



## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Brian Hillman, Director Planning & Building Services

**Date to Council:** February 23, 2021

**Report Number:** PBS-2021-04

**Subject:** New Town of Tecumseh Official Plan, February 2021  
Draft for Council Adoption  
OUR FILE: D08 TNOP

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### Recommendations

It is recommended:

**That** the Planning and Building Services Report PBS-2021-04 New Town of Tecumseh Official Plan, February 2021, **be received**;

**And that** a by-law having the effect of adopting the new Town of Tecumseh Official Plan, February 2021, **be adopted**;

**And further that** the new Town of Tecumseh Official Plan, February 2021, **be forwarded** to the County of Essex for its review and approval in accordance with the Planning Act.

### Executive Summary

The three existing Official Plans governing land use planning in Tecumseh are proposed to be replaced by a new Official Plan encompassing all lands in the Town. A public consultation process was undertaken with respect to the Draft New Official Plan, September 2020, which included virtual Public Information Centres, the PlaceSpeak on-line engagement platform and a statutory Council Public Meeting. The purpose of this Report is to summarize the process to date regarding the preparation of the new Official Plan and to identify the final revisions that have been made to the document being presented to Council for formal adoption.

## **Background**

### **New Official Plan Process Held to Date**

A detailed review of the process undertaken in the preparation of the new Official Plan was provided to Council and the public by way of report PBS-2020-35 dated September 29, 2020 and report PBS-2021-01, dated January 26, 2021. The following briefly summarizes the process outlined in these reports.

1. Power Point Presentation, February 25, 2020 Special Council Meeting

A summary of the key policy directions of the draft new Official Plan was presented. The preparation of the draft new Official Plan was guided by the background and recommendations contained in 11 discussion papers as well as consultations with various government agencies and public stakeholders.

2. Draft New Official Plan, September, 29, 2020 Regular Council Meeting

A revised version of the draft new Official Plan was provided to Council at the September 29, 2020 Special Council Meeting by way of report PBS-2020-35. The draft new Official Plan intended to articulate a clear, cohesive vision for the Town of Tecumseh and to reflect new policy objectives of PPS 2020 and alignment with the County of Essex Official Plan 2014. The document was subsequently made available for public review and comment in accordance with the Council-authorized public and agency engagement process identified in report PBS-2020-35.

3. Public Information Centres (PICs), November 4 and 5, 2020

The holding of PICs took place on the Zoom platform. The PICs were held by Town Administration to provide the public an opportunity to review and comment on the Town's draft new Official Plan. Six individuals, a consultant representing a construction material industry group and one community group registered for and attended the PICs. In addition, nine email correspondences were received from those who attended the PICs and from others who chose not to register for the PICs.

4. Use of the PlaceSpeak Platform

The PlaceSpeak on-line engagement platform was made available through the Town's website.

5. Consultations with First Nations and Metis Community

Contact was made with the respective First Nations and Metis Community and links to the document were provided. To date, no formal comments have been received. The County Planner has advised that she will also be pursuing consultations and seeking comments from these groups.

6. Discussions with the County of Essex (Approval Authority) and ERCA

Multiple Zoom meetings have been held with representatives from the County of Essex and Essex Region Conservation Authority (ERCA) regarding potential revisions to policies in consideration of the public comments received.

7. The Holding of a Statutory Public Meeting by Council in accordance with the Provisions of the Planning Act

A statutory Public Meeting was held on Tuesday, January 26, 2021. A summary of all comments received through the above-noted PICs and public consultation process, along with Administrative responses and recommendations of revisions to the draft new Official Plan document were provided by way of report PBS-2021-01.

## Comments

As noted above, report PBS-2021-01 summarized the key issues raised by those who attended the PICs and those who submitted written correspondence, along with Administrative responses and recommended changes to the draft new Official Plan. All the recommended changes have now been incorporated into the new Town of Tecumseh Official Plan, February 2021 ("new OP") (see Attachment 1). The following chart summarizes all revisions and additions that have been made to the new OP that is being presented for Council adoption.

