



FOOD- FRIENDS OF OLDCASTLE DEVELOPMENT – PROPONENTS OF SMART GROWTH

April 1, 2019

File # D19 MATOS

Report Number: PBS -2019

To: Mayor and Members of Council

I am writing to object to the zoning By-Law Amendment, South Side of North Talbot Road, and SCWI Enterprises.

FOOD is dedicated to promoting a “built form plan” for the Oldcastle Hamlet that is “well-designed” and encourages a sense of place that provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.” It is our goal to preserve our preferred quality of life in such a way that today’s planning decisions will sustain a healthy, vibrant balanced community for future generations.

Reasons for Objection:

A) Premature of a Secondary Plan:

The amendment is premature of a “secondary plan” or more “detailed plan” for the primary settlement of Oldcastle.

[1] On March 28th, 2017, Mr. Burford and I presented the history of the industrial growth and development of the Oldcastle Hamlet. We explained how and why Oldcastle, an agricultural hub, proceeded to develop with a focus on industrial growth with limited residential development, all on septic systems. With zero lands designated for residential development and the implementation of a sanitary sewer system and a continued focus on industrial growth only, we had major concerns of future community sustainability. At this meeting, we requested a secondary plan or more detailed plan for Oldcastle, similar to the plan and the process used for the hamlets of Maidstone and Tecumseh. We made clear our strategic priority for smart growth was to make the Hamlet of Oldcastle an even better place to live, work and invest through a shared vision for the residents and newcomers to create a strong and stable neighbourhood in which to live.

[2] The Town motioned and carried that our requests be referred to Administration for a report and recommendation and that the next steps would be to establish a process. *Minutes of Regular Meeting of Council March 28, 2017* This was on council's unfinished business list until recently.

[3] Without a secondary plan or more detailed plan for Oldcastle which would designate specific lands for residential use, there is no way to conclusively project sufficient neighbourhood commercial zoned land for future availability, in the long term, to meet the daily needs of the surrounding community.

[4] Official plans have policies that determine the amount of parkland in a community, (4 hectares of parkland for every 1,000 population). With the Provincial Policy Statement referring frequently to building "Healthy Communities" by promoting active transportation and therefore encouraging planners to include neighbourhood commercial zones in their residential developments, it would be logical to assume that there should be in existence, guidelines for a ratio of neighbourhood commercial zone to persons. The goal would be, to design a compact community where people live, work, play and shop within a distance accessible by walking, biking and other forms of active transportation.

[5] **"Schedule "A-3" Maidstone Hamlet Urban Area Land Use Plan"** secondary plan identifies within and near the residential component, lands for Neighbourhood Commercial use. **"Schedule "A-2" Oldcastle Hamlet Urban Area Land Use Plans"** displays zero "Neighbourhood Commercial" land designated. **"Schedule "A" Township of Sandwich South"** indicates only two neighbourhood commercial zones to serve the large business park community and the future residential component.

Summary:

[6] It is my fear that the "Piece Meal" approach of applying Zoning Amendments to the existing Official Plan instead of formulating a comprehensive "Secondary Plan" will not be conducive to designing a healthy, balanced, sustainable, Oldcastle community in the long term.

[7] I feel a commercial developer might be more inclined to develop this property with a permitted neighbourhood commercial use if a more detailed plan with lands designated for future residential use were indicated.

Therefore the zoning amendment from "Neighbourhood Commercial Zone (C2-5)" to a "Business Park Zone (BP)" should not be approved.

B) Provincial Policy Statement

ZBA is not consistent with the Provincial Policy Statement, 2014

[8] The report from planning services does not take into account relevant policies in the PPS, particularly those relating to healthy, liveable and safe communities. Oldcastle is a primary settlement and an old established community, as confirmed in the decision of the board delivered by S. Jacobs, January 17, 2018. "The PPS recognizes "community" as an important concept, and the theme of healthy, liveable, and resilient communities runs throughout the document. Policy 1.0 speaks to the general goal of "promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth."

