

Applicant's Addendum to Planning Justification Report, Dec. 2020

*Addendum to Planning Justification Report
Briday Victoria Development Corp.
12433 Dillon Drive – Town of Tecumseh*

December, 2020

Addendum to PLANNING JUSTIFICATION REPORT

Proposed Residential Development

12433 Dillon Drive – Town of Tecumseh

PREPARED FOR

Briday Victoria Development Corporation

PREPARED BY



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A Professional Planning Practice

December, 2020

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1.0 BACKGROUND

In June 2019, applications for Official Plan and Zoning By-law Amendments were submitted to the Town of Tecumseh, to permit the proposed townhouse, and stacked townhouse development on the subject lands.

A Planning Justification Report was prepared by Zelinka Priamo Ltd., and was submitted in support of the proposed OPA and ZBA. As requested by Town of Tecumseh, this Addendum to the Planning Justification Report has been prepared to provide further analysis and address comments received by staff and from the public participation meeting held on September 10, 2019.

2.0 THE PROPOSAL

The former Victoria Public School was closed, and the property surplus by the local school board. Briday Victoria Development Corporation purchased the property in 2018 for redevelopment. The former school building has since been demolished and the site cleared.

The proposal seeks to re-designate the subject lands for residential development (currently designated Institutional), and rezone likewise. The proposed development is a mix of 2-storey townhouses, and 3-storey stacked townhouses. The current Town of Tecumseh does not have a definition for stacked townhouse, and as part of this application a new definition would be added to the by-law, and the applicable residential zone.

3.0 APPLICATION AMENDMENTS

The intent of the proposed OPA and ZBA applications is to facilitate an infill residential development on the subject lands in the form of townhouses and stacked townhouses. The subject lands currently comprised of one parcel; the former school site, and an adjacent unopened road allowance which has been conditionally purchased from the Town of Tecumseh. Once the parcels are consolidated, they will have frontage on Dillon Drive, and Little River Boulevard, with Little River being, by definition, the legal lot frontage. By way of amendment to the current ZBA application we are proposing a technical amendment that would assign the front lot line to Dillon Drive instead of Little

River. The proposal focuses the development, and vehicular access to Dillon Drive, while little River will only act as a pedestrian, and emergency vehicle access.

In addition, an interior side yard reduction is being added to address the setback between the stacked townhouse addressing the parkland block. The proposed reduction is to permit a setback of 2.35 metres, whereas 4.0 metres is required. The reduction is a result of shifting units northwards to retain existing trees along the southerly property line.

While there are no additional changes to the proposed OPA/ZBA, in response to some of the comment received the site plan has been revised in order preserve mature trees on the subject lands, and provide additional buffering/screening to the existing land uses along Little River Boulevard.