Official Plan Section/Schedule Affected	Description of Revision
Section 1.5.2 i) Tecumseh North Settlement Area	Revised to include a description of the lands comprising the Manning Road Secondary Plan Area
Section 2.3 Planning Principles subsection xxiii)	New planning principle added encouraging the development of an equitable, diverse and inclusionary community
Section 3.14.1 Energy Conservation, Climate Change and Air Quality Mitigation subsection vii)	Subsection revised to acknowledge the importance of mature trees and establish that Council may consider the development of a Tree Preservation Plan
Section 4.4.3 Special Main Street Mixed Use Policies subsection v)	New site specific Main Street Mixed Use policy pertaining to 1106 Laramie (former Vilo building) added allowing for commercial uses and a suitable range of

Official Plan Section/Schedule Affected	Description of Revision
	light industrial uses that can be compatible with the surrounding area
Section 4.5.2 Business Park Policies subsection iv)	Revised to prohibit growing and/or harvesting of cannabis but to continue permit processing, packaging and shipping of cannabis products
Section 4.7.2 Community Facility Policies subsection i)	Revised to establish that nursing homes, rest homes and retirement homes are permitted within the Community Facility designation
Section 4.7.2 Community Facility Policies subsection vii)	Introduced new policy regarding the assessment and possible acquisition of surplus school land for expanding parkland in underserved areas
Section 4.8.2 Recreational Policies subsection x)	Introduced new policy regarding the assessment and possible acquisition of surplus school land for expanding parkland in underserved areas
Section 4.9.2 Natural Heritage System Policies subsection v) and Section 4.9.5.1 Restoration Opportunity Overlay Policies subsection ii)	Revised to be less prescriptive and to give adequate regard to the Drainage Act process
Section 10.4.2 Site Plan Control Objectives subsection vi)	New subsection added to include provisions that would enable the Town to regulate exterior appearance of buildings in areas where there are Council-adopted architectural guidelines in effect
Section 10.4.3 Application of Site Plan Control	Revised to include cannabis greenhouse operations
Section 10.19 Official Plan Review and Monitoring subsection v)	New policy added clearly establishing the need to monitor potential impacts and related housing demand from the proposed regional mega-hospital

Official Plan Section/Schedule Affected	Description of Revision
Section 10.22 First Nations and Metis Consultation	New section added that promotes seeking the opinions and advice of First Nations and Metis communities and to collaborate on respectful inclusion and representation of Indigenous peoples' culture
Schedule "A" Community Structure Plan	Revised to identify future location of the proposed regional mega-hospital in Windsor and the location of the trail that extends westerly from the ERCA Greenway along the south limit of Oldcastle Hamlet to the Howard Avenue Diversion
Schedule "B-2" Oldcastle Hamlet Settlement Area Land Use Plan	Oldcastle Heritage Park has been designated "Recreational"
Schedule "C" Natural Heritage System	All "Restoration Opportunities Overlay" areas aligned with existing municipal drains within settlement areas have been deleted
Schedule "E-1" Road Classification	Revised Schedule "E-1" Road Classification with respect to the Collector (Urban) from Lesperance Road to Manning Road to be redefined along the following route: Arbour Street - Lanoue Street - Lemire Street - Lanoue Street

In addition to the preceding summary of revisions that were recommended in report PBS-2021-01, the following additional items required consideration by Administration, with revisions made to the new OP as noted below:

1. Ms. Judy Robson email, January 29, 2021

Subsequent to the January 26, 2021 Public Meeting, additional correspondence was received from Ms. Robson via email dated January 29, 2021 (see Attachment 2). This correspondence commented on three of the issues listed in PBS-2021-01, using the same numbering system from that report. The following Administrative response is provided with respect to those comments:

- i) FOOD 1 – References to Former Municipality vs the New Town of Tecumseh

- For additional clarity, revisions have been made to subsections 1.3 Planning History and 1.5.2 Municipal Profile, Existing Development Pattern, Special Studies by the addition of the word “former” when reference is made to any of the former municipalities. This will provide a clear differentiation in the text between the former municipalities and the post-amalgamation Town of Tecumseh.

ii) FOOD 5 – Concerns over Oldcastle Hamlet Settlement Area Profile Description

- Under subsection 1.5.2, Municipal Profile, Existing Development Pattern, Special Studies, subsection ii Oldcastle Hamlet Settlement Plan, a general overview of this settlement area is provided including a reference to a predominance of employment uses, commercial and service-related uses and a number of residential clusters, recreational areas, trails and institutional uses. Administration believes this description accurately depicts the existing profile of this settlement area and is consistent with the high-level description provided for all three of the Town’s settlement areas. This subsection also clearly establishes that Council has authorized the undertaking of the Oldcastle Hamlet Special Planning Study for Future Development Lands in order to determine the preferred and appropriate mix of land uses for these lands. This is further reiterated by a clearly stated policy in section 4.10, Future Development, requiring this study. This will lead to the introduction of new land use designations and policies through incorporation into the new OP by way of a future amendment. No revisions have been made to the new OP.

iii) FOOD 23 – Concerns Regarding Status of Existing Commercial Zones

- It is anticipated that the existing Hamlet Commercial Zone (CH) and Rural Commercial Zone (CR) lands in the existing Zoning By-law will be combined into a new General Commercial Zone in the new Implementing Comprehensive Zoning By-law, consistent with the General Commercial land use designation in the new OP. This is consistent with the existing former Sandwich South Official Plan and will provide a more uniform approach that offers greater flexibility with respect to the range of uses permitted on these commercial lands. Where these zones and associated uses currently exist in areas outside of a Commercial designation, such as on lands in the Agricultural designation, the new OP provides policy that establishes the uses currently permitted would carry forward but in a defined Agricultural zone. It is also important to note that agriculture-related commercial uses are now permitted in the Agricultural designation subject to a Zoning By-law Amendment, which is consistent with the Provincial Policy Statement and guidelines of the Ministry of Agriculture, Food and Rural Affairs. No revisions have been made to the new OP.