[9] The following are relevant excerpts from the PPS

1.1 managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected need for a time horizon of up to 20 years. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

1.1.3 Settlement Areas

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within *settlement areas* shall be based on:

4. Support active transportation

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- c) encouraging compact, mixed –use development that incorporates compatible employment uses to support liveable and resilient communities;

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*.

1.7 Long-Term Economic Prosperity

1.7.1 g) providing opportunities for sustainable tourism development;

Summary:

[9] The subject property is located next to an established thriving neighbourhood commercial business (Tim Horton's) one of the busiest franchise in Essex County. The largest component of Oldcastle in the OP is zoned BP (M1) light industry with a very small land area zoned for neighbourhood commercial. It is my opinion that by not maintaining or establishing neighbourhood commercial zones, in Oldcastle, sufficient land is not being made available to maximize the range of mix land use and provide a greater diversity in employment opportunities to help support a liveable and resilient community.

[10] A significant thread running through the PPS is designing "Healthy Communities." One of the keys in encouraging active transportation is locating neighbourhood commercial zones within or near

the residential component. These small businesses that cater to the daily needs of the people in the community encourage local citizens to walk or bike, reducing the number of short car trips, promoting a more active life style, reducing the carbon foot print and therefore building a healthier community.

[11] Foot traffic in Oldcastle, coming and going to Tim Horton's, is very evident. What isn't shown on the Town's Map Schedules is the well worn path through the subject's property made by those walking or riding along the Greenway and the workers crossing over from industries on Brendan Lane. Proof, people in the area would rather walk to a nearby establishment then hop in their car to make their way through heavy traffic to the Walker Rd. commercial area. This short cut also makes it safer for the pedestrian who otherwise would have to follow a longer and more vehicle congested route along North Talbot.

[12] Living in Oldcastle and area, you can walk to the Ciociaro Club, Tim Horton's, Fire Hall & Cultural Centre all by accessing the Greenway. I believe a wiser use of this land would be to leave it available as a neighbourhood commercial zone to promote active transportation for the future projected increase of population. (Which cannot be projected since land has yet to be designated for residential development?)

[13] On the rise in all areas of Essex County is the biking tourist industry. The Oldcastle Hamlet, the start of the Greenway, the Ciociaro Club bike track, and CWAT roads are assets of our community that will contribute to the bright future of this growing industry. From Oldcastle, one can bike safely along trails to Windsor, LaSalle, McGregor, Amherstburg, Boblo Island, Harrow, Essex, Kingsville and Leamington with winery stops on the way. The subject property located close to the Greenway and accessible, either through the business park or the North Talbot Rd. bike lane, has the future potential to participate in this growing tourist industry and contribute to the viability of the Oldcastle Hamlet by remaining as a neighbourhood commercial zone.

[14] From my perspective, Report PBS-2019-05 fails to consider the community as a whole and does not address the long term issues of creating a "healthy, strong, viable, sustainable balanced community for future generations.

C) County of Essex Official Plan - Goals & General Policies

1.5 Goals For A healthy County

The long-term prosperity and social well-being of the County depends on maintaining strong, *sustainable* and resilient communities, a clean and healthy environment and a strong economy. To this end, the policies of the Plan have been developed to achieve the following goals for a healthy County of Essex:

e) To create more mixed use, compact, pedestrian-oriented development within designated and fully serviced urban settlement areas.

h) To create and maintain an improved balance between residential and employment growth in each of the *Primary Settlement Areas*, as detailed in Section 3.2 of this Plan, by increasing employment opportunities closer to where people live.

3.2.6 General Settlement Area Policies

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

a) Local Official Plans are encouraged to establish land requirement needs based on the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon up to 20 years. Residential growth projection for *local municipalities* is to be in accordance with the population projections contained within this Plan.

g) It is the policy of this County Official Plan to ensure long term economic prosperity by encouraging local Official Plans to:

ii) Provide a supply of land to meet long term requirements.

Summary:

[15] The county OP adopted and approved in 2014 reflects the goals of the PPS regarding healthy, sustainable, and resilient communities. These goals therefore apply to the Oldcastle Hamlet a primary settlement.

