



The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Chad Jeffery, Manager Planning Services

Date to Council: August 14, 2018

Report Number: PBS-2018-27

Subject: Scheduling of a Public Meeting
Proposed Official Plan Amendment and Zoning By-Law Amendment
F&S Enterprises Multi-Unit Residential Development
12300 County Road 42
Our File: D19 BASHI

Recommendations

It is recommended:

That the scheduling of a public meeting to be held on **September 25th, 2018 at 5:30 p.m.**, for the applications submitted by F&S Enterprises to amend the Sandwich South Official Plan and Zoning By-law 85-18 for the northerly 0.48 hectares (1.2 acres) of a 0.66 hectare (1.63 acre) parcel of land located on the northeast corner of the County Road 42/Lesperance Road intersection from:

- i) the current Official Plan designation of “Neighbourhood Commercial” to a “Medium Density Residential” designation with a site-specific policy that will establish a maximum density of 38 units per hectare; and
- ii) the current “General Commercial Zone (C1)” to a site-specific “Residential Zone 2 (R2)”

in order to permit the construction of a residential development consisting of three six-unit, three-storey multi-unit dwellings, for a total of 18 dwelling units, to be located on the northerly 0.48 hectares (1.2 acres) of the 0.66 hectare (1.63 acre) property, **be authorized.**

Background

Property Location and Surrounding Land Uses

F&S Enterprises, “the Applicant”, has filed applications with the Town to amend the Sandwich South Official Plan and Zoning By-law 85-15 for the northerly 0.48 hectares (1.2 acres) of a 0.66 hectare (1.63 acre) vacant parcel of commercially designated and zoned land located on the northeast corner of the County Road 42/Lesperance Road intersection (see Attachment 1). The proposed amendments would facilitate the construction of a residential development consisting of three six-unit, three-storey multi-unit dwellings, for a total of 18 dwelling units, to be located on the northerly 0.48 hectares (1.2 acres) of the property.

The lands surrounding the subject property (see Attachment 2) are as follows:

- North: Long/narrow single-unit residential lots fronting on the east and west side of Lesperance Road.
- East: Long/narrow single-unit residential lots fronting onto the north and south side of County Road 42. Additional single-unit residential lots are situated to the north-east. Farther to the east, at the intersection of County Road 42 and Manning Road, is a commercial node consisting of gas stations, convenience stores and restaurants.
- South: Commercial uses fronting on the south side of County Road 42/Lesperance Road intersection beyond which are single unit residential lots fronting on 12th Concession Road. To the southwest is the Checker Flag residential subdivision.
- West: Commercial uses (one which has a residential apartment on the second floor) fronting on the west side of Lesperance Road. To the northwest, within a reasonable walking distance, are St. Peter’s Elementary School and McAuliffe Park. A walking trail leading to Tecumseh Vista K-12 School can be accessed through this municipal park.

Proposed Development

The Owner has submitted a proposed preliminary site plan and architectural renderings (see Attachments 3A, 3B) depicting:

- A development consisting of three six-unit, three-storey multi-unit dwellings, for a total of 18 dwelling units, fronting onto the east side of Lesperance Road. Each multi-unit building will have an approximate footprint of 213 square metres (2,300 square feet). The first floor of each building will be half below-grade, resulting in buildings that appear to be 2.5 storeys with a total height of 10 metres (32.8 feet). Each unit within the apartment building will be approximately 106 square metres (1150 square feet);

- 33 on-site surface parking spaces (1.5 parking spaces per unit) situated behind the proposed multi-unit dwellings, with access directly from Lesperance Road;
- Sidewalks along the front and rear of the multi-unit dwellings providing access from both Lesperance Road and the parking lot to the rear;
- A 461 square metre (5,000 square foot) commercial plaza consisting of five individual units, with an associated 39 space parking area will occupy the southerly 0.16 hectares (0.4 acres) of the property. This portion of the property is not subject to the aforementioned applications as the current commercial designation and zoning will facilitate the commercial component of the proposed development. Final design layout/location of the commercial building and its associated parking area is subject to further discussions with Town Administration and the County of Essex. It should be noted, however, that the County Engineering Department has indicated that it will not approve the most southerly of the two access drives from Lesperance Road, currently depicted on the preliminary site plan.

