



## The Corporation of the Town of Tecumseh

Development Services

**To:** Mayor and Members of Council

**From:** Brian Hillman, Director Development Services

**Date to Council:** May 10, 2022

**Report Number:** DS-2022-18

**Subject:** Zoning By-law Amendment  
205-227 Lesperance Road  
Scheduling of a Public Meeting  
OUR FILE: D19 205LES

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### Recommendations

It is recommended:

**That** the scheduling of a public meeting, to be held on Tuesday, June 28, 2022 at 6:00 p.m., in accordance with the *Planning Act* for a zoning by-law amendment application submitted for a 0.38 hectare (0.94 acre) parcel of land situated at the southwest corner of the Lesperance Road/Dillon Drive intersection (205-227 Lesperance Road), seeking to amend Zoning By-law 1746 by rezoning the subject land from “Residential Zone 3 (R3)” to a site-specific “Residential Zone 3” in order to facilitate the construction of a residential development consisting of four, 2.5 storey, six-unit dwellings and establish site-specific lot, building and yard provisions, **be authorized**.

### Executive Summary

A zoning by-law amendment application has been filed in order to change the zoning pertaining to a 0.38 hectare (0.94 acre) parcel of land situated at the southwest corner of the Lesperance Road/Dillon Drive intersection (205-227 Lesperance Road) in order to facilitate the construction of a residential development consisting of four, 2.5-storey, six-unit dwellings and establish site-specific lot, building and yard provisions. This

Report is requesting the scheduling of a public meeting related to the proposed zoning by-law amendment in accordance with the requirements of the *Planning Act*.

## **Background**

### **Property Location and Description**

Suburban Construction & Management Ltd. (“the Owner”) owns a 0.38 hectare (0.94 acre) parcel of land situated at the southwest corner of the Lesperance Road/Dillon Drive intersection (“subject land”). The subject land currently comprises three separate residential properties (205, 211 and 227 Lesperance Road) (see Attachment 1) and each is occupied by a one-storey single-unit dwelling. The Owner is proposing an amendment to Zoning By-law 1746 to permit the redevelopment of the subject land with four, 2.5-storey, six-unit dwellings and associated parking and landscaped areas.

### **Surrounding Land Uses**

The subject land is situated within a predominately low density residential neighbourhood with flankage on both Dillon Drive to the north and Lesperance Road to the east. Across both Dillon Drive and Lesperance Road are predominately single unit dwellings. Farther to the north, along Lesperance Road is a commercial node in the vicinity of its intersection with Riverside Drive. Immediately to the south of the subject land is a single-unit dwelling, beyond which are two, two-storey/four-unit dwellings and a medical office located on the northwest corner of the Lesperance/Little River intersection. A municipal Park (Arrowhead Park) is also located within walking distance to the southwest on Little River Boulevard. A 3.0-metre (10-foot) wide municipal alley abuts the westerly lot line of the subject land on the opposite side of which are the rear yards of single-unit dwellings that front on Chene Street (see Attachment 2).

### **Proposed Zoning By-law Amendment and Development**

The Owner has submitted a Zoning By-law amendment application seeking to amend Zoning By-law 1746 by rezoning the subject land from “Residential Zone 3 (R3)” to a site-specific “Residential Zone 3” in order to facilitate the construction of a residential development consisting of four, 2.5-storey, six-unit dwellings and establish site-specific lot, building and yard provisions. The current R3 zone that applies to the subject land permits multi-unit residential dwellings such as duplexes, triplexes, townhouses and row houses, but does not permit the six-unit apartment dwellings being proposed.

Along with the application, the Owner has provided a preliminary site plan (see Attachment 3) and architectural renderings (see Attachments 4A and 4B) depicting:

- i. Four, 2.5-storey, six-unit dwellings that will occupy the eastern half of the property oriented toward Lesperance Road. The total of 24 dwelling units will result in a density of approximately 63 units per hectare (26 units per acre). The Tecumseh Official Plan (“Tecumseh OP”) establishes this to be high density, which includes any development having a density above 50 units per hectare (20 units per acre). In addition, each apartment unit will have a floor area of approximately 130 square metres (1,400 square feet) and consist of two-bedrooms, two-bathrooms and combined living/dining area and outdoor balconies overlooking Lesperance Road;
- ii. Pedestrian sidewalk access to each six-unit dwelling from Lesperance Road;
- iii. A centralized outdoor amenity area consisting of a covered pavilion, BBQ facilities and outdoor seating/amenity area; and
- iv. A 37-space parking lot (including two barrier-free spaces and one loading space), occupying the western portion of the site to the rear of the proposed six-unit dwellings, with access via Dillon Drive. The parking lot is proposed to be separated from the abutting dwellings to the west and south by a 1.5-metre (5-foot) landscaped buffer strip that will include cedar trees and/or a 1.8-metre high (6-foot) privacy fence (to be finalized through the public consultation process). When combined with the abutting municipal alley, a total of 4.5 metres (15 feet) of separation will be provided between the proposed development’s parking area and the rear yards of the lots to the west.