[16] Planning report pertaining to the property in question, does not take into consideration the residential growth of the Hamlet but rather bases its prediction of future development solely on past growth patterns which is not an accurate assessment in light of the recent OMB ruling that clearly identifies Oldcastle as a community and primary settlement. Amending the zoning of this property would further reduce the existing small land inventory of neighbourhood commercial creating a future imbalance as well as failing to build a compact, pedestrian-oriented settlement.

[17] Land designated “Business Park” may permit a range of light industry and commercial development but Oldcastle’s land use is predominately light industry with some commercial which in most part serves the industrial community. Therefore in order to meet the requirements of a fully serviced urban settlement area as well as diversify employment opportunities more neighbourhood commercial zone land may be needed than less.

[18] While we recognize that the County OP is the current official planning guidelines, our group and the SS Historical Society feel that it does not currently reflect our identity or promote balanced growth in the “Primary Settlement” of Oldcastle.

D) Sandwich South Official Plan

3.5 Neighbourhood Commercial

3.5.1 Goals

The following goal is established for the Neighbourhood Commercial area;

- i) To ensure that the local retail and service commercial needs of the residents of the township are met at locations which are convenient and possess the necessary location characteristics for such uses, without adversely impacting the surrounding residential neighbourhood they are intended to serve.

3.5.2 Policies

i) the uses permitted shall be limited to those commercial uses which provide for the sale of goods and services to meet the daily needs of the surrounding community in foods, drugs, sundries and personal services and may also include eating establishments, video rental establishments, offices, financial institutions, laundry and dry cleaning establishments, gas bars, service stations and other similar uses

Summary:

The subject property is located a short distance from the Greenway and next to an existing commercial facility that experiences a high volume of both vehicle and foot traffic. It is convenient for the working, residential and tourist communities and has the potential of promoting active transportation not only within the community but the larger area serviced by the Greenway. It is accessible to the walking community from the Greenway through the business park off of Brendon Lane and to vehicle traffic from North Talbot Road. As the residential component of Oldcastle grows along with the continued growth of bicycling on county trails, the future use of this lot for neighbourhood commercial will be an asset to the Hamlet.

Zoning By-law Amendment Procedures in the Official Plan

i)“ The applicant has advised that it is in the process of retaining a qualified biologist to complete a field assessment/screening on the lands to ensure that the proposed development of the property will not contravene the Endangered Species Act, 2007”

Recently a mature tree lot on North Talbot was cut down to build two new industrial facilities. It is not clear to the residents if the proper permits to remove the woodlot were in place. As a fall out from this experience, we have some concerns about a natural inventory being conducted by the owner.

iii) The adequacy of the road system to accommodate the projected traffic volume increases.

The location of the access driveways onto North Talbot Rd. next to an extremely busy Tim Horton's driveway, particularly during early morning hours, afternoons and quitting time, will challenge the safety of pedestrians and the biking public.

iv) the compatibility of the proposed use with existing and potential future uses in the surrounding area;

Without a more detailed plan for Oldcastle and consideration given to the residential component of Oldcastle the potential future use of the surrounding area cannot be determined.

v) The need for the additional land to accommodate the proposed use/facilities.

Given the steady and growing demand for industrial land in the Oldcastle area and the current limited vacant, fully-serviced industrial land supply, there appears to be a need for additional land to accommodate light industrial uses as contemplated by the applicant. In addition, the current ‘Business Park’ land use designation in the Official Plan fully contemplates the uses proposed on the subject property.

Within the current “Business Park” designation between the 8th Concession Road, King's Hwy No, 401 and County Rd. 46, is the Santarossa Business Park (approved in 1987) an approximately 50 acre parcel of land, serviced and not yet developed. There is approximately 200 acres in holding for future employment lands and due to its location along 401 most likely will have a future designation use as

“BP.” There are vacant properties within the BP designation and fragmented building lots that could accommodate a singular light industry build.

Zero lands have been designated for future “Neighbourhood Commercial” use and the existing lands with this designation are minimal within the Oldcastle Settlement.

