



## 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 28, 2023

**Report Number:** DS-2023-07

**Subject:** Zoning By-law Amendment  
Condition of Consent B-05-23  
1650 Shawnee Road  
Scheduling of a Public Meeting  
OUR FILE: D19 1650SHA

---

### Recommendations

It is recommended:

**That** Report DS-2023-07 entitled “Zoning By-law Amendment, Condition of Consent B-05-23, 1650 Shawnee Road, Scheduling of a Public Meeting”, **be received**;

**And that** the scheduling of a public meeting, to be held on Tuesday, April 25, 2023 at 5:00 p.m., in accordance with the *Planning Act* for a zoning by-law amendment application submitted for a 0.19 hectare (0.46 acre) parcel of land situated on the east side of Shawnee Road, approximately 80 metres (262 feet) north of its intersection with Westlake Drive (1650 Shawnee Road), seeking to amend Zoning By-law 85-18 by rezoning the subject land from “Neighbourhood Commercial Zone (C2-2)” to a site-specific “Residential Zone 1 (R1-19)” in order to remove the currently permitted use of a fish bait manufacturing facility and to facilitate the construction of two single unit detached dwellings, each on its own lot, and to establish site-specific lot provisions, in accordance with Condition 5 of Consent Application B-05-23, **be authorized**.

## **Executive Summary**

A zoning by-law amendment application has been filed in order to change the zoning pertaining to a 0.19 hectare (0.46 acre) parcel of land situated on the east side of Shawnee Road, approximately 80 metres (262 feet) north of its intersection with Westlake Drive (1650 Shawnee Road), in order to facilitate the redevelopment of the subject land for residential uses. A fish bait manufacturing facility, which has operated from the subject property for several decades, is to be demolished and replaced by one single unit detached dwelling on each of the two lots recently created by the Committee of Adjustment.

Consent Application B-05-23, which was provisionally approved by the Committee of Adjustment at its February 27, 2023 meeting, had the effect of dividing the subject 0.19 hectare (0.46 acre) lot into a 955.7 square metre (10,286 square foot) and a 1028.5 square metre (11,071 square foot) lot, subject to meeting conditions. One of the conditions of consent requires both the proposed severed and retained lots to be rezoned to remove the currently permitted use of a “fish bait manufacturing facility”.

Accordingly, the applicant is seeking to rezone the property from “Neighbourhood Commercial Zone (C2-2)” to a site-specific “Residential Zone 1 (R1-19)” in order to remove “fish bait manufacturing facility” as a permitted use and to permit a single-unit dwelling on both the severed and retained lots, and establish site-specific lot provisions, in accordance with Condition 5 of Consent Application B-05-23. The purpose of this Report is to review the relevant policies and request the scheduling of a public meeting related to the proposed zoning by-law amendment in accordance with the requirements of the *Planning Act*.

## **Background**

### **Subject Property**

Linquist Bros. Bait Co. Ltd. (“the Owner”) owns a 0.19 hectare (0.46 acre) parcel of land situated on the east side of Shawnee Road, approximately 80 metres (262 feet) north of its intersection with Westlake Drive (1650 Shawnee Road) (“subject property”). The subject property is currently occupied by a 260 square metre (2,800 square foot) commercial building which has operated as a fish bait manufacturing facility for several decades, and one accessory structure (see Attachment 1). All existing structures are proposed to be demolished as part of the proposed redevelopment of the lands.

## **Consent to Sever Application**

Consent Application B-05-23 was provisionally approved by the Committee of Adjustment at its February 27, 2023 meeting, the effect of which was to:

- i. sever a lot having a frontage of 14.98 metres (49.1 feet), a depth of 67.8 metres (222.4 feet) and a lot area of 955.7 square metres (10,286 square feet); and
- ii. retain a lot having a frontage of 15.2 metres (50 feet), a depth of 67.5 metres (221.4 feet) and a lot area of 1028.5 square metres (11,070 square feet) (see Attachment 2).

The lands are designated “Residential” in the Town of Tecumseh Official Plan but are zoned “Neighbourhood Commercial Zone (C2-2)” in Zoning By-law 85-18 which reflects the historical use of the property as a fish bait manufacturing facility. As a condition of consent, a Zoning By-law amendment is required to facilitate the intended redevelopment of the lands for residential purposes.

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

Based on the foregoing, the Owner has submitted a Zoning By-law amendment application seeking to amend Zoning By-law 85-18 by rezoning the subject land from “Neighbourhood Commercial Zone (C2-2)” to a site-specific “Residential Zone 1 (R1-19)” in order to facilitate the construction of a single-unit detached dwelling on both the severed and retained lots and to establish site-specific lot provisions to permit a minimum lot frontage of 14.98 metres (49.1 feet) and a minimum interior side yard of 1.5 metres (5.0 feet). The subject lots and proposed dwellings will comply with all other zone provisions of the general R1 zone that apply to the majority of lands surrounding the subject property (i.e. minimum lot area, minimum front/rear yard depth, maximum lot coverage, minimum landscaped open space and maximum building height).