Planning Applications

In order to permit the proposed development, the applicant is requesting that the northerly 0.48 hectares (1.2 acres) of the 0.66 hectare (1.63 acre) subject property be:

- i) redesignated from “Neighbourhood Commercial” to “Medium Density Residential” with a site-specific policy establishing a maximum density of 38 units per hectare; and
- ii) rezoned from “General Commercial Zone (C1)” to a site-specific “Residential Zone 2 (R2)”. The new site-specific R2 zone would permit the proposed residential uses, establish the maximum number of dwelling units, and establish other lot/building requirements such as minimum yard depths/widths, landscaping, parking spaces/sizes and maximum building height, lot coverage, and landscaping.

Additional Planning Approvals

In addition to the aforementioned planning applications, it should be noted that the approval of a site plan control agreement will be required prior to either the residential or commercial component of the proposed development proceeding.

Supporting Documents

The following document has been submitted to the Town in support of the applications:

- i) **Planning Justification Report, Proposed Residential Development – Tracey Pillon-Abbs, RPP, Planning Consultant, July 29, 2018.**

During early discussions regarding the potential development of the subject property, Town Administration identified that the preparation of a Planning Justification Report

(PJR) would be required in order to assist with the assessment of the proposal from a land-use planning perspective, including consideration of commercial land needs. Accordingly, the Owner retained the services of Ms. Tracey Pilon-Abbs, Planning Consultant to prepare a PJR.

The PJR evaluated the proposed development and land uses against the Provincial Policy Statement (PPS), the County of Essex Official Plan and the Town's Official Plan.

The PJR concluded that:

“The proposal to use the Site for multi unit residential dwellings is appropriate and should be approved by the Town of Tecumseh as it:

- is consistent with the PPS 2014;
- conforms with the intent and purpose of the COP;
- conforms with the intent and purpose of the Town OP;
- complies with the regulations of the Town ZBLA;
- is a site that is physically suitable;
- does not negatively impact the private use and enjoyment of area residents;
- will not have any negative natural environmental impacts;
- will not create any traffic issues;
- will not have any negative impacts on municipal services;
- will not have any negative social or economic impacts; and
- will have a favourable positive impact on the Town of Tecumseh.

In summary, for the above reasons, it would be appropriate for the County of Essex to approve the application for Official Plan amendment and the Town of Tecumseh to adopt the application for Official Plan amendment and approve the application for Zoning By-law amendment to reduce the commercial area and permit multi unit residential dwellings on the Site as it is appropriate for development and will compliment the planned commercial node within a mixed-use area.

This PJR has shown that the proposed development is suitable intensification of affordable residential, is consistent with the Provincial Policy Statement, conforms with the intent and purpose of the County of Essex Official Plan,

conforms with the intent and purpose of the Town of Tecumseh Official Plan and represents good planning.”

Town Administration has reviewed this study and is satisfied that its analysis and recommendations are sufficient to support consideration of the proposed application and to proceed with a formal public meeting.

Comments

The following summary of relevant goals and policies is provided to assist Council in understanding the scope of the issues and the matters requiring consideration as this proposal advances through the planning process.

Provincial Policy Statement, 2014

The Planning Act establishes that Council, when making decisions that affect a planning matter, “shall be consistent with” the 2014 Provincial Policy Statement (“PPS”) issued under *The Planning Act*. The PPS encourages and supports development on lands identified for urban growth in settlement areas. Relevant excerpts include:

- “1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1 Healthy, livable and safe communities are sustained by:
 - b) accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;
 - e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
 - 1.1.3 Settlement Areas
 - 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
 - 1.1.3.2 Land use patterns within settlement areas shall be based on:
 - a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;

- 4. support active transportation;
 - 5. are transit-supportive, where transit is planned, exists or may be developed;
 - b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
- 1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas ... and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.4 Housing
- 1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:
- b) permitting and facilitating:
 - 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
 - 2. All forms of residential intensification and redevelopment in accordance with policy 1.1.3.3;
 - c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
 - d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed;

- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

6.0 Definitions

Residential intensification: means intensification of a property, site or area which results in a net increase in residential units or accommodation 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.”