For comparison purposes, this development proposal is very similar in both design and density to the residential apartment development that is located on the east side of Lesperance Road, across from Saint-Antoine Elementary School (St. Anne’s Arms) and the recently approved apartment development on the southwest corner of the Lesperance Road and Arbour Street intersection. As with these developments, the subject development proposal has the first floor apartments constructed partially below grade in order to lower the overall height of the building. The resulting design will have the effect of a building that appears to be 2.5 storeys, rather than three storeys in height.

### **Additional Planning Approvals**

In addition to the rezoning application, the approval and execution of a site plan control agreement with the Town will be required prior to the proposed development proceeding.

## Supporting Documents

During early discussions regarding the potential redevelopment of the subject land, Town Administration identified that a Traffic Impact Study (TIS) and a Sanitary Assessment would be necessary to properly assess the proposal from a traffic and servicing perspective and to consider the applications complete. In addition, the Owner also has provided a Planning Justification Report (“PJR”) in support of the development.

Below is a summary of the findings of the aforementioned reports/studies:

- 1) Planning Justification Report – 205,211 & 227 Lesperance Road, Zelinka Priamo Ltd, April 2022

The PJR evaluated the proposed development and land uses against the Provincial Policy Statement (“PPS”) the County of Essex Official Plan (“County OP”), the Tecumseh OP and Zoning By-law 1746. In addition, it provided an introductory evaluation of the development with respect to built form, compatibility from existing land uses, integration with the surrounding area and overall site suitability.

The PJR concluded that:

“The proposed site-specific zone regulations provide appropriate development standards primarily to support increased residential density and promote intensification on the subject lands in accordance with the policies of the Residential designation in the Town OP. Adverse impacts are not anticipated on adjacent residential uses; and existing residential uses are adequately separated from the subject lands.

The proposed amendments are consistent with the PPS that encourages a range and mix of land uses to support development, redevelopment, and intensification in settlement areas. The proposed amendments are consistent with the direction to locate the proposed form and density of development in appropriate locations in primary settlement areas that have the public facilities and services to support the development.

The County OP and the Town OP contemplate this form of development at appropriate locations. Both Plans, encourage development, redevelopment, and intensification in serviced settlement areas. Both Official Plans encourage the provision of a variety of housing types. The proposed development fulfills a need

within Tecumseh that can accommodate existing residents, as well as attract new residents to the Community.

The proposed exception zones are consistent with the PPS and in conformity with the County and Town Official Plans.

Based on the above, the proposed Zoning By-law Amendment is appropriate and represents sound land use planning principles.”

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 the statutory public meeting.

2) Traffic Impact Brief - 206-227 Lesperance Road, RC Spencer Associates Inc., February 2022

The TIS provided an analysis of both existing and future traffic volumes along roadways in the vicinity of the subject land, along with the Lesperance Road and Dillon Drive intersection, during the AM and PM peak hours. The study also considered the proposed driveway access location onto Dillon Drive. The objective of the TIS was to determine whether any operational issues would arise as a result of the development.

The TIS concluded that:

“Applying the best available trip generation and distribution data and methodologies, an analysis was completed to measure the potential impact of the development on area traffic operations. After modelling the traffic network and extracting the relevant traffic operations metrics, it was concluded that:

- The intersection of Dillon Drive at the Site Access will operate favourably post-development; a shared northbound egress lane will sufficiently accommodate the proposed development;
- The intersection of Dillon Drive at Lesperance Road will be nominally affected by the distribution of site generated traffic; it will continue to operate at a favourable level of service;
- The intersection of Dillon Drive at St. Pierre Street will be nominally affected by the distribution of the site generated traffic; it will continue to operate at favourable level of service;

- Traffic volumes at non-signalized intersections within the study area do not satisfy the provincial warrants for signalization; no geometric or traffic control improvements are warranted;
- A northbound passenger vehicle stopped at the proposed Dillon Drive site access should have adequate and unobstructed sight lines to safely egress from the proposed development.

