



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: December 13, 2022

Report Number: DS-2022-48

Subject: Town-Wide Site Plan Control Designating By-law

Recommendations

It is recommended:

That Report DS-2022-48, entitled “Town-Wide Site Plan Control Designating By-law,” **be received;**

And that a by-law designating the entirety of the Town of Tecumseh as a site plan control area, in accordance with Section 41 of the *Planning Act*, subsection 10.4.1 of the Tecumseh Official Plan and DS-2022-48, **be adopted;**

And further that By-laws 2003-82 and 2021-21 **be repealed.**

Background

In June of 2021, the new Tecumseh Official Plan (“Tecumseh OP”) was approved by the County of Essex (the approval authority). Subsection 10.4 of the Tecumseh OP establishes that the Town of Tecumseh in its entirety shall be designated as a site plan control area. The Tecumseh OP further establishes that the following uses shall be subject to site plan control:

1. medium and high density residential development and commercial, industrial, recreational and institutional developments; and

2. mushroom operations, greenhouse operations and cannabis greenhouse operations.

Currently, there are two by-laws that designate the areas in the Town that are subject to site plan control, being By-law 2003-82 and By-law 2021-21. These two by-laws are summarized as follows:

1. By-law 2003-82 (adopted by Council on October 28, 2003):
 - This by-law was adopted in accordance with Section 56 of the County of Essex Restructuring Order, subsequent to the amalgamation of the former Town of Tecumseh, Village of St. Clair Beach and Township of Sandwich South;
 - It established that all lands in the former Town of Tecumseh and Village of St. Clair Beach were subject to site plan control, however, only certain commercially and industrially-zoned lands, along with all institutionally-zoned lands in the former Township of Sandwich South were subject to site plan control;
 - The result is that some of the older commercial and industrial areas in Oldcastle, the Sylvestre Business Park and along County Road 42 had vacant lots and properties with the potential for new commercial and industrial development that were not subject to site plan control.
2. By-law 2021-21 (adopted by Council on April 13, 2021):
 - This by-law designated mushroom operations, greenhouse operations and cannabis greenhouse operations on agriculturally-zoned lands as subject to site plan control;
 - By-law 2021-21 was adopted in accordance with the policy direction contained in the Tecumseh OP.

In light of the policy in the Tecumseh OP calling for the application of site plan control town-wide, it is appropriate to pass a new by-law in accordance with the Planning Act that will have the effect of designating the entire Town as a site plan control area along with identifying the types of land uses that will be subject to site plan control approval.

Comments

Site Plan Control

Site plan control is a tool that is used by the Town in accordance with the provisions of Section 41 of the *Planning Act*, to ensure that commercial, industrial, institutional, and

multi-unit residential development is designed, built and maintained appropriately. More specifically, Section 10.4.2 of the Tecumseh OP establishes the following objectives in using site plan control:

- To ensure a high standard of site design for new development, including landscaping, fencing, hard-surfacing of driveways and parking areas, lighting and on-site servicing including stormwater management;
- To ensure safety and efficiency of vehicular and pedestrian access;
- To minimize incompatibilities between new and existing development;
- To control the location of driveways, parking, loading and garbage facilities;
- To secure easement or grading and alterations necessary to provide for public utilities and site drainage;
- To ensure that the development proposed is built and maintained as approved; and
- To acquire public road widenings as a condition of approvals in locations established by the Tecumseh OP.

In accordance with changes to the *Planning Act*, site plan control approvals are now granted by Town Administration rather than Council. An approval involves the execution of a site plan control agreement, which includes detailed terms and site drawings. These agreements are ultimately registered on the title of the affected property.

Proposed New Site Plan Control By-law

The new site plan control by-law will implement the policies of the Tecumseh OP and recent changes to the *Planning Act* as a result of the passage of Bill 23. The following is a summary of what land uses are proposed to be subject to site plan control:

1. All residential developments with greater than 10 residential units on a parcel of land;
2. All commercial, industrial, recreational or institutional developments, excluding the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007; and
3. All mushroom operations, greenhouse operations and cannabis greenhouse operations.

Administration recommends that a by-law designating the entirety of the Town of Tecumseh as a site plan control area, in accordance with Section 41 of the *Planning Act*, subsection 10.4 of the Tecumseh OP and DS-2022-48, be adopted and that the existing site plan control by-laws, being By-laws 2003-82 and 2021-21, be repealed.

Consultations

Public Works & Engineering Services

Financial Implications

Increased revenue is anticipated as a result of the additional site plan control applications that will be required for those commercial and industrial lands within the former Township of Sandwich South that are currently not subject to site plan control.

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 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:

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Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
None	None