The PPS promotes higher density development that results in compact built form and makes more efficient use of existing services while offering a range of housing forms/types to meet expected needs, such as those of the growing senior cohort of the Town’s population. The PPS supports the development of a broad range of housing types and tenures. It also encourages residential intensification within identified urban areas and where such areas have appropriate levels of servicing. The foregoing policies illustrate the emphasis that the PPS places on intensification in urban areas. Any decision of Council should be consistent with the PPS.

County of Essex Official Plan, 2014

The subject lands are within a Primary Settlement Area of the County of Essex Official Plan (County OP). Any amendment to a local official plan must be in conformity with the policy direction contained in the County OP. The goals and policies of the County OP encourage a range of residential development within identified settlement areas such as the fully serviced urban areas of the Town of Tecumseh. The following goals and policies of the County OP are most relevant in the assessment of the subject proposal:

“1.5 GOALS FOR A HEALTHY COUNTY

The long-term prosperity and social well-being of the County depends on maintaining strong, sustainable and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of this Plan have been developed to achieve the following goals for a healthy County of Essex:

- c) To direct the majority of growth (including intensification and affordable housing), and investment (infrastructure and community services and facilities) to the County's Primary Settlement Areas. These Primary Settlement Areas will serve as focal points for civic, commercial, entertainment and cultural activities.
- d) To encourage reduced greenhouse gas emissions and energy consumption in the County by promoting built forms and transportation systems that create more sustainable, efficient, healthy, and liveable communities.
- e) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.
- f) To provide a broad range of housing choices, employment and leisure opportunities for a growing and aging population.

3.2 SETTLEMENT AREAS

3.2.2 Goals

The following goals are established for those lands designated as Settlement Areas on Schedule “A”:

- a) Support and promote public and private re-investment in the Primary Settlement Areas;
- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities;
- c) To promote development within Primary Settlement Areas that is compact, mixed-use, pedestrian oriented, with a broad range of housing types, services and amenities available for residents from all cultural, social and economic backgrounds;
- i) Promote residential intensification within Primary Settlement Areas;

3.2.4 Primary Settlement Areas

3.2.4.1 Policies

The following policies apply to Primary Settlement Areas:

- a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality;
- b) Primary Settlement Areas shall have full municipal sewerage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options;
- c) Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan;
- i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided;

3.2.7 Intensification & Redevelopment

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 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 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 subject property is within a Primary Settlement Area, as designated in the County OP. Any decision of Council should be in conformity with the County OP.

Sandwich South Official Plan

As noted previously, the subject lands are designated “Neighbourhood Commercial” on Schedule “A-1” of the Sandwich South Official Plan (see Attachment 4). An amendment to the Official Plan will be required to designate the aforementioned portion of the subject property into a “Medium Density Residential” designation and to introduce a site-specific policy to permit a total maximum density of 38 units per hectare in order to facilitate the proposed residential development.

The goals and policies of the “Medium Density Residential” designation encourage the development of housing types other than single unit dwellings as a means of increasing the supply of affordable housing and offering a variety of ownership options, such as low-rise apartments.

However, the “Medium Density Residential” designation currently does not permit the density resulting from the proposed development. Under subsection 3.3.2 i), it is established that residential uses in this designation shall consist primarily of townhouse and low-rise apartment style development not exceeding a maximum density of 30 units per hectare of land. The areas of a property that are proposed to be used for commercial or other non-residential purposes cannot be used towards the calculation of the development’s density. Based on the foregoing, the 0.48 hectare (1.2 acre) portion of the property identified for residential purposes would result in a site-specific density of 38 units per hectare.