In consideration of the above findings, it is the engineers' opinion that this development will not have an adverse impact on area traffic operations. Dillon Drive has the capacity to accept the additional site generated traffic; levels of service at the peripheral intersections are expected to be largely unaffected by the proposed development."

Town Administration has reviewed the TIS and concurs with its findings. Town Administration has no concerns with the traffic generation resulting from the proposed development.

3) Sanitary Assessment Memo, Dillon Consulting, February 2022

The Town of Tecumseh requested that Dillon Consulting assess the impact of the proposed development on the existing sanitary sewer collection system. As part of this analysis, the latest update to the Town's Infoworks-ICM sanitary sewer model was used based on calibrated wet weather flow conditions.

The Sanitary Assessment concluded that:

"Accordingly, we are of the opinion that the increased sanitary sewer flows from the proposed development can be accommodated with negligible impacts to the existing sanitary sewer system and risk of basement flooding."

Town Administration has reviewed the Sanitary Assessment and concurs with its findings. The proposed development will be serviced with full municipal services. It is further noted that stormwater management will be required for quality and quantity control, the details of which will be addressed through the site plan control process.

## Comments

### Provincial Policy Statement

The *Planning Act* establishes that Council, when making decisions that affect a planning matter, “shall be consistent with” the 2020 PPS issued under the *Planning Act*.

There are a number of policies within the PPS that support the applications for the proposed residential development. The following are the relevant excerpts from the PPS:

“1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons)...uses to meet long-term needs;

...

- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years...

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

1.1.3 Settlement Areas

- 1.1.3.1 Settlement areas shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
- a) efficiently use land and resources;
  - b) 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;
  - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
  - d) prepare for the impacts of a changing climate;
  - e) support active transportation; and
  - f) are transit-supportive, where transit is planned, exists or may be developed
- Land use patterns within settlement areas shall also be based on 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 appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, 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 avoiding or mitigating risks to 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



should 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 and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

...

##### b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
2. all types of residential intensification, including additional residential units, 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 active transportation and transit in areas where it exists or is to be developed; and

##### 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.

#### 1.6.7 Transportation Systems

##### 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle

trips and support current and future use of transit and active transportation.

## 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 preparing for the impacts of a changing climate 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;
- ...
- e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

## 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;
- d) development and introduction of new housing options within previously developed areas.”

In addition to the foregoing policies, it should be noted that the subject property falls within an area of the Town that is subject to subsection 3.1.2 “Natural Hazards” of the PPS with respect to the provision of “safe access” of emergency services during times of flooding events. In particular, the depth of water within the municipal roadways abutting the subject property (Dillon Drive and Lesperance Road) have the potential, under extreme coastal flooding events to reach a depth of over 0.6 metres (1.9 feet). In

this regard, the Town has prepared a Flood Response Action Plan and has recently received delivery of a high water rescue vehicle. Accordingly, the Town's Fire Chief & CEMC has confirmed that safe access for Natural Hazards properties within Tecumseh can be provided in accordance with subsection 3.1.2 "Natural Hazards" of the PPS and has recommended that planning and building permit applications affected by this policy can now be processed.

In summary, the PPS encourages and supports development on lands that are identified for urban growth in approved settlement areas. It also establishes that the Town should be supporting and promoting residential infill 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. The PPS also supports the development of a broad range of housing types and tenures and encourages residential intensification within identified urban areas where such areas have appropriate levels of servicing.

The subject proposal is in a location and of a form of residential development that achieves all of the foregoing policy objectives. It provides an alternative form of housing type at a density that provides for a more compact built form and promotes walkability and transit usage. The proposed development is also considered to be intensification in accordance with the definition contained in the PPS. In addition, the proposed development is serviced by the Tecumseh Transit System and is in close proximity to two bus stops. Based on the foregoing, it is the opinion of the writer that the applications for the proposed residential development are consistent with the PPS.

## **County of Essex Official Plan**

The subject land is within an identified Primary Settlement Area of 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:

### **"3.2 SETTLEMENT AREAS**

#### **3.2.2 Goals**

The following goals are established for those lands designated as settlement areas on Schedule "A1":

- a) Support and promote public and private re-investment in the Primary Settlement Areas

...

- 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, and to a lesser extent, within full serviced secondary settlement areas.

### 3.2.4 Primary Settlement Areas

Primary Settlement Areas are the largest and traditional centres of settlement and commerce in the County. Protection of these communities by focusing growth and investment is a priority of the County.

