



The Corporation of the Town of Tecumseh

Development Services

To: Mayor and Members of Council

From: Brian Hillman, Director Development Services

Date to Council: November 12, 2024

Report Number: DS-2024-36

Subject: Zoning By-law Amendment
1539 Shawnee Road
Scheduling of a Public Meeting
OUR FILE: D19 1539SHA

Recommendations

It is recommended:

That the scheduling of a public meeting, to be held on Tuesday, December 10, 2024 at 5:00 p.m., in accordance with the *Planning Act*, for a zoning by-law amendment application pertaining to an 802 square metre (8,637 square foot) parcel of land situated on the west side of Shawnee Road, approximately 64 metres (209 feet) south of its intersection with Brouillette Court (1539 Shawnee Road), seeking to amend Zoning By-law 1746 by rezoning the subject land from “Residential Type Two Zone (R2)” to a site-specific “Residential Type Two Zone (R2-27)” to permit a one-storey, semi-detached dwelling and establish site-specific lot provisions, **be authorized**.

Executive Summary

A zoning by-law amendment application has been filed in order to change the zoning pertaining to an 802 square metre (8,637 square foot) lot situated on the west side of Shawnee Road, approximately 64 metres (209 feet) south of its intersection with Brouillette Court (1539 Shawnee Road) in order to facilitate the construction of a one-storey, semi-detached dwelling. The purpose of this report is to 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 and Proposed Zoning By-law Amendment

The Owner of an 802 square metre (8,637 square foot) lot with a frontage of 14.2 metres (46.5 feet), located on the west side of Shawnee Road approximately 45 metres (147 feet) south of its intersection with Brouillette Court (1539 Shawnee Road) (“subject property”) (see Attachment 1), has submitted a Zoning By-law amendment application seeking to amend Zoning By-law 1746. The subject property is currently vacant.

The amendment would have the effect of rezoning the subject property from “Residential Type Two Zone (R2)” to a site-specific “Residential Type Two Zone (R2-27)” to facilitate the construction of a one-storey, 378 square metre (1,241 square foot), semi-detached dwelling and establish the following site-specific lot provisions:

- a maximum lot coverage of 35 percent;
- a minimum lot area of 380 square metres (4,100 square feet) per dwelling unit;
- a minimum lot frontage of 6.4 metres (21 feet) per dwelling unit;
- a zero interior side yard where there is a common wall;
- a maximum of one driveway per dwelling unit having a maximum width of 5.15 metres (17 feet) and no minimum distance requirement from the dividing lot line.

These site-specific lot provisions will accommodate the potential future division of the subject property along the common wall dividing the semi-detached dwelling, such that each dwelling unit would be on its own lot and could be sold separately (i.e. freehold ownership). The proposed development will comply with all other R2 zone provisions that currently apply to the subject property.

Along with the application, the Owner has provided a preliminary site plan (see Attachment 2) and elevation drawings (see Attachment 3) depicting the proposed semi-detached dwelling.

Surrounding Land Uses

The subject property is located on the west side of Shawnee Road - a cul-de-sac municipal road that terminates at County Road 22 approximately 40 metres (131 feet) to the south. It is situated within a predominately low-density residential neighbourhood consisting of a range of single-detached, semi-detached and townhouse dwelling units. In addition, the Brouillette Nursing Home abuts to the west (see Attachment 4).

Comments

Provincial Planning Statement

The Provincial Planning Statement (“PPS”), which came into effect on October 20, 2024, is a policy document issued under the authority of Section 3 of the *Planning Act*. The PPS requires that Council decisions affecting planning matters “**shall be consistent**” with the policies of the PPS.

The following PPS policies support the application for the proposed residential development:

“Chapter 1 – Vision

...

Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come.

2.1 Planning for People and Homes

...

6. Planning authorities should support the achievement of complete communities by:

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, longterm care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet the projected 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 additional needs housing and needs arising from demographic changes and employment opportunities; and
 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
 - d) requiring transit-supportive development and prioritizing intensification.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. Settlement areas shall be the focus of growth and development...
2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned infrastructure and public service facilities;
 - c) support active transportation;
 - d) are transit-supportive, as appropriate; ...

3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

8. Definitions

Intensification: means the development of a property, site, or area at a higher density than currently exists through:

...

- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development”

In summary, the PPS clearly 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 broad range of housing forms/types to meet expected needs.

The subject proposal achieves all of the foregoing policy objectives and is also considered to be intensification in accordance with the definition contained in the PPS. In addition, the subject property is serviced by the Tecumseh Transit System and is within walking distance of multiple bus stops. 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 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,...

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.

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 application conforms to the County OP.

Tecumseh Official Plan

The subject property is designated “Residential” on Schedule “B-1” of the Tecumseh Official Plan (“Tecumseh OP”) (see Attachment 5). The proposed semi-detached dwelling proposal is subject to the “Low Density Residential” policies contained therein.

The following goals and policies are relevant to the subject proposal:

“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:
 - ...
 - 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.”

Based on a review of the preliminary site plan and surrounding neighbourhood, the proposed semi-detached dwelling will meet the compatibility criteria contained in subsection 3.18 of the Tecumseh OP.

In light of the foregoing, the proposed development generally conforms to the Tecumseh OP 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 Type Two Zone (R2)” (see Attachment 6), which permits single-unit dwellings. The proposed site-specific “R2-27” zone would permit the construction of the proposed semi-detached dwelling and establish maximum lot coverage, minimum lot frontage and lot area and site-specific driveway provisions to facilitate any future potential severance of the property to place each unit within the semi-detached dwelling on its own conveyable lot for freehold ownership.

Municipal Servicing

Public Works & Engineering Services (PWES) has advised that the subject property is serviced by municipal water, wastewater and storm services. Separate municipal servicing for each dwelling unit will be required if the division of the subject property along the common wall dividing the semi-detached dwelling occurs by way of a future severance application.

Conclusion

Having regard to the range, scale, location and nature of surrounding uses, the location of the proposed dwelling along with the current policy environment encouraging standards that support residential intensification and more compact and efficient

development, 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 considered during 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

Public Works & Engineering Services

Financial Implications

None.

Link to Strategic Priorities

Applicable	2023-2026 Strategic Priorities
<input checked="" type="checkbox"/>	Sustainable Growth: Achieve prosperity and a livable community through sustainable growth.
<input checked="" type="checkbox"/>	Community Health and Inclusion: Integrate community health and inclusion into our places and spaces and everything we do.
<input type="checkbox"/>	Service Experience: Enhance the experience of Team Tecumseh and our citizens through responsive and respectful service.

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:

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Reviewed by:

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Reviewed by:

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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.	Preliminary Site Plan

Attachment Number	Attachment Name
3.	Preliminary Architectural Rendering
4.	Property Location and Surrounding Land Uses Map
5.	Official Plan Map
6.	Zoning Map