Based on the foregoing, an amendment to the Official Plan changing the land use designation and establishing an appropriate site specific policy is required. Subsection 6.17 of the Official Plan, Amendment Procedures, establishes that, when contemplating an amendment to the Official Plan, due regard shall be had to the following matters:

- i) the physical suitability of the land to be used for the proposed use;
- ii) the adequacy of all required services;
- iii) the adequacy of the road system to accommodate the projected traffic volume increases;
- iv) the compatibility of the proposed use with existing and potential future uses in the surrounding area;
- v) the need for additional land to accommodate the proposed use/facilities.

Any decision of Council regarding the proposed Official Plan Amendment should have adequate regard to the preceding matters.

Sandwich South Zoning By-law 85-18

The lands are currently zoned “General Commercial Zone (C1)” on Schedule “A”, Map 3, of the Sandwich South Zoning By-law 85-18 (see Attachment 5). As noted previously, the C1 zone

permits a range of commercial uses. The proposed rezoning to a site-specific R2 zone will permit the aforementioned residential dwelling types and establish specific yard and lot provisions.

Subsection 6.17 of the Official Plan, Amendment Procedures, as noted above, also applies when reviewing the appropriateness of applications to amend the Zoning By-law. Any decision of Council regarding the proposed Zoning By-law Amendment should also have adequate regard to the matters contained in this subsection.

Summary

In summary, it is the opinion of the writer, along with Town Administration, that the proposal warrants further consideration. A public meeting to consider the proposed official plan and zoning by-law amendments, in accordance with the requirements of the *Planning Act*, will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders/agencies. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

Upon hearing the comments of the stakeholders, a Planning Report will be prepared having regard to the stakeholder comments and giving full consideration to the various policies and criteria at hand from a professional planning perspective.

Consultations

Planning & Building Services
Public Works & Environmental Services
Fire & Emergency Services

Financial Implications

None.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
☒	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
☒	Ensure that the Town of Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
☐	Integrate the principles of health and wellness into all of the Town of Tecumseh's plans and priorities.
☐	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
☐	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:

Enrico DeCecco, BA (Hons), MCIP, RPP
Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