Summary

The proposed zoning by-law is premature of a more detailed plan (Secondary Plan) for Oldcastle initiated by the citizens of Oldcastle in 2017 for the purpose of ensuring that their community in which they live grows within a “Smart Growth Plan.”

At the present, Oldcastle, a primary settlement, is not being built according to that component of the PPS that speaks to designing a Healthy, Vibrant, Balanced, and Sustainable Community.

While the “Business Park” has flourished, the residential component under the current septic system of waste removal has not. With the arrival of sanitary sewers, which were unobtainable in the past, it is anticipated that a residential component of our hamlet will flourish creating a more balanced sustainable Oldcastle Hamlet, a sense of place, where we can live, work, play, shop and worship, a place that maintains and enhances the quality of life, in which we have been blessed with now and for future generations.

The proposed zoning by-law amendment is not in keeping with that part of the Provincial Policy Statement, county of Essex Official Plan and the Sandwich South Official Plan that advocates the building of Healthy, Viable, Balanced, and Sustainable Communities now and into the future. It follows that an increase in population along with our working community there will be a future need as seen by the advocates of “Smart Growth”, connective streets and active transportation, for “Neighbourhood Commercial Zones.”

Without a detailed plan for Oldcastle it is impossible to determine the settlements needs for a “Healthy, Strong, Viable, Balanced, and Sustainable Community.

It is my hope that in this situation, the importance of building a sustainable community within the Municipality of Tecumseh, in the long term, will outweigh the arguments that are mainly industrial commerce driven with short term gains and therefore I object to amending the from ‘Neighbourhood’ to “Business Park.”

The Municipality of Tecumseh is only as strong as the communities located within.

Sincerely,

Judy Wellwood-Robson

(An advocate for the “Smart Growth of Oldcastle”)

Attachments

(RCM 5-6)

SUPPLEMENTARY AGENDA ADOPTION

There are no supplementary agenda items.

(RCM 5-7)

DELEGATIONS

Top 100 Festival Award

Darren Winger, Regional Advisor, Ministry of Citizenship & Immigration, Ministry of Tourism, Culture and Sport, presents the Top 100 Festival Award for the Tecumseh Corn Festival to both Council and the Corn Festival Committee. Since 2003, the Town has been recognized by Festival Events Ontario as one of the Top 100 Festivals in the Province. Key individuals are also recognized for their dedication, commitment and hard work. This year David Lozinsky is being recognized for all of his efforts.

Oldcastle Hamlet

Judy Wellwood-Robson is present on behalf of Friends of Oldcastle Development (FOOD) and she is accompanied by Perry Burford. For the purpose of clarification, they will be referring to the lands as 'Grey Lands' currently designated as Hamlet Development and not referring to the Del Duca Lands currently the subject of an appeal to the Ontario Municipal Board with respect to Zoning and Official Plan Amendments.

Ms. Wellwood-Robson and Mr. Burford provide an overview of the FOOD Group aspirations for sustainable infrastructure, health and wellness and managed growth. The FOOD Group is requesting a more specific designation for the Hamlet Development to residential in the Official Plans and are advocating for a more meaningful say in how the community grows. A history of the first Official Plan and industrial development in the Hamlet area is provided.

It is stated that the FOOD Group's strategic priority for smart growth is to make the Hamlet of Oldcastle an even better place to live, work and invest through a shared vision for the residents and newcomers, to create a strong and stable neighbourhood in which to live. Ms. Wellwood-Robson and Mr. Burford conclude by explaining their proposed smart growth plan.

The Mayor and Members of Council express their appreciation for the well organized and planned presentation.