Along with the application, the Owner has provided a preliminary site plan (see Attachment 3) and architectural renderings (see Attachment 4) depicting the proposed two-storey, single unit detached dwellings on their respective lots. Each proposed dwelling has a building footprint of approximately 195 square metres (2,100 square feet).

## **Surrounding Land Uses**

The subject land is situated within a low density residential neighbourhood comprising single unit detached dwellings of various sizes and architectural styles. A commercial node exists approximately 400 metres to the east at the intersection of County Road 22

and Lesperance Road.(see Attachment 4). Farther to the west are vacant farm and natural heritage lands that are part of the Tecumseh Hamlet Secondary Plan Area.

## Comments

### Provincial Policy Statement

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

There are a number of policies within the PPS that support the subject Zoning By-law amendment application to accommodate 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...) 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) 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.

#### 1.4 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:

...

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.

#### 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 summary, the PPS establishes that the Town should be supporting and promoting residential development that results in compact built form and makes more efficient use of existing services. The PPS also encourages residential intensification within identified urban areas where such areas have appropriate levels of servicing.

Based on the foregoing, it is the opinion of the writer that the application for the proposed residential development is consistent with the PPS.

### **County of Essex Official Plan**

The subject property is within an identified Primary Settlement Area of the County Official Plan (“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 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.

### 3.2.6 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

### 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” on Schedule “B-1” of the Tecumseh OP (see Attachment 5) and is subject to the following “Low Density Residential” goals and policies:

### “4.2.1 Goals



The following goals are established for the Residential area:

...

- 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... 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 ...;
- ...
- 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.”

The proposal to redevelop the subject property from the existing commercial use to two single detached dwellings satisfactorily addresses the criteria of subsection 3.18.

Based on the foregoing, the proposed rezoning to permit residential redevelopment on the subject property conforms to the policies of the Tecumseh OP.

### **Zoning By-law 85-18**

As noted earlier in this Report, the subject land is currently zoned “Neighbourhood Commercial Zone (C2-2)” which reflects the historical use of the property for a fish bait manufacturing facility (see Attachment 6). The proposed zoning by-law amendment changes the zoning on the subject property from “C2-2” to a site-specific “R1-19” to facilitate the construction of two single unit detached dwellings, each on a separate lot, and to establish site-specific lot provisions to permit a minimum lot frontage of 14.98 metres (49.1 feet) and a minimum interior side yard of 1.5 metres (5.0 feet).

### **Zoning By-law Amendment Procedures in the Official Plan**

Section 10.18, Amendment Procedures, of the Official Plan establishes that due regard shall be given to the following matters when contemplating a Zoning By-law Amendment:

- i) the degree of conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the planning principles as set out in Section 2.3, and consistency with provincial policy;
  - the PPS and the policies of the Tecumseh OP, particularly the planning principles contained in Section 2.3, promote redevelopment opportunities within built-up, fully serviced areas as well as the provision of a broad range of housing opportunities. The subject amendment facilitates these objectives.

- ii) the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;
  - the subject lands are designated Residential in the Official Plan, which encourages a range of residential uses, including the proposed single unit detached dwellings. Accordingly, this rezoning would have the effect of implementing the policies of the Official Plan.
- iii) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
  - the proposed amendment, which facilitates the redevelopment of the subject property from a commercial use to a residential development comprising two single unit detached dwellings, is in keeping with the surrounding land uses and development pattern.
- iv) the ability of the Town's infrastructure to accommodate the proposal;
  - as a condition of consent, both the severed and retained parcels will be required to be serviced with separate water supplies, storm and sanitary sewers connecting to the municipal infrastructure to the satisfaction of the Tecumseh Public Works & Engineering Services department.
- v) the adequacy of the transportation system to accommodate the proposal.
  - the construction of two single-unit dwellings will not create any adverse impacts on the operation of the abutting roadway network.

## Conclusion

Having regard to the range, scale, location and nature of surrounding uses, along with the current policy environment encouraging residential use of the property and more compact and efficient development, it is believed that there is merit in considering the subject Zoning By-law amendment application.

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 or none are raised, a Zoning By-law amendment by-law will be brought forward for Council's consideration at a subsequent Council Meeting.

## Consultations

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.

Prepared by:

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

Reviewed by:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services & Local Economic Development

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

<b>Attachment Number</b>	<b>Attachment Name</b>
1.	Property Location Map
2.	Approved Consent Application Sketch

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