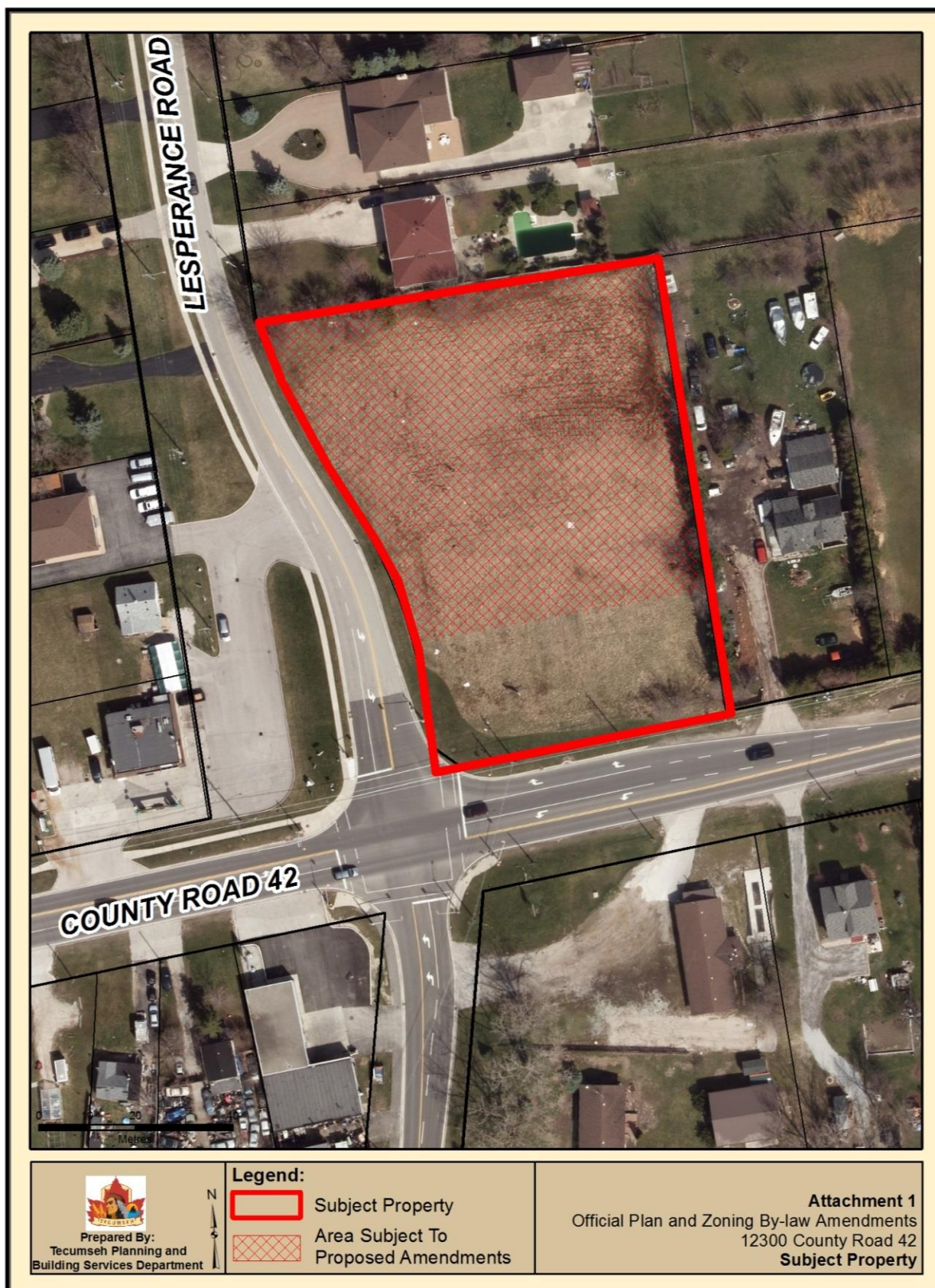
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