



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: May 11, 2021

Report Number: PBS-2021-21

Subject: Site Plan Control
Demeter Developments Inc.
11941 Tecumseh Road
OUR FILE: D11 11941TEC

Recommendations

It is recommended:

That a by-law authorizing the execution of the “Demeter Developments Inc.” site plan control agreement, satisfactory in form to the Town’s Solicitor, which allows for the development of a four-storey apartment building consisting of 38 dwelling units and associated parking, landscaping and on-site services/works on a 0.43 hectare (1.06 acre) parcel of land situated on the south side of Tecumseh Road, approximately 80 metres west of its intersection with Shawnee Road (11941 Tecumseh Road), **be adopted**, subject to the following occurring prior to the Town’s execution of the Agreement:

- i) final stormwater management design and stormwater management calculations, and associated site service drawings being approved by the Town;
- ii) the Owner executing the site plan control agreement; and
- iii) the Owner posting security for performance pursuant to paragraph 6.1 of the agreement;

And that the execution of such further documents as are called for by the site plan control agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan control agreement on title to the lands and such other acknowledgements/directions for any related transfers or

real property registrations contemplated by the site plan control agreement, by the Mayor and Clerk, **be authorized.**

Background

Property Location

Demeter Developments Inc. ("the Owner") owns the subject 0.43-hectare (1.06 acre) property located on the south side of Tecumseh Road, approximately 80 metres west of its intersection with Shawnee Road (11941 Tecumseh Road). The property is currently occupied by two single-unit dwellings, both of which are located on the northern portion of the property, abutting Tecumseh Road, while the southern portion of the subject property is currently vacant (see Attachment 1).

Previous Planning Application Approvals

In July of 2017, Council adopted by-laws having the effect of amending the Tecumseh Official Plan and Tecumseh Zoning By-law 1746 to permit the use of the property for an apartment building containing up to 51 dwelling units and one live-work unit (a dwelling unit that will double as a commercial work space) and having a maximum height of five stories. The Official Plan Amendment (OPA No. 39) also introduced site-specific policies regarding the design of the mutual access with the abutting apartment building to the east. The Zoning was changed from "General Commercial Zone (C3)" to "General Commercial Zone (C3-14)" which, in addition to establishing the maximum height and number of units, sets out site-specific minimum yard requirements.

Proposed Development

The property is subject to site plan control approval in accordance with Section 41 of the *Planning Act, R.S.O. 1990*. Accordingly, the Owner has filed an application for site plan control approval in order to facilitate the following development (see Attachment 2):

- i) a four-storey, 38-unit apartment building having a building footprint of 1,206 square metres (12,991 square feet) and a total floor area of 4,827 square metres (51,964 square feet) that is situated at the front of the property. Of the 38 units, 27 will be two-bedroom units, with the remaining 11 being one-bedroom units, one of which will be a live-work unit. The units are proposed to be rented and will range in size from 74 square metres to 93 square metres (800 square feet to 1,000 square feet);
- ii) an asphalted parking area to the rear of the apartment building containing 57 spaces (two of which are barrier free) that will include infrastructure to provide proper stormwater drainage. In addition, a bicycle rack for five bicycles is being provided;