Motion: (RCM-89/17) Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Tania Jobin

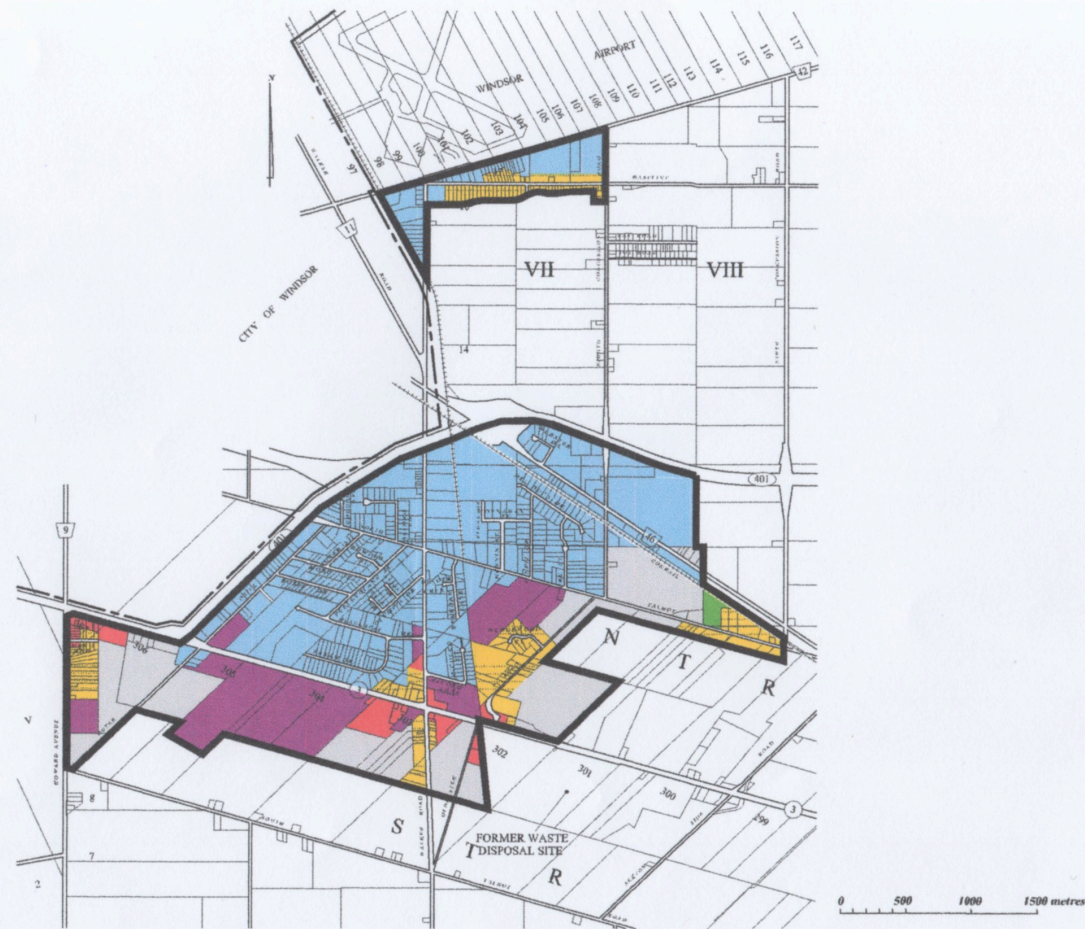
THAT the presentation and requests made by Friends of Oldcastle Development (FOOD), be referred to Administration for a report and recommendation.

Carried

In response to an inquiry, the Acting Chief Administrative Officer explains the next steps would be to meet with residents regarding their expectations and thoughts, then develop a response and establish a process. In terms of timelines, there is a 2017 work plan currently established for 2017 for Administration, and time will be needed to work on logistics on how to start this process.