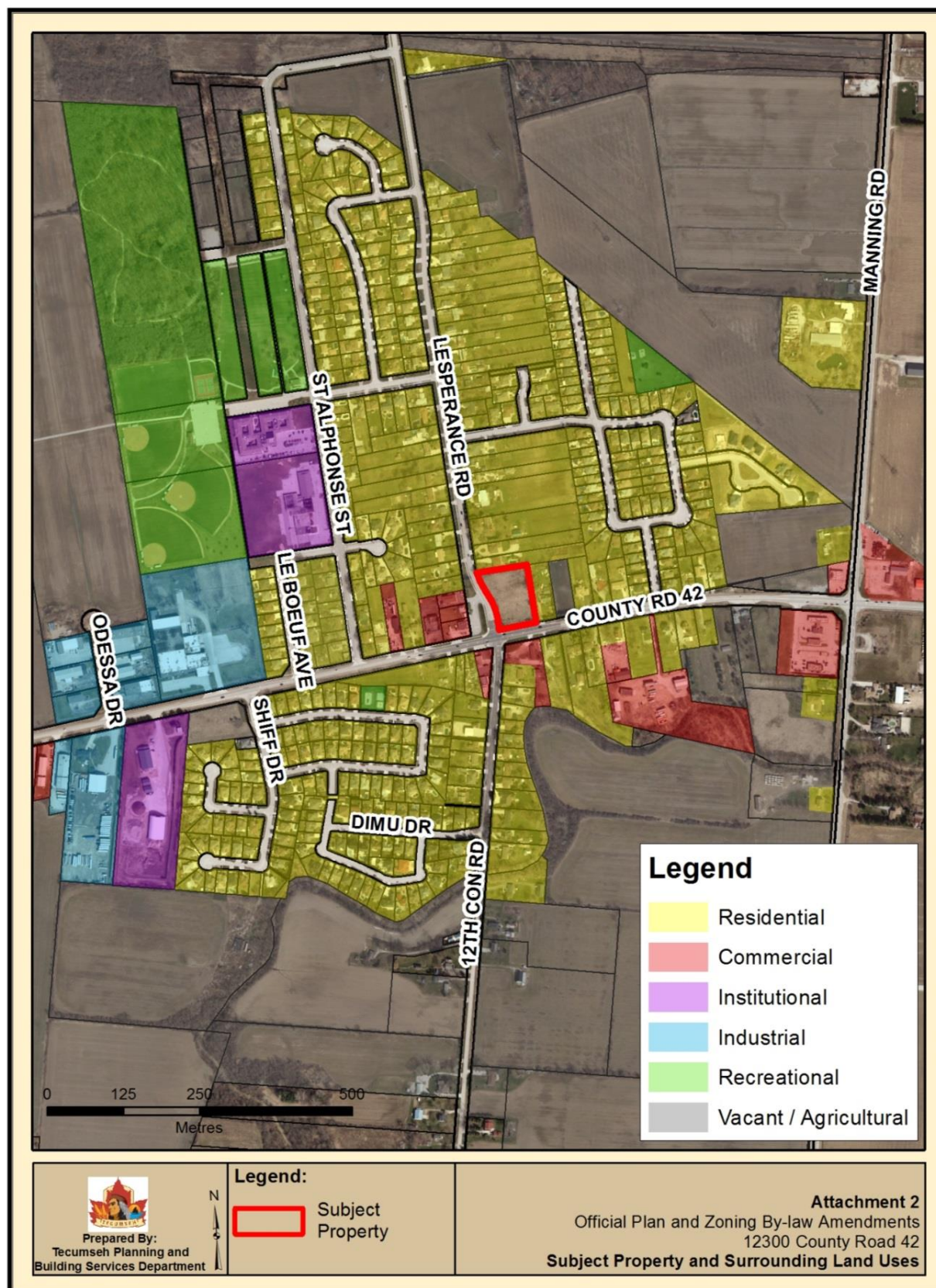
Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