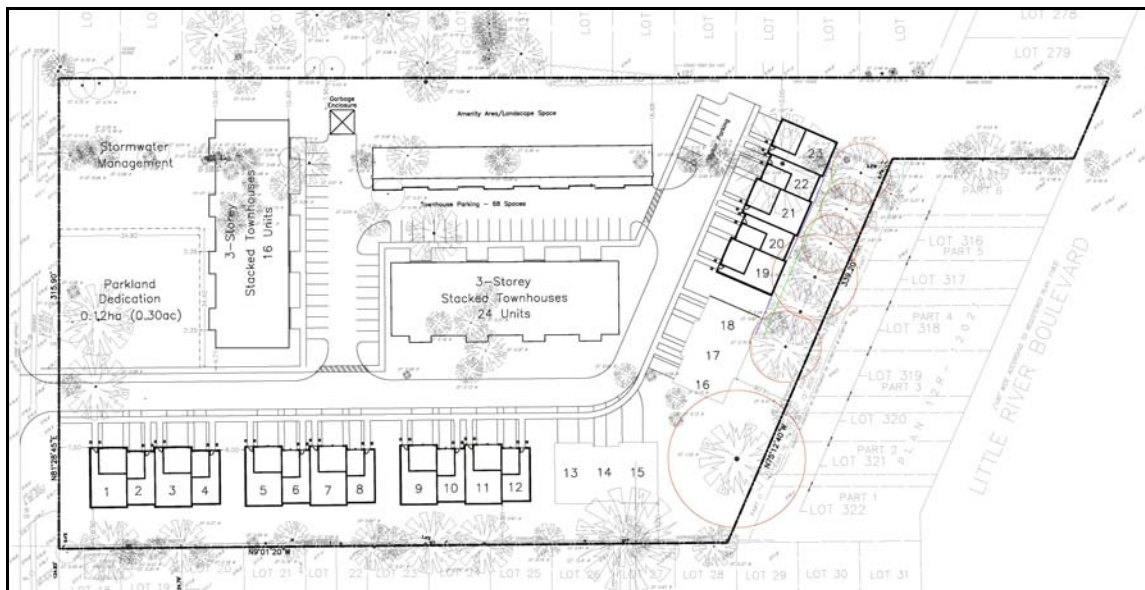


Figure 1: Revised Site Plan Drawing

The proposed townhouses along the southerly property line have been moved northwards in order to provide an area sufficient to maintain the existing mature trees. The shift results in an increased setback of 14.1 metres, whereas 10.0 metres was previously proposed. In addition to maintaining the existing trees which will help screen the proposed buildings from the adjacent land uses, the increased setback provides additional distance between the proposed and existing built forms. A 3-unit block has been added along the westerly property line; this is again in response to ensure existing trees can be maintained. The shifting of the townhouse blocks resulted in the loss of four visitor parking spaces, and some driveway length. The removal of any hard

surfacing is always of benefit to a development, and even with the loss of four visitor parking spaces, the proposed development still complies with the Zoning By-law parking requirements.

Furthermore, the easterly row of parking which serves the stacked townhouses will be enclosed within a 1-storey parking garage finished in an architectural style to match the proposed buildings. This garage will provide indoor parking for a select number of the stacked townhouse units; it will also screen the surface parking area from the existing rear yards to the east, minimising headlight glare into the yards and houses. The parking area will be further screened by new landscaping in the area between the proposed garage and property line.

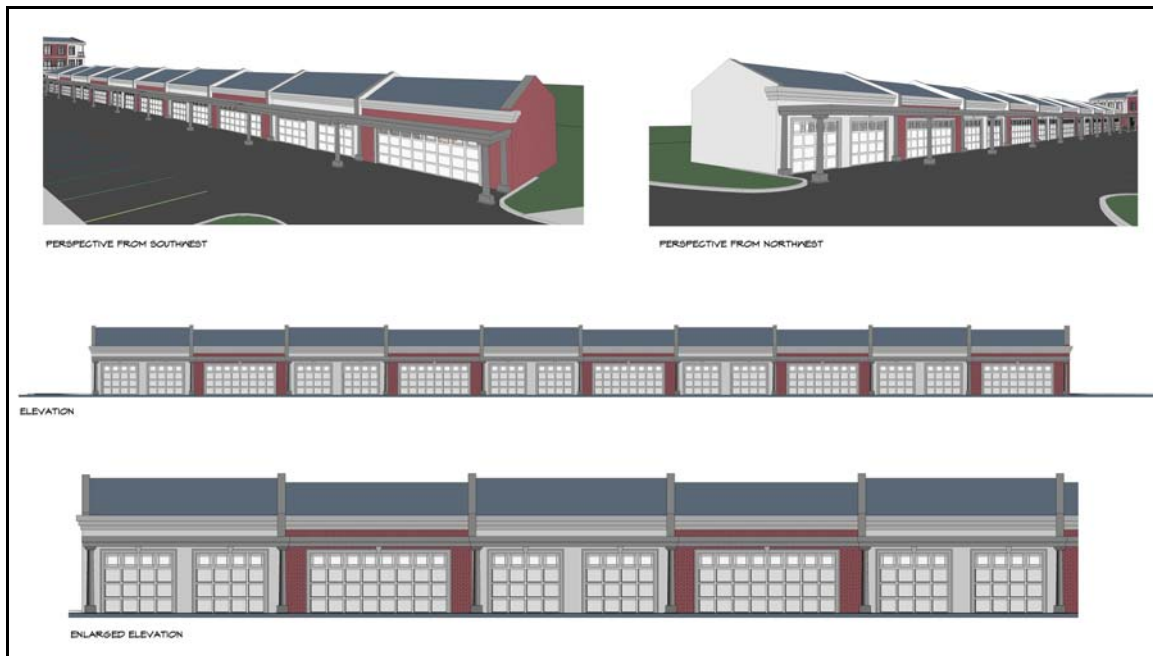


Figure 2: Proposed Garage Building - Easterly Property Line

4.0 PLANNING ANALYSIS

In response to the comments received the following section provides additional analysis of the County Official Plan, and the Draft Town of Tecumseh Official Plan. The analysis is as follows:

4.1 ESSEX COUNTY OFFICIAL PLAN

The County Official Plan (COP) generally directs the Local Official Plans to provide the necessary policy framework for planning matters, including but not limited to land use designations and policy, intensification targets and policy, and housing. The COP does provide some general policy direction regarding development and intensification projects. An analysis of those policies is below.

The subject lands are within a ‘*Primary Settlement Area*’ (Town of Tecumseh) as per Schedule A2 of the COP. Section 3.2.6b) of the COP states:

“The County supports residential intensification within Primary Settlement Areas.”

The proposed development is within the Town of Tecumseh which is identified in the COP as a *Primary Settlement Area*.

Section 3.2.7 of the COP provides policy direction relating to intensification and redevelopment. An analysis of those policies is as follows:

The County encourages well-planned intensification development projects in the “Settlement Areas” to encourage more efficient use of land and municipal infrastructure, renew urban areas and to facilitate economic and social benefits for the community.

The proposed development is within a designated Settlement Area, and is located on a vacant underutilised site. The proposed development, while at a higher density than the surrounding neighbourhood will be a more efficient land use of the subject lands, while being compatible with the adjacent land uses. Furthermore the proposed development will introduce a new form of housing not currently available within the immediate surrounding area, providing a mix of housing options for the community. The proposed development will be able to utilise existing infrastructure already in place from the previous land use (institutional). As part of the proposed development a new public park is proposed to provide a gathering space for the future and existing residents of the area.

The County also specifically encourages residential intensification and redevelopment within Primary Settlement Areas in order to increase their vitality,

offer a range of housing choices, efficiently use land and optimize the use of infrastructure and public service facilities.

The proposed development is within the Town of Tecumseh which is identified as a Primary Settlement Area in the COP, and will utilise existing land resources and infrastructure, including public transit services. The proposed development will consist of townhouses, which are a limited form of housing in the Town of Tecumseh, and stacked townhouses, which are a new form of housing for the Town of Tecumseh. These types of housing options will diversify the range of housing choices available to current and future residents of the Town of Tecumseh.

The County requires that 15 percent of all new residential development within each local municipality occur by way of residential intensification and redevelopment. Implementation and annual reporting to the County on meeting this target will be the responsibility of the local municipalities.

The proposed development will help the Town of Tecumseh reach the prescribed 15% target for new residential development in the form of intensification through the redevelopment of a former school site.

Where possible, new development in older established areas of historic, architectural, or landscape value shall be encouraged to develop in a manner consistent with the overall character of these areas.

The Planning Justification & Design Report prepared in support of the OPA and ZBA applications provided an analysis of the surrounding neighbourhood through description of built-forms, architectural styles, streetscape treatments, and vegetation. The analysis would suggest there is no overall character to this neighbourhood. The built-forms, and architectural styles vary, there is no consistent streetscape treatment, and varying levels of landscaping. Furthermore, the Town of Tecumseh Official Plan does not highlight this neighbourhood by way of Heritage District or Secondary Plan as having any value in a historic, architectural or landscape fashion. While development needs to be compatible and not create adverse impacts on a community, there is no established overall character in the surrounding area to use as benchmark for redevelopment. The proposed buildings pulled inspiration for their design from the former Victoria Public School, utilising materials, and features found on the original building.

4.2 DRAFT TOWN OF TECUMSEH OFFICIAL PLAN

The Town of Tecumseh recently released the first draft of their new Official Plan for public review and comment. While the planning applications are under review of the policies in-force on the day of submission (Town of Tecumseh OP, Consolidates January 2015), it is important that consideration be given to the draft policies to ensure the proposed development is consistent with the desired direction of the draft planning policies. The following section analyzes applicable policies from the draft OP (DOP) against the proposed development. Please note the following analysis is for information purposes and the justification for the proposed applications remains with the current in-force Official Plan.