- iii) the installation of a new 1.5-metre high vinyl privacy fence along the southern lot line and a portion of the eastern lot line where it abuts the rear yards of the residential properties that front onto Shawnee Road;
- iv) landscaping throughout the property and along Tecumseh Road;
- v) a shared vehicular/pedestrian access corridor extending south from Tecumseh Road and located partially on the eastern side of the property and partially on the western side of the property abutting to the east. It should be noted that the site plan agreement requires that, in conjunction with the current apartment building being constructed on the property to the immediate east, this access corridor will be designed to serve both properties (the subject property and the property abutting to the east at 11957 Tecumseh Road). This shared access corridor will include a vehicular access drive with sidewalks and landscaped strips on both sides. This requirement for shared access between the subject property and the property to the east is established in the Official Plan and is consistent with the requirements contained in the existing executed site plan agreement pertaining to the three-storey apartment under construction on the abutting easterly property. It should also be noted that the two property owners are currently finalizing a mutual access agreement that will legalize the shared access corridor and the relationship between the properties;
- vi) a pedestrian public access corridor through the aforementioned shared access corridor that will connect the existing residential areas south of the subject land to the Tecumseh Road commercial area. This public access corridor will be secured through easements (prepared by the Town's solicitor) granted to the Town by the owners of the subject property and the abutting property to the east. It should be noted that the completion of this connection will ultimately require the cooperation of the landowner to the south (currently the Windsor-Essex Community Housing Corporation) so that the pedestrian public access corridor can be connected to Arbour Street;
- vii) a 3-metre (10 foot) land conveyance across the frontage of the property to the Town that will be added to the Tecumseh Road right-of-way. This conveyance is required as a condition of site plan approval in the Official Plan for all lands proposed to be developed along Tecumseh Road; and
- viii) a conceptual layout of a future apartment building on the property located to the immediate west of the subject property and how this potential apartment could be integrated into the subject development, particularly with respect to the use of the shared access lane. The Owner is also part-owner of this abutting property and has expressed an interest in potentially developing the abutting property once the currently-proposed development is completed. The Owner has been advised that the illustration of the future development on the abutting lands to the west does not constitute a formal site plan approval for these abutting lands. Any development of the lands to the west will be subject to a future site plan approval process and will need to adequately address matters such as site servicing, fire access, landscaping, parking and shared access.

In addition to the site plan, the Owner has submitted a site service, grading and pavement plan, a landscape plan, a photometric plan and an elevation plan, all of which are attached to the site plan agreement as schedules. The Owner has also submitted an architectural rendering of the proposed development (see Attachment 3).

Comments

Official Plan and Zoning

The proposed development and corresponding site plan conform to the site-specific policies contained in the Official Plan. In addition, the site plan complies with all regulations established in the “General Commercial Zone (C3-14)” (see Attachment 4).

Servicing

The proposed development will be on full municipal services (sanitary, water and stormwater drainage). A Stormwater Management Study, which includes quantity and quality control measures, and associated site service drawings have been reviewed by Town Administration. As a result, revisions are currently being finalized by the Owner’s consultant. The site plan control agreement requires that final approval of the Stormwater Management Study and associated servicing drawings, to the satisfaction of the Town, shall be required prior to the issuance of a building permit. Public Works and Environmental Services has advised that it has no concerns with the proposed development.

Community Improvement Plan (CIP)

The subject property is located within the Tecumseh Road Main Street Community Improvement Plan (CIP) area. The proposed development is consistent with the CIP objectives, particularly as they relate to: residential intensification; the positioning of the apartment building at the front edge of the property with parking to the rear; the accommodation of a pedestrian link that will ultimately connect the Tecumseh Road commercial area and the Arbour Street residential area; and the fulfilment of urban design guidelines. In addition, the architectural drawings provided by the Owner depict a building that is consistent with the architectural building features and materials promoted through the CIP. The Owner has applied for funding through the Development Charges Grant Fund program of the CIP in the amount of \$100,000 and has also applied for property tax relief based upon the incremental increase in the municipal portion of property tax through the Building and Property Improvement Grant (BPIG) Program. Council approval of these two grants are being brought forward concurrently with this site plan control application by way of Reports PBS-2021-22 and PBS-2021-23, respectively.

Summary

In summary, it is the opinion of the writer, along with Town Administration, that the proposed site plan control agreement will result in appropriate development that is based on sound land use planning principles. The development of the proposed four-storey, 38-unit apartment building, along with other proposed residential intensification developments in the surrounding area, will help to realize the community-developed vision articulated in the Tecumseh Road Main Street CIP. Accordingly, Administration is prepared to recommend approval of the attached site plan agreement, as prepared by Wolf Hooker Law Firm (Town Solicitor) (see Attachment 5, with site plan drawing attached thereto as Schedule B) which facilitates the subject development.

As has been the practice of the Town to date, the agreement establishes that a security deposit in the amount of \$20,000 (cash or letter of credit) is required as a condition of approval to ensure all performance obligations of the Owner are fulfilled.

Consultations

Fire & Emergency Services
Public Works & Environmental Services
Town Solicitor

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 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.

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

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Subject Property Map
2	Proposed Site Plan, Detail View
3	Proposed Architectural Rendering
4	Zoning Map
5	Site Plan Control Agreement