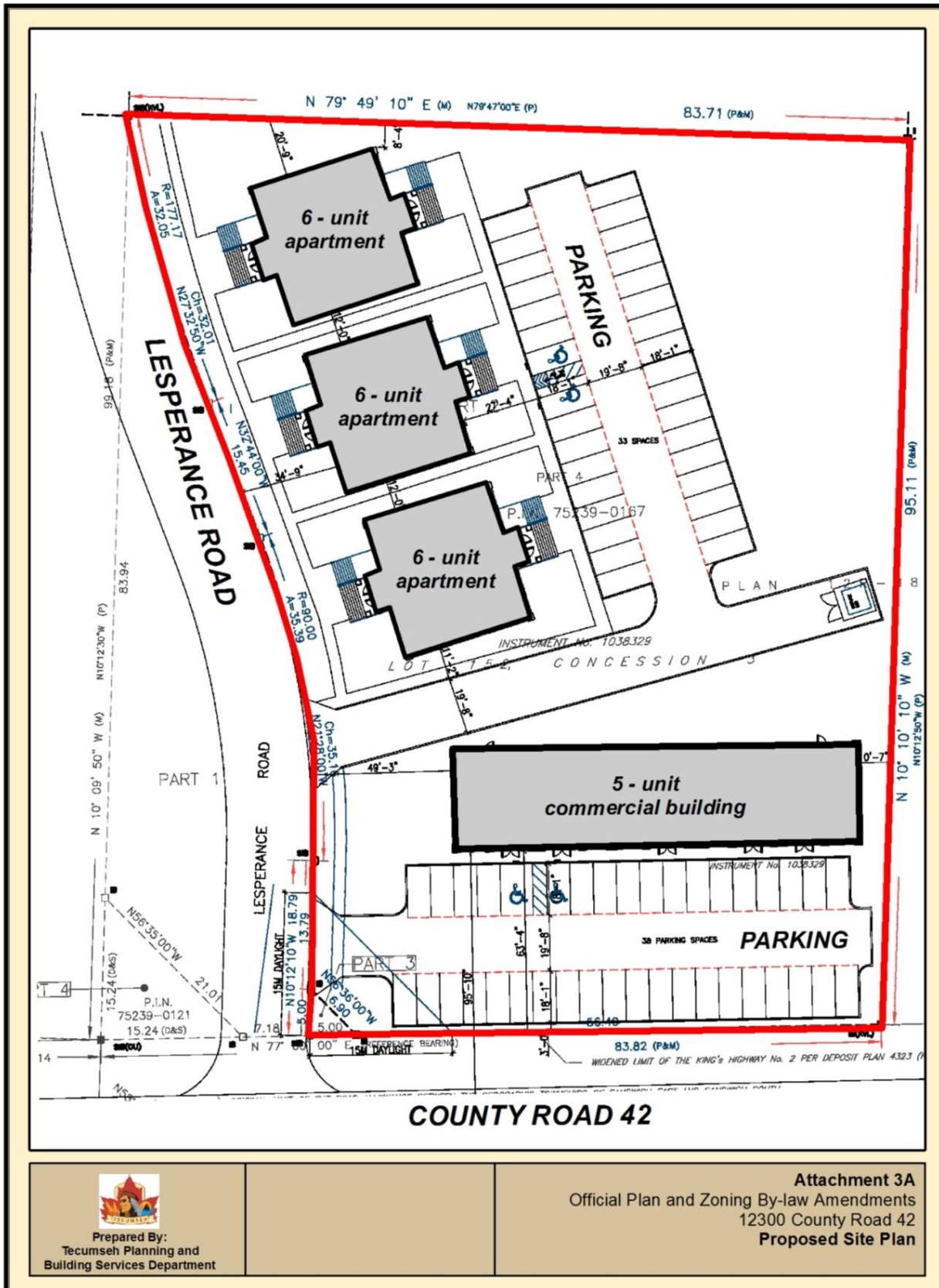
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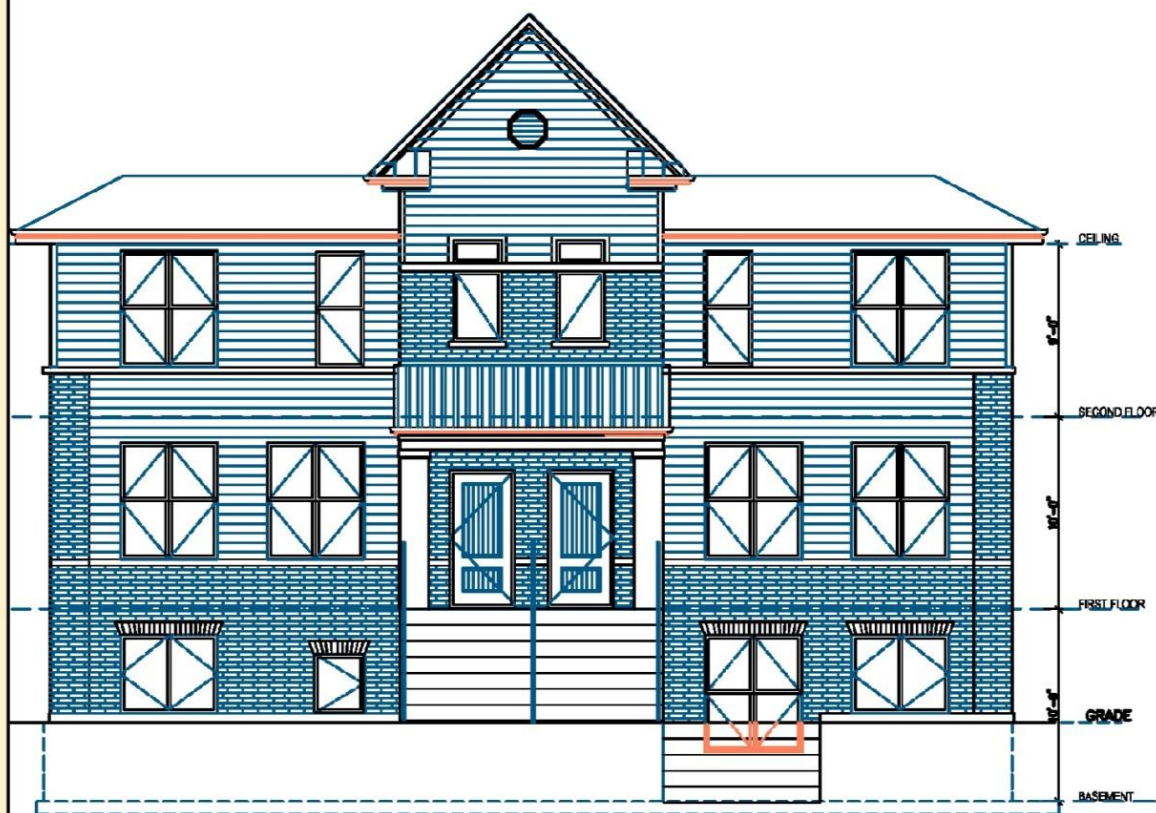
Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
1	Subject Property Map
2	Subject Property and Surrounding Land Uses Map
3A	Proposed Site Plan
3B	Proposed Architectural Elevation
4	Official Plan Map
5	Zoning Map









