



The Corporation of the Town of Tecumseh

Planning & Building Services

To: Mayor and Members of Council

From: Brian Hillman, Director Planning & Building Services

Date to Council: May 28, 2019

Report Number: PBS-2019-14

Subject: Del Duca Property Post-OMB Decision
North-East Corner of 8th Concession/North Talbot Road Intersection
Development of an Alternative Land Use Plan in accordance with
Ontario Municipal Board's Decision – Case No. PL160967
Summary of Comments Received at April 29, 2019 Open House
OUR FILE: D19 DELDUC

Recommendations

It is recommended:

1. **That Report PBS-2019-14 be received.**

Background

Past Applications and OMB Appeal

As detailed more extensively in PBS-2019-08, in 2016, Del Duca Industrial Park Ltd. (the "Owner") applied for Official Plan and Zoning By-law Amendments to amend the Sandwich South Official Plan and Zoning By-law to facilitate the development of an industrial subdivision/business park on the 21.6 hectare property situated at the north-east corner of the 8th Concession/North Talbot Road intersection (see Attachment No. 1 and Attachment No. 2).

Council's approval of these applications was subsequently appealed to the Ontario Municipal Board (OMB). In 2018, the OMB issued a decision that upheld the appeal and denied the amendments. However, the OMB also withheld its Order to allow for the Owner and the appellants to explore an alternative development scenario in accordance with the OMB's decision. In its decision, the OMB indicated that it envisaged the potential for an alternative form of development (consisting of a mixed-use type of development, incorporating residential

and employment uses that would have no adverse impact on surrounding uses) from that which had been contemplated by the amendments.

Alternative Land Use Plan

In light of the OMB's decision and after a number of meetings between the Owner, FOOD Group representatives and the Town, a proposed alternative land use plan was arrived at which contemplated (see Attachment 3):

- approximately 20.5 hectares (50.6 acres) of land identified for residential uses offering a range of housing types, including single unit dwellings, semi-detached and multi-unit dwellings and retirement homes. The area identified for residential uses also included a potential stormwater management pond and stormwater drainage corridor, the details of which are discussed below;
- an approximate 0.75 hectare (1.85 acre) commercial parcel situated at the north-east corner of the 8th Concession Road/North Talbot Road intersection. This parcel could accommodate commercial uses in a building having a footprint of approximately 1200 square metres (13,000 square feet) with associated on-site parking. The types of uses proposed to be permitted include retail, eating establishments, financial institutions, day nursery, adult day care centre, general and professional offices, personal service shop and accessory uses;
- a 30-metre (98-foot) wide strip of land along the western boundary of the property adjacent to the 8th Concession Road and extending fully from the commercial block to the northern limit of the subject property. The purpose of this strip of land, which would be conveyed to the Town, would be to provide adequate separation from the industrial uses on the west side of the 8th Concession Road and the proposed residential use of the balance of the subject property. The 30-metre (98- foot) strip of land would be comprised of three components:
 - a) a berm with appropriate tree plantings on the top to assist with visual screening;
 - b) a 3-metre (10-foot) multi-use pathway, which would ultimately extend to North Talