



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: March 22, 2022

Report Number: DS-2022-11

Subject: Site Plan Control
Greater Essex County District School Board
New North Shore Elementary School
13800 Tecumseh Road
OUR FILE: D11 13800TEC

Recommendations

It is recommended:

That a by-law authorizing the execution of the “Greater Essex County District School Board” site plan control agreement, satisfactory in form to the Town’s Solicitor, which allows for the development of a two-storey elementary school and associated outdoor recreation areas, parking, landscaping and on-site services/works on a 2.33 hectare (5.75 acre) parcel of land situated on the north side of Tecumseh Road, approximately 60 metres (200 feet) west of its intersection with Arlington Boulevard (13800 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 and minor modifications as the Director Development Services may approve as necessary and appropriate upon conferring with the Town's Solicitor, **be authorized.**

Background

Property Location

The Greater Essex County District School Board ("the Board") owns a 2.33-hectare (5.75 acre) parcel of land ("the School Board property") situated on the north side of Tecumseh Road, approximately 60 metres (200 feet) west of its intersection with Arlington Boulevard (13800 Tecumseh Road). The property is currently vacant. Two residential dwellings that were once located on separate residential lots that now form part of the School Board property were recently demolished (see Attachment 1).

Previous Planning Application Approvals

In July of 2021, Council adopted by-laws having the effect of amending the Tecumseh Official Plan and Zoning By-law 2065 to redesignate and rezone the eastern 0.6 hectare (1.48 acre) portion of the School Board's 2.33 hectare (5.75 acre) property from "Residential" to "Community Facility" and from "Residential Type Two Zone (R2)" to "Institutional Zone (I), respectively. Previously, this eastern portion of the property comprised two separate residential lots that were occupied by the aforementioned residential dwellings that have since been demolished. With the redesignation and rezoning of the easterly portion of the School Board property, the entire site is now suitably designated and zoned to facilitate the development of an elementary school.

Proposed Development

The Board has confirmed that Provincial funding has been allocated in order to support the construction of an elementary school on the School Board property. Accordingly, the Board has filed an application for site plan control approval in order to facilitate the construction of an elementary school and ancillary uses, as detailed below (see Attachment 2):

- a two-storey elementary school that will be located centrally on the property. The proposed elementary school (including a day care centre) has a building footprint of 3370 square metres (36,280 square feet) and a total floor area of 6187 square metres (66,607 square feet). A total of 32 classrooms and four daycare rooms are proposed;
- on-site parking areas and school bus queueing lanes adjacent to Tecumseh Road as well as along the western portion of the site. A total of 82 parking spaces and 35 bicycle parking spaces are proposed. The vehicular entrance to the school site is proposed to be located at the Tecumseh Road/Dorset Park intersection. It is proposed that this new intersection be serviced by signalized traffic lights in order to safely and effectively facilitate vehicular, cycling and pedestrian traffic to and from the property;
- a combination of hard-surfaced and grassed outdoor recreational areas along the eastern portion of the property;
- a sidewalk along the western side of the property that will provide a connecting link to Optimist Park that abuts the property to the northwest;
- a vinyl privacy fence along the western lot line where the property abuts the neighbouring residential lot;
- chain link fencing for the balance of the property's side and rear lot lines;
- a garbage enclosure with surrounding landscaping on the western portion of the property;
- a municipal sidewalk on the north side of Tecumseh Road across the entirety of the School Board property that will be extended easterly to Arlington Boulevard.

In addition to the site plan, the Owner has submitted a site grading plan, a site service plan, a landscape plan and a photometric plan, all of which are attached to the site plan agreement as schedules.

Comments

Official Plan and Zoning

The proposed development and corresponding site plan conform to the "Community Facility" designation policies and Site Plan Control Objectives contained in the Official

Plan. In addition, the site plan complies with all regulations established by the “Institutional Zone (I)” (see Attachment 3).

Road Improvements

In order to assess the impacts of traffic generated by the proposed use from the site on adjacent roads, the Board retained the services of a qualified professional engineer to prepare a Traffic Impact Study (TIS). The Board submitted the study entitled “Traffic Impact Study, North Shore Public School, Traffic Review of Proposed Site Plan – RC Spencer Associates Inc., October 2020” to the Town.

The study provided an analysis of the existing traffic operations, as well as future traffic conditions with and without the proposed development. The objective of the TIS was to determine the traffic impact of the development and whether any operational issues would arise as a result of the development.

The TIS concluded that:

“It is the engineers’ opinion that the proposed elementary school (Kindergarten to Grade 8) and day care centre, located on the north side of Tecumseh Road East at Dorset Park, west of Arlington Boulevard, with a single signalized access to the new school across from the Dorset Park intersection, configured to accommodate exclusive westbound right turn and eastbound left turn lanes, will not have an adverse effect on traffic operations in the study area. The proposed geometric improvements and signalized access control are expected to significantly benefit peak hour traffic congestion and ensure safe active transportation control. Based on the level of service results, no other geometric or traffic control improvements are currently warranted within the peripheral study area.”

Town Administration has reviewed the TIS and is satisfied with its analysis and recommendations, including the installation of a signalized intersection with reconfigured lanes at the Tecumseh Road/Dorset Park intersection.

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 Engineering Services has advised that it has no concerns with the proposed development, subject to the coordination of the installation of municipal works as described below.