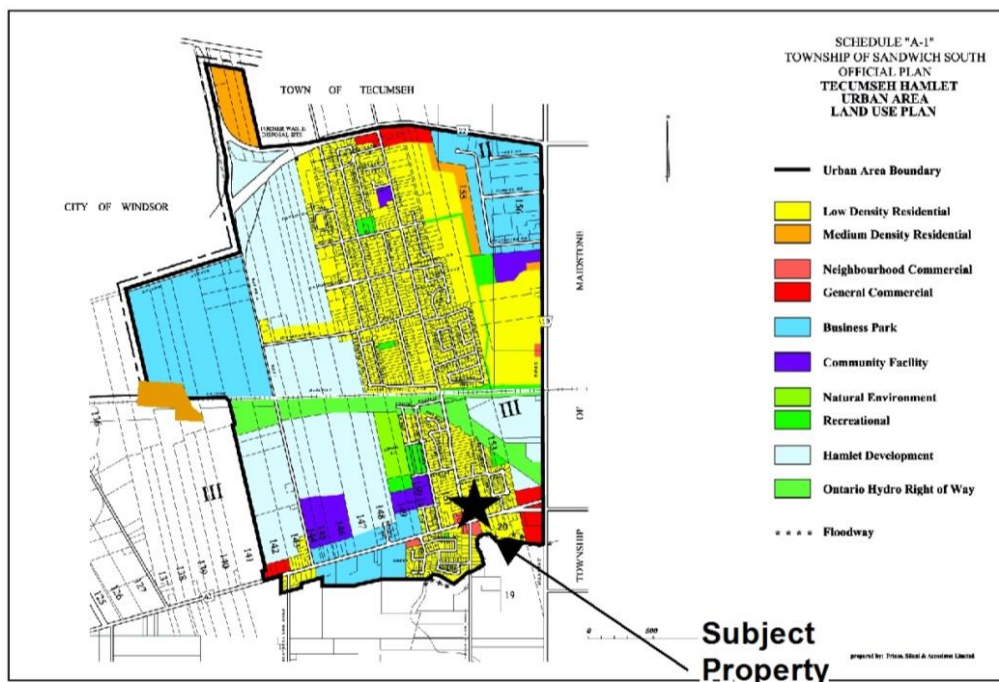
FRONT ELEVATION
SCALE 1/8" = 1'-0"

View of proposed apartment from Lesperacne Road, facing east.



Prepared By:
Tecumseh Planning and
Building Services Department

Attachment 3B
Official Plan and Zoning By-law Amendments
12300 County Road 42
Proposed Architectural Elevation



Prepared By:
 Tecumseh Planning and
 Building Services Department

Attachment 4
 Official Plan and Zoning By-law Amendments
 12300 County Road 42
 Official Plan