2. Schedule “B-2”, Oldcastle Hamlet Settlement Area Land Use Plan: Designation of Municipal Land North of Highway 3 and South of McCord Lane

At the January 23, 2021 public meeting a number of residents expressed opposition to the proposed General Commercial designation of the Town-owned lands north of King's Highway No. 3 and south of McCord Lane in the Oldcastle Hamlet Settlement Area. Their preference was that these lands should remain designated Community Facility and owned by the Town so that they could be used for some community purpose. As noted at the public meeting, the lands were proposed to be designated General Commercial in response to a number of proposals for commercial uses on this property over the past number of years. At this time, the long term use of these Town lands is unresolved. In order to provide greater flexibility pending the ultimate resolution of this issue, the new OP designates the land General Commercial, however the text has been revised by adding a new site specific special policy (subsection 4.3.3 iv) in the General Commercial Land Use Policy section. This site specific special policy will permit all the uses permitted in the Community Facility designation on these lands, in addition to the uses permitted in the General Commercial designation. This approach will allow all or even a portion of the lands to be used for both types of uses, thereby offering adequate time for Council to determine the long-term intended use of this property while negating the need to amend the new OP in the future once that decision of Council is made. For clarity and accuracy, Schedule "B-2" of the new OP has been revised to designate Oldcastle Heritage Park, which is part of this Town-owned land, as "Recreational" rather than "General Commercial", to recognize its existing use.

3. Schedule "E-1" Road Classification: Collector (Urban) Classification of the 'Connecting' Piece of Little River Boulevard Between Lesperance Road and St. Pierre Street

Schedule "E-1" Road Classification did not illustrate the planned extension of the Little River Boulevard Collector (Urban) from Lesperance Road to St. Pierre Street, as depicted in the existing former Tecumseh Official Plan. Councillor Dowie asked that this matter be reviewed and confirmed as the preferred approach. Upon further review by Town Administration, in consultation with the authors of the Tecumseh Transportation Master Plan, Dillon Consulting, it continues to be recommended that this small segment not be illustrated as Collector (Urban) for the following reasons:

- i) The Tecumseh Transportation Master Plan also does not include this short segment as Collector (Urban). It was determined that this segment would not possess the attributes to be classified as a Collector (Urban). At the time it was originally identified in the existing former Tecumseh Official Plan in the 1980's, the broader area was largely under development. It has since fully built-out and current traffic volumes and patterns do not necessitate the extension of a Little River Boulevard across this short segment. There has not been an identification of deficiencies to warrant the implementation of constructing this segment;
- ii) This segment is approximately 110 metres in length and if converted to an extension of Little River Boulevard would necessitate the purchase of five existing lots and the removal of each of the single unit dwellings on these lots. Accordingly, significant public funds would be required to implement construction of a municipal road on this segment. In addition, there would be considerable disruption to the existing character of the surrounding neighbourhood. These

considerations would outweigh any potential community transportation benefits gained by making this connection.

## **Next Steps in the New Official Plan Process**

Having regard to all of the background work, discussion papers, analysis and stakeholder engagement undertaken and given the writer's opinion of its consistency with the Provincial Policy Statement 2020 and its conformity with the County of Essex Official Plan 2014, the new OP is recommended for Council adoption by Administration. If adopted by Council, the new OP will be forwarded to the County of Essex Planner, who has been delegated Approval Authority in accordance with the Planning Act. We have been working very closely with the County Planner in the development and finalization of the document with the anticipation that it will facilitate a timely review and approval. It is acknowledged that upon formal review there may be possible modifications proposed to the new OP by the County Planner, which would be brought to Council for consideration prior to final approval being issued. Subsequent to its approval, appeal rights will be available in accordance with the Planning Act.

## **Consultations**

Parks & Recreation Services  
Public Works & Environmental Services  
Essex Region Conservation Authority  
County of Essex Planning

## **Financial Implications**

None



## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable ☐

Website ☒ Social Media ☒ News Release ☒ Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

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Director Parks & Recreation Services

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Reviewed by:

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Town of Tecumseh Official Plan, February 2021
2	Ms. Judy Robson email, January 29, 2021