Cost-Sharing of Municipal Works

Report No. PWES-2022-03, entitled “Approval of 2022 Public Works & Engineering Services 2022 Capital Works Projects” was approved by Council on January 25, 2022. Included in that Report was the Tecumseh Road Storm and Road Improvements Project. This project came about as it was recognized by Town Administration that the existing infrastructure is inadequate to accommodate the stormwater needs of the new school proposed on the Board Property.

More specifically, Report No. PWES-2022-03 stated the following with respect to the Tecumseh Road Storm and Road Improvements Project:

“In March 2021, Council approved the recommendations of Report PWES-2021-05 that added the Tecumseh Road Storm Sewer and Road Improvements Project to the 2021 PWES Capital Works Plan and authorized the completion of detailed design in 2021 with construction anticipated to proceed in 2022. In accordance with the recommendations, Stantec Consulting Ltd. was retained to complete detailed engineering design, prepare plans, specifications, tender documents and to assist with obtaining all required approvals.

The estimated project cost of \$4,788,100 includes \$2,687,200 for road reconstruction, \$1,995,600 for storm sewers, \$38,300 sanitary sewers and \$67,000 for watermains. There are anticipated recoveries from the County of Essex of approximately \$1.5M related to the road reconstruction component under the County Connecting Link Agreement. The estimated recovery will be refined once the tender costs are known. Any additional roadway improvements related to the proposed school site (i.e. traffic signal, turning lanes, sidewalks, etc.) would be borne by the School Board. These details will be determined and accounted for in the Site Plan Agreement that will be negotiated with the School Board and brought forward for Council approval under a separate future report.

Provided that the School Board confirms the school is moving forward, and that an acceptable cost share agreement is negotiated with the School Board, it is recommended that this project be constructed in 2022.”

Section 6.5 of the site plan control agreement includes the following terms in relation to cost-sharing of municipal works:

“During the course of the work, the Owner will be required to complete a number of improvements to the municipal right of way abutting the property being Tecumseh Road including a signalized intersection at the site entrance with left turning lanes, a sidewalk, street lighting improvements, installation of water, storm and sanitary service connections, abandonment of water and sanitary services for the two former residential lots that are now part of the site, and the oversizing of the Town’s planned trunk storm sewer. The Town will be constructing the Tecumseh Road Storm & Road Improvement Project (from East of Lexham Gardens to Regent Road) in 2022 which will include the works required by the Owner relevant to facilitating development of the Lands (herein collectively termed “the Cost Shared Works”). An estimate for the Cost Shared Works is attached hereto as Schedule I.

The Owner agrees to contribute towards and pay the percentage of the costs incurred by the Town in constructing the Cost Shared Works as calculated in Schedule I. The amounts shown in Schedule I are for estimation purposes. Cost sharing shall be based on actual as-built costs.

The Cost Shared Works will be tendered by the Town in a way that facilitates the cost sharing and contemplates completion of these works with the Owner’s development of the site to the extent practical. The Owner shall immediately provide a construction schedule for review and approval by the Town to facilitate this coordination.

Cost-sharing payments shall be made by the Owner within 30 days of delivery of the Town invoice following approval by the payment certifier for the applicable progress draw and otherwise as contemplated by and in accordance with section 4.1 above.”

The Board is in full agreement with these terms.

Potential Shared-Use Arrangement between Town and School Board

The Director of Community and Recreation Services has had discussions with the Board around the issue of implementing a shared-use arrangement. These discussions are working towards a scenario that would facilitate Board use of Optimist Park facilities and Town use of facilities on the School Board property. A separate Report from the Director of Community and Recreation Services will be brought forward to Council in the

future with respect to details and formal terms of such an arrangement for Council's consideration.

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. Accordingly, Administration is prepared to recommend approval of the attached site plan agreement, as prepared by Wolf Hooker Law Firm (Town Solicitor) (see Attachment 4, 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

Community & Recreation Services
Community Safety
Financial Services
Public Works & Engineering Services
Town Solicitor

Financial Implications

In accordance with Council's approval of Report No. PWES-2022-03 and with the confirmation that the School Board is proceeding with the construction of the new school on the School Board property, Town Administration will issue a tender for the municipal works identified as the Cost Shared Works in the site plan agreement.

Latest estimates prepared by Stantec Consulting Ltd. estimate a total project cost of \$5,156,600, excluding net HST and engineering fees, which total project cost includes \$2,418,600 for road reconstruction (including electrical and traffic signalization), \$1,837,000 for storm sewers, \$59,900 sanitary sewers and \$841,100 for miscellaneous (including watermains, provisional items and contingency allowance).

Based on the cost-sharing terms contained in the site plan control agreement, the School Board's share will be \$1,056,400 (plus net HST and engineering). The Town's share will be \$4,100,200 (plus net HST and engineering), less the recovery of approximately \$1,500,000 from the County in accordance with the County Connecting Link Agreement, resulting in a net cost of \$3,735,490 (plus net HST and engineering).

The estimated cost sharing and recovery amounts will be refined once the tender costs are known.

Public Works and Engineering Services will provide a future report to Council for approval with respect to tender award.

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 type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input checked="" 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:

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

Reviewed by:

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Reviewed by:

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Reviewed by:

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Reviewed by:

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Reviewed by:

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

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Development Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1.	Property Location Map
2.	Proposed Site Plan, Detail View
3.	Zoning Map
4.	Site Plan Control Agreement