### 3.2.6 General Settlement Area Policies

The following policies apply to all "Settlement Areas" identified on Schedule "A1" of this Plan:

...

- b) The County supports residential intensification within Primary Settlement Areas.

...

- e) Local Official Plans are encouraged to provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area as outlined below:

- i) Maintaining at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification, redevelopment and if necessary, lands which are designated and available as defined by Provincial Policy.
- ii) Maintaining at all times, where new development is to occur, at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

- iii) Permitting and facilitating all forms of housing, including special needs housing, required to meet the social, health and well-being requirements of current and future residents.
- f) Local Official Plans are encouraged to provide opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure.

### 3.2.7 Intensification and 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.”

In accordance with the aforementioned goals and policies, it is the opinion of the writer that the proposed development conforms to the County OP.

## **Tecumseh Official Plan**

The subject land is currently designated “Residential” in the Tecumseh OP (see Attachment 5). The type of dwellings proposed are contemplated by this designation provided they can be appropriately integrated with the existing and proposed development pattern by meeting the applicable policies of the Plan.

The Tecumseh OP provides broad support for the type of residential development proposed. With respect to the proposed land use, the Tecumseh OP establishes the following:

### “4.2.1 Goals

The following goals are established for the Residential area:

...

- 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;

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

#### 4.2.2 Policies

The following policies shall apply to those lands designated Residential on the Land Use Schedules of this Plan:

- i) the use of lands designated Residential shall be for all forms of housing, including special needs housing, in accordance with subsections 4.2.2.1, 4.2.2.2 and 4.2.2.3;
- ...
- 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
- 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 Tecumseh OP contemplates the type of residential development being proposed and encourages the redevelopment and intensification of residential areas where appropriate.

With respect to the evaluating the proposed development’s high density against relevant criteria, the Tecumseh OP states the following:

“4.2.2.3 High Density Residential Policies

High density residential land uses shall be subject to a Zoning By- law amendment and shall include apartments, nursing homes, rest homes and retirement homes. The maximum height for high density residential buildings shall be six storeys.

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

- i) the density range for high density is above 50 units per gross hectare;
- ii) when considering any new high density residential land uses by way of a Zoning By-law amendment, the following criteria shall apply:
  - a. availability of adequate municipal services;

- b. availability of adequate outdoor amenity areas, which may include public recreation areas, common areas and/or 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;
  - d. protection of adjacent low density residential areas from adverse effects;
  - e. adjacent to, or in close proximity to, commercial areas;
  - f. on or within close proximity to an Arterial Road or Commercial Main Street;
  - g. in close proximity to public transit; and
  - h. in close proximity to parkland or open space;
- iii) new high 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; and
- iv) all new high density residential development shall be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.”

The proposed development conforms to the criteria established by the Tecumseh OP in subsection 4.2.2.3 i) and ii) with respect to high-density development.

The land use compatibility criteria that is referenced in the preceding policy at subsection 4.2.2.3 iii), against which the proposed development is to be evaluated, are contained in Section 3.18 of the Tecumseh OP, which reads as follows:

“3.18 Land Use Compatibility



In order to foster a sustainable development pattern, some land uses need to inter-relate while others are best separated. Further development and redevelopment in the Town will be guided by principles of land use compatibility that respect the quality and stability of existing areas and provide for suitable transition between areas of differing use, sensitivity, urban design treatment and intensity in order to avoid or mitigate adverse effects. Land use compatibility does not mean “the same as” but to coexist harmoniously with one another.

### 3.18.1 Matters to be Assessed

Development and/or land use change must demonstrate that the resultant form, function and use of land are compatible with surrounding land uses. The demonstration of compatible development and land use change must consider the potential for impacts related to the character, planned function and/or ecological integrity of an area as well as the health and safety of humans. Where there exists a potential for negative impacts, the following land use compatibility matters shall be assessed:

- i) shadowing;
- ii) loss of privacy due to intrusive overlook;
- iii) increased levels of light pollution, noise, odour, dust or vibration;
- 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;
- v) reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas or setting;
- vi) visual intrusion that disrupts the streetscape or buildings;
- vii) built form in terms of scale and massing; and

- viii) the loss or impairment of significant views of natural features and areas to residents.

### 3.18.2 Mitigation Measures

Mitigation Measures Mitigation measures may be used to achieve development and land use compatibility. Such measures may include one or more of the following:

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

Planning Act tools including Zoning By-law standards, site plan control, development agreements and other measures will be used to implement mitigative measures that achieve compatible land use change and development.”