Section 2.3 – Planning Principles provides an overview of community structure and growth management with the Town of Tecumseh. The principles provided below helped frame the policies of the DOP.

“to direct urban development to settlement areas where a broad range of community and commercial facilities, services, housing and employment opportunities are available;”

The proposed development is with the Town of Tecumseh proper which is a designated settlement area within the DOP, and provides the elements noted above.

“to create more mixed-use, compact, pedestrian-oriented development within designated and fully serviced settlement areas;”

The proposed development introduces a new form of housing (stacked townhouse) not currently found in the Town of Tecumseh, and takes advantage of an underutilised lot that is already serviced by municipal system, including public transportation.

“to provide a broad range of housing, employment and leisure opportunities for a growing and aging population in a sustainable manner;”

The stacked townhouse form of housing is not currently contemplated with in the Town of Tecumseh Zoning By-law. The proposed townhouse and stacked townhouse provides forms of housing that will allow residents to downsize and remain within their existing communities.

“to promote opportunities for intensification and redevelopment within built-up areas that are supported by adequate infrastructure and public service facilities;”

The proposed development is a form of intensification/re-development of a former school site. The subject lands are already serviced by municipal systems, and are located within an established built-up neighbourhood.

Section 3 – General Development Policies provides policy framework that ensures the DOP is consistent with policies found within the Provincial Policy Statement and COP. The following is an analysis of the applicable policies found in this section:

Section 3.2 – Site Suitability

Prior to the approval of any development or amendment to this Plan or the Zoning Bylaw, it shall be established to the satisfaction of Council and all other bodies having jurisdiction that:

- i) soil and drainage conditions are suitable to permit the proper siting of buildings;*
- ii) the services and utilities, whether they be municipal or private, can adequately accommodate the proposed development;*

The Site Servicing investigation that has occurred to-date has shown that existing conditions on the site can accommodate the proposed buildings. Furthermore, a servicing investigation has shown that water and sanitary systems can accommodate the proposed development. Stormwater will be managed by an on-site facility and will not contribute to ongoing issues with stormwater management in the surrounding neighbourhood (flooding basements). The site will be graded in a way to avoid impacts of flood events rising from lake flooding or significant rainfall.

- iii) the road system is adequate to accommodate projected increases in traffic;*
- iv) the land fronts on a public road which is of a reasonable standard of construction;*

The subject lands front onto Dillon Drive, which is an assumed public road. Improvements may be needed to Dillon Drive, and this will be discussed with staff through the planning approval process. The Traffic Impact Assessment prepared in

support of these applications concluded that all surrounding roadways and intersections would continue to operate within their acceptable ranges.

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

The proposed development abuts low density residential in all directions. The proposed development has taken potential impacts on adjacent land uses into consideration during the design process. Measures taken to alleviate impacts include: increased building setbacks, placement of taller buildings internal to site, mature tree retention, re-use of existing vehicular access point, and new landscaping.

Section 3.18 – Land Use Compatibility of the DOP deals with policy framework that helps guide intensification projects, and the potential impacts that may arise from higher density projects. The following analysis examines the potential impacts and the mitigation measures taken to avoid, or minimise those impacts:

i) shadowing;

The proposed development is comprised of 2 and 3-storey buildings, with the 2-storey buildings abutting the westerly and southerly property lines, and the 3-storey buildings being sited internal to the subject lands. The 3-storey buildings will cast shadows internal to the subject lands, and onto the proposed 2-storey buildings. It is not anticipated that shadowing from the 3-storey buildings will have impacts on the adjacent land uses. The proposed 2-storey buildings will cast similar shadows to those found throughout the surrounding neighbourhood, and not create any adverse impacts.

ii) loss of privacy due to intrusive overlook;

The proposed increase in building setbacks from 4.0 metres to 10.0 metres minimum helps separate proposed built form from existing. Furthermore retention of mature vegetation along the property lines, and proposed new fencing and landscaping will assist in screening the proposed buildings from the adjacent uses, and help preserve existing levels of privacy. The proposed placement of the 3-storey buildings ensure that there is no overlook from the upper floors as they will be screened by the proposed 2-storey buildings.

