To: 'Enrico De Cecco' [REDACTED]
Subject: RE: Tecumseh Official Plan

Thank you for the information Enrico, I appreciate the opportunity.

We will begin working on any suggestions we have and submit them as soon as possible. However - I

must say that after watching the presentation of the plan in September, I doubt we will have much to submit!

From: Enrico De Cecco [REDACTED]

Sent: October 27, 2020 2:19 PM

To: Jessica Kipping-Labute [REDACTED]

Cc: Brian Hillman [REDACTED]; Chad Jeffery <[REDACTED]>

Subject: RE: Tecumseh Official Plan

<<< The message below originated from a user OUTSIDE of WECHU.org >>>

Hi Jessica,

Thanks for the email.

Yes, you are more than welcome to submit comments at any time.

After the PICs are held, there will be another opportunity for formal agency comments.

We will be holding a formal Public Council Meeting in accordance with the Planning Act for the draft new OP. We are anticipating having this virtual public meeting hopefully in December or January of 2021.

You are more than welcome to submit comments as soon as you have them ready.

Please let me know if you would like to discuss further or if you want to book a time for the PIC.

Regards

Enrico

From: Jessica Kipping-Labute [REDACTED]

Sent: October 27, 2020 2:09 PM

To: Enrico De Cecco [REDACTED]

Subject: Tecumseh Official Plan

Hi Enrico,

Recognizing the importance of the Tecumseh Official Plan, the Windsor-Essex County Health Unit would love the opportunity to review the Tecumseh Official Plan to provide suggestions from a public health perspective. I see that you have a PIC coming up in early November, but I was wondering if we could provide written suggestions similar to what we have done for other municipal Official Plans as a stakeholder.

Would there be a deadline to submit suggestions? We would not be able to submit them by the date of the PIC due to our resources being pulled elsewhere due to COVID. However, we would be very grateful for the opportunity.

Windsor-Essex County Health Unit
1005 Ouellette Avenue, Windsor, N9A 4J8
Ph. 519-258-2146 ext. 3246
Fx. 519-258-6003



Our vision is a healthy community.

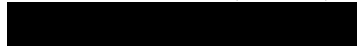
Help Prevent COVID-19

- 1. Maintain a 2 metre distance from others.**
- 2. Wash your hands with soap and water thoroughly and often.**
- 3. Avoid touching your eyes, nose, and mouth with unwashed hands.**
- 4. Use a non-medical mask (e.g, cloth) in public settings and when physical distancing may not be possible.**
- 5. Cover mouth & nose with a tissue or use the inside of your elbow when you cough or sneeze.**
- 6. Stay home if you are sick.**

CONFIDENTIALITY NOTICE:

This e-mail and attached material is intended for the use of the individual or institution to which it is addressed and may not be distributed, copied or disclosed to other unauthorized persons. This material may contain confidential or personal information that may be subject to the provisions of the Freedom of Information and Protection of Privacy Act, the Municipal Freedom of Information and Protection of Privacy Act or the Personal Health Information Protection Act. If you receive this transmission in error, please notify me immediately by telephone at the number listed above and do not print, copy, distribute or disclose it further.

Enrico De Cecco
Junior Planner, MCIP, RPP



Town of Tecumseh - 917 Lesperance Rd. - Tecumseh, ON. - N8N 1W9
Phone: 519-735-2184 ,123 Fax: 519-735-6712 - www.tecumseh.ca

***** DISCLAIMER *****

This e-mail and any attachment(s) are confidential and may be privileged.
If you are not the intended recipient please notify me immediately by return e-mail, delete this e-mail and do not copy, use or disclose it.
Messages sent to and from us may be monitored.



Please consider the environment before printing this e-mail.