Based on an initial review of the preliminary site plan, the proposed development meets the intent of the compatibility criteria. Further analysis by way of a future report will be provided in the event specific compatibility concerns are identified through the public consultation process.

The Urban Design policies against which the proposed development is to be evaluated are contained in Section 7.3 of the Tecumseh OP, with the relevant policies as follows:

## 7.0 Urban Design

### 7.3 Policies

...

- iv) Through the review of development proposals, construction of public works, or the preparation and approval of area plans, the Town shall maintain or enhance the character of valued streetscapes, community areas, and landscapes by:
  - a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through the implementing Zoning By-law, requiring building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;
  - c. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;
- v) The Town encourages the design of new development to be visually compatible with surrounding neighbourhoods through its site plan control review, preparation of zoning standards, and urban design guidelines, as appropriate, that address the following:
  - a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;
- vi) Several roads provide principal entrances to the Town for vehicular traffic including: ... Lesperance Road, ... Each provides an important entry or “gateway” to the Town. Treatment of these roadways is therefore a high priority. Development is intended to be characterized by a high standard of site design that satisfies the following objectives:

- a. buildings are oriented to enhance the relationship of the buildings to the road;
- b. vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;
- c. joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;
- d. service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;
- e. screening for outdoor storage areas is integrated with the building; and
- f. landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.”

On a preliminary basis, Administration believes the proposed development conforms to the aforementioned urban design standards.

Town Administration will also have regard to the foregoing guidelines in its review and evaluation of the future planning approvals such as Site Plan Control to ensure appropriate design details are incorporated as part of the subject development.

It should also be noted that the subject property is within the Lake St. Clair Floodprone Area on Schedule “D” of the Tecumseh OP. Subsection 5.5.3 iv) of the Tecumseh OP establishes that development and site alteration may be permitted in the Lake St. Clair Floodprone Areas, in consultation with ERCA, where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:

- a. the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with flood-proofing standards, protection works standards, and access standards;
- b. existing hazards are not aggravated or new hazards are not created;

- c. no adverse environmental impacts will result;
- d. vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies;
- e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances; and
- f. development is carried out in accordance with established standards and procedures.

As noted earlier in this Report, under the section addressing PPS policies, the Town's recent purchase of a high water rescue vehicle along with the adoption of its Flood Response Action Plan enables the foregoing criteria to be satisfied. In addition, the minimum elevation of openings for the proposed buildings will need to be in accordance with ERCA flood-proofing regulations.

Based on all of the foregoing, the Tecumseh OP contemplates the type of residential development being proposed for the subject property, subject to the review, evaluation and public/stakeholder consultation process being undertaken as part of the required Zoning By-law Amendment process.

### **Zoning By-law 1746**

As noted earlier in this Report, the subject land is currently zoned "Residential Zone 3 (R3)" (see Attachment 6), which permits various types of multi-unit residential dwellings, however not the one specifically being proposed. The proposed zoning by-law amendment changes the zoning on the subject property from "R3" to a site-specific "Residential Zone 3" in order to facilitate the construction of the proposed residential development consisting of four, 2.5 storey, six-unit dwellings and establish site-specific lot, building and yard provisions.

### **Site Plan Control**

As noted earlier in this Report, the subject property is subject to Site Plan Control. Accordingly, approval of a site plan control agreement will be required prior to any development occurring on-site. The Owner has been advised of this requirement.

### **Conclusion**

Having regard to the range, scale, location and nature of surrounding uses, the location of the proposed development along with the current policy environment encouraging

standards that support more compact and efficient development, it is believed that there is merit in considering the requested application to permit the proposed residential intensification on the subject land.

Accordingly, it is recommended that a public meeting be scheduled in accordance with the provisions of the *Planning Act* as a means to seek public input. A public meeting to consider the proposed amendments 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. If issues arise at the Public Meeting that are not immediately resolved, a summary of the issues, along with a final recommendation on the application will follow by way of a future Planning Report. If, however, all issues are resolved, a Zoning By-law amendment by-law will be brought forward for Council's consideration at a subsequent Council Meeting.

## **Consultations**

Community Safety  
Public Works & Engineering Services

## **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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Reviewed by:

Brian Hillman, MA, MCIP, RPP  
Director Development Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer



<b>Attachment Number</b>	<b>Attachment Name</b>
1.	Property Location Map
2.	Property Location and Surrounding Land Uses Map
3.	Preliminary Site Plan
4A.	Preliminary Architectural Renderings 1
4B.	Preliminary Architectural Renderings 2
5.	Official Plan Map
6.	Zoning Map