iii) increased levels of light pollution, noise, odour, dust or vibration;

A photometric plan will be prepared at the Site Plan Approval process. It is not anticipated that light pollution will spillover into adjacent yards. Proper light fixtures will direct lighting onto the subject lands, and new fencing will mitigate vehicular headlights from shining into adjacent spaces.

iv) increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;

The level of traffic anticipated from the proposed development is less than the traffic generated by the previous institutional use. There is no anticipate decrease in functionality of surrounding roadways.

v) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas or setting;

The proposed development has taken measures to ensure the ability to enjoy the surrounding properties are maintained, that residents continue to feel safe in their outdoor settings, and that their privacy remains.

vi) visual intrusion that disrupts the streetscape or buildings;

The proposed development will replace the previous streetscape of a single storey school building with 2 and 3-storey townhouse buildings. Furthermore, a new parkland block will abut Dillon Drive providing the community with a small parkette and improve upon the streetscape from the previous building.

vii) built form in terms of scale and massing;

The proposed development consists of 2 and 3-storey buildings. The surrounding area does not have any existing 3-storey buildings, and limited 2-storey buildings. A majority of the surrounding dwellings are 1 to 1.5-storeys. That being said current zoning permissions of the surrounding area do permit dwellings to reach a height of 3-storeys as of right. The proposed development seeks to take advantage of those zoning permissions. The development has been designed in a way to site the 3-storey

buildings so that they are screened by the shorter 2-storey buildings from adjacent lands uses, or are oriented to lookover the interior of the subject lands, or the park and SWM block.

Mitigation measures may be used to achieve development and land use compatibility.

Such measures may include one or more of the following:

- a) ensuring adequate setbacks and minimum yard requirements;*
- b) establishing appropriate transition in building heights, coverage and massing;*
- c) requiring fencing, walls, landscaping or berming to create a visual screen;*
- d) designing the building in a way that minimizes adverse effects;*
- e) maintaining mature vegetation and/or adding new landscaping features;*
- f) controlling access locations, driveways, service areas and activity areas; and*
- g) regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.*

The above noted mitigation measures have already been addressed in other areas of this addendum, but to reiterate some of the more key measures taken, they are as follows:

The proposed development increases the building setbacks from all property lines beyond the minimum standards in the Zoning By-law. This setback increase permits the retention of existing mature trees which will help screen the proposed buildings from adjacent land uses, and maintain levels of privacy for adjacent residents. The increased setbacks also provide areas for new landscaping, including new fencing which will further screen the proposed development. The proposed development will reuse the existing vehicular access point from the previous institutional use. This is maintaining the expected level of traffic on the surrounding roadways and not create new access points or traffic patterns. Taller buildings have been sited and oriented to avoid overlook concerns into adjacent yards, and where possible, fully screen them using the shorter

perimeter buildings. Garbage and surface parking areas are screened from adjacent land uses, and/or are enclosed to completely block views of garbage bins and vehicles.

Section 4.2 of the DOP provides the planning goals and land use policies relating to the Residential Land Use designation. The following is an analysis of the applicable policies including the Medium Density residential policies as they relate to the proposed development.

Section 4.2.1 – Goals

i) to encourage the provision of an adequate supply of new residential building lots to meet the anticipated demand for additional housing units over the next 25 years. To accomplish this, the Town will attempt to have a three-year supply of residential lots in either draft or final approved plans of subdivision and a 15-year supply of land designated for residential development available at all times;

The proposed OPA will ensure that the Town of Tecumseh can meet the 15 year supply of land designated for residential development.

ii) to encourage the development of a greater variety of housing types in the Town to meet the future housing needs of all households, and to meet the provincial housing objectives as set out in the Provincial Policy Statement and County of Essex Official Plan;

The proposed development is comprised of townhouse and stacked townhouse building forms, which are either limited (Townhouses), and or not currently offered (stacked townhouse) in the Town of Tecumseh. The proposed built forms will address the mix of housing type policies found in the PPS, as well as the COP, and DOP.

iii) to ensure that new residential development occurs in a manner in keeping with the capacity of the services available and the financial capability of the municipality;

iv) to encourage the infilling and rounding out of the existing development pattern in urban areas of the Town where a full range of municipal infrastructure