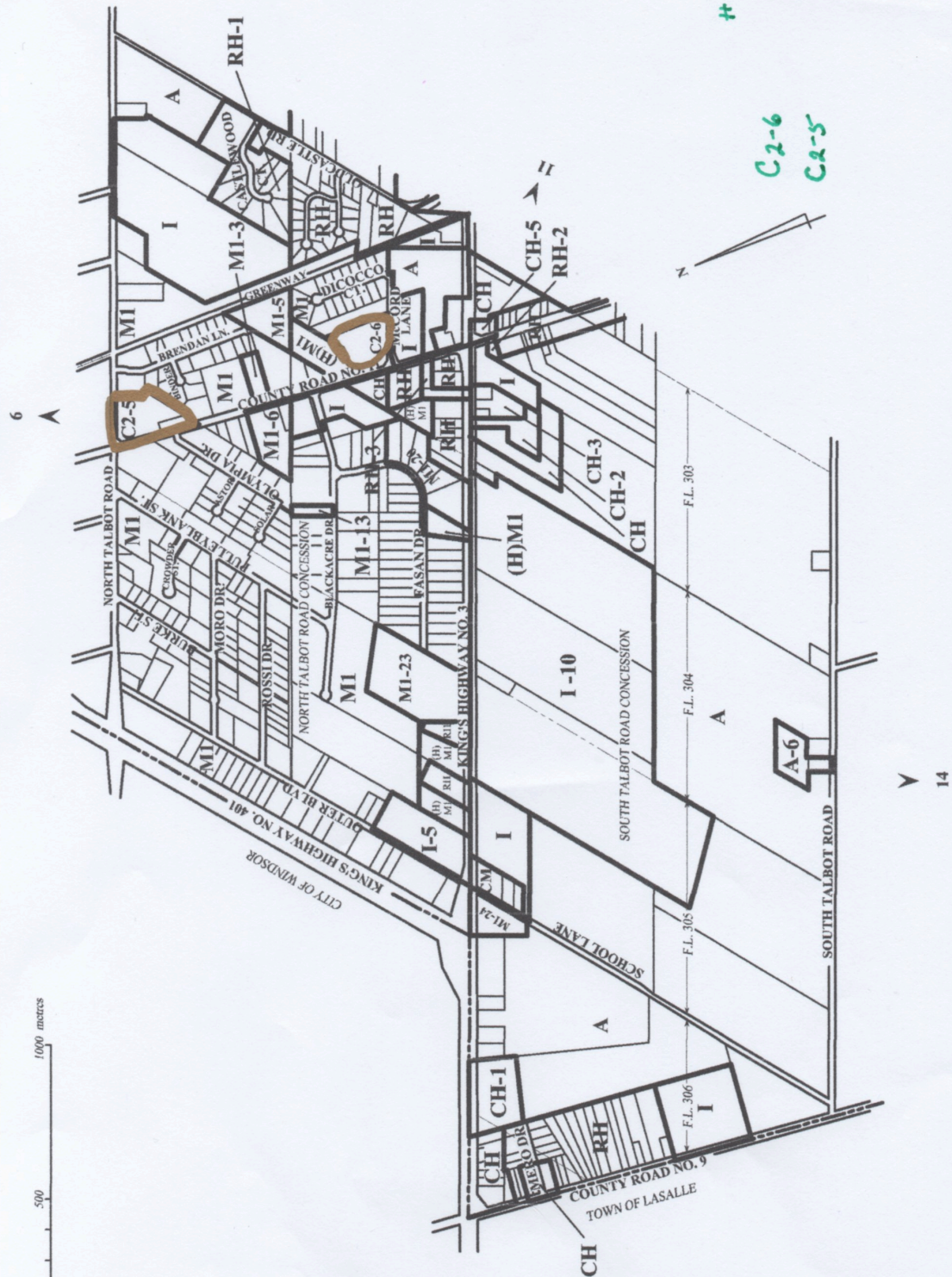


SCHEDULE "A-2"
TOWNSHIP OF SANDWICH SOUTH
OFFICIAL PLAN
OLDCASTLE HAMLET &
BASELINE ROAD HAMLET
URBAN AREA
LAND USE PLAN



- Urban Area Boundary
- Hamlet Residential
- General Commercial
- Business Park
- Community Facility
- Recreational
- Hamlet Development