(including a piped sanitary sewer system), community facilities, and goods and services can be provided in a cost-effective and environmentally sound manner;

The proposed development is on an underutilised parcel that is already serviced by municipal systems which have the capacity to efficiently serve the proposed development. The on-site SWM pond will ensure that the proposed development does not exacerbate the existing issues regarding the stormwater management system in the area.

v) to ensure that existing and new residential areas are walkable and, to the greatest extent possible, are supported by all modes of transportation;

There is an existing public transit line along Dillon Drive immediately in front of the subject lands. The subject lands are also proximate to Lesperance Road which has a mix of residential and commercial uses within walking distance.

vi) to promote and encourage residential intensification activities in areas of the Town where a full range of municipal infrastructure, community facilities, and goods and services are readily available. Residential intensification includes infilling, second units, conversions and redevelopment;

The proposed development is within an existing built-up area that has adequate municipal services, and infrastructure. The subject lands are also serviced by public transportation and have community facilities available throughout the surrounding neighbourhood.

Section 4.2.2 – Policies

v) the intensification of residential lands shall be encouraged and standards of development that will assist in achieving this objective shall be a priority for the Town. A minimum of 15 percent of all new housing within the Town should be provided through residential infill and/or intensification, as identified as a target in the County of Essex Official Plan. Residential intensification shall be defined as a net increase in residential units or accommodation within a given property, site or area and includes:

a) redevelopment, including the redevelopment of brownfield sites;

b) the development of vacant or underutilized lots within previously developed areas;

c) infill development;

d) the conversion or expansion of existing commercial and institutional buildings for residential use;

The proposed development will assist the Town of Tecumseh in achieving the 15% target of new development being provided through intensification/infill. The subject lands are a former institutional use that will be redeveloped for residential uses. The former school building has been removed and the site cleared.

vi) within existing stable residential areas, applications for infill or redevelopment must be located and organized to fit with neighbouring properties and must satisfactorily address the criteria contained in Section 3.18 of this Plan. In fully serviced areas, intensification through moderate increases in building height or density, and gradual transition to more intense forms of housing may be approved in neighbourhoods that are adjacent or in close proximity to such items as transit routes, commercial areas, community facilities and/or significant areas of open space;

The policies of Section 3.18 of the DOP have been examined earlier in this section.

Section 4.2B – Medium Density Residential Policies

Medium density residential land uses include such building types as townhouses, stacked townhouses, row houses, multiple dwelling conversions, walk-up or small-scale apartments, and mixed use buildings with commercial on the ground floor. Nursing homes, rest homes and retirement homes may also be permitted. The maximum height for medium density residential buildings shall be four storeys.

The residential goals and policies contained in subsection 4.2 of this Plan shall apply to medium density residential development. In addition, the following policies shall apply to medium density residential development:

i) the density range for medium density extends from 20 to 50 units per gross hectare;

The proposed development has a density of 30 units per hectare, which is within the range contemplated for medium density uses.

ii) when considering any new medium density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:

a) availability of adequate municipal services;

b) provision of adequate outdoor amenity areas, which must include recreation areas, common areas and private areas to the satisfaction of the Town;

c) adequate on-site parking for each residential unit and for visitors, either in surface parking areas, individual driveways and garages, or in above or below grade parking structures, as the Town deems appropriate; and

d) protection of adjacent low density residential areas from adverse effects;

As noted throughout this section of the addendum the proposed development is on an underutilised lot within an existing built-up area. The subject lands are already serviced by municipal system that have adequate capacity for the proposed development. The proposed development has been designed in a way to protect adjacent low density uses from any potential adverse impacts. The proposed development exceeds the parking requirement for both residents and visitors as per the current regulations of the zoning by-law.

The proposed development as a mix of amenity spaces, private and public, including a new public park block along Dillon Drive. Additional amenity space is available along the westerly property line providing outdoor space for active and passive uses. Private amenity space in the form of patios and balconies are available to all units proposed.

iii) new medium density residential developments must address the criteria of Section 3.18 Land Use Compatibility and the Urban Design policies of Section 7 of this Plan, which refer to such matters as siting and designing the building to be compatible with adjacent land uses in terms of function and design, and avoidance of undue adverse effects on adjacent land uses;

The policies of Section 3.18 of the DOP have been examined earlier in this section.

5.0 SUMMARY AND RESPONSE TO PUBLIC COMMENTS

A Public Participation Meeting for the proposed applications was held on September 10th, 2019 at the Town of Tecumseh Town Hall. The following table provides a summary of the comments recorded (based on the meeting minutes), and how the revised materials have responded. Some comments received do not have a basis in planning policy and those comments will not be discussed.

Comment	Response
Scale & Density/Compatibility	<ul style="list-style-type: none">• The revised site plan does not decrease the proposed number of units. The proposal remains in line with the medium density residential range in the Town of Tecumseh Official Plan. It is acceptable planning practice that medium density residential is compatible with low density residential as long as adverse impacts are mitigated.• Yard setbacks have increased in the latest Site Plan drawing further increasing separation distances from existing single detached dwellings to the proposed townhouses well above the minimum required setbacks.• Cross sections have been prepared as part of this response package, and they illustrate that there

	<p>are no over look concerns from the 3-storey stacked townhouses into private amenity areas.</p> <ul style="list-style-type: none"> The proposed building height is consistent with the R3 zone, which has the same height regulation as the R1 zone (10.6 metres). The 2-storey townhouses provide a transition from the adjacent 1-2 storey single detached dwellings to the 3 storey stacked townhouse buildings.
Increase in Traffic/Location of Access	<ul style="list-style-type: none"> The Traffic Impact Study provided in support of the applications concluded that the surrounding roadways and intersections would continue to operate within the expected, and planned for volumes, and no adverse impacts are expected. Adam Blata, author of the study, spoke at the public meeting addressing concerns around the study and its findings. Mr. Blata went over the data gathering process and how conclusions are reached. Mr. Blata confirmed that the former institutional use would have had more peak-time traffic than the proposed development. The proposed access re-uses the previous institutional access. No new access is proposed for this development. The surrounding area will be familiar with this access location and the expectation of vehicles coming and going from this property.
Flooding/Stormwater Management	<ul style="list-style-type: none"> The Subject Lands will be raised to acceptable elevation to avoid impacts from significant flooding events. On-site stormwater management features will retain all stormwater on the subject lands and

	<p>avoid runoff onto adjacent properties.</p> <ul style="list-style-type: none"> • The Town acknowledged there is ongoing flooding issues in the greater neighbourhood and solutions to those matters will come directly from the Town. • The proposed development will not exacerbate the current flood issues in the surrounding neighbourhood.
Tree Retention	<ul style="list-style-type: none"> • A Tree Preservation Report & Plan have been prepared in support of this application. While many of the interior trees will be removed because of construction conflicts, many perimeter trees will be retained to assist with screening and buffering from adjacent land uses. • The larger existing trees along the southerly property line are proposed to be retained. In order to achieve this, the blocks of townhouses along the southerly property line have be shifted northwards to accommodate the required space around those existing trees to allow for their retention. • Six existing Kentucky Coffee Trees will be relocated from the subject lands interior to proposed amenity spaces along the westerly side of the property. These trees are endangered and the relocation will allow for their preservation.

6.0 CONCLUSION

The proposed Official Plan and Zoning By-Law Amendments seek to permit a medium density development in the form of 23, 2-storey townhouse units, and 40 stacked townhouse units in the form of two, 3-storey blocks (total of 63 units) on the subject

lands, with a new parkland block along a public transit route (Dillon Drive). The proposal to redevelop the underutilized subject lands to appropriately provide efficient and cost-effective residential development that provides a built form and residential intensity that is compatible with abutting low density uses, maintains privacy, and fulfills the planned function of the subject lands for residential intensification.

Based on the above, and as detailed throughout this Planning Report Addendum, the proposed Official Plan and Zoning By-Law Amendments are consistent with intent and policies of the 2014 Provincial Policy Statement, The Essex County Official Plan, the Town of Tecumseh Official Plan, and the Draft Town of Tecumseh Official Plan, and comply with the intent of the Town of Tecumseh Zoning By-law. As such, the Official Plan and Zoning By- Law Amendments are appropriate and represent good land use planning practice.