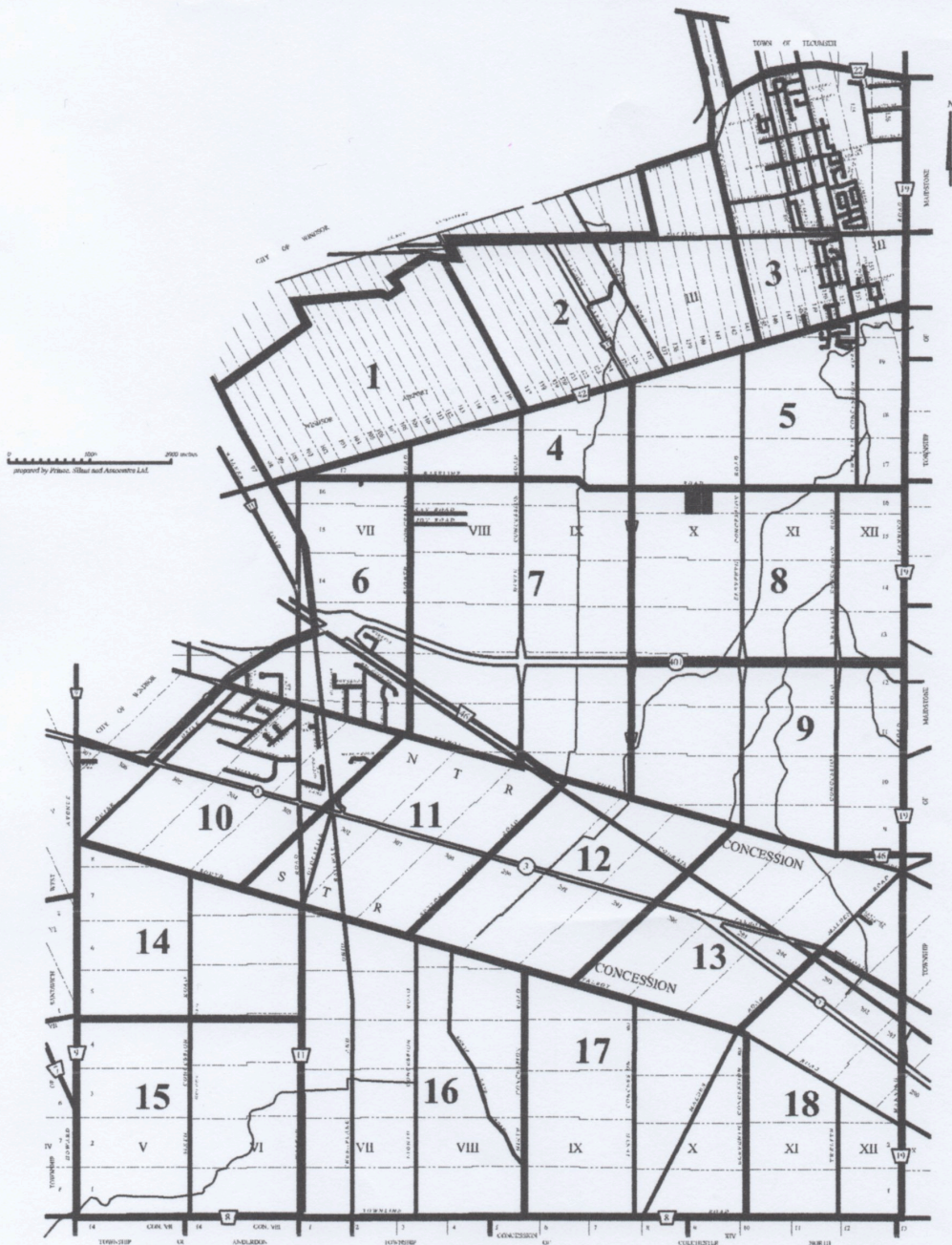
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revised June, 1991 January, 1997 - plan A-2-0000
revised Nov., 1997
revised February, 2001



SCHEDULE "A"


TOWNSHIP OF SANDWICH SOUTH

INDEX MAP



ZONE LEGEND

R1 Residential Zone 1
R2 Residential Zone 2
RH Hamlet Residential
C1 General Commercial
C2 Neighbourhood Commercial
C3 Highway and Service Commercial
CH Hamlet Commercial
CR Rural Commercial
CM Commercial/Industrial

BP Business Park
CMH Hamlet Commercial/Industrial
M1 Industrial
HS Highway Service Centre
A Agricultural
I Institutional
P Parks and Open Space
(H) Holding Zone
 **Floodplain Development Control Area**
 (See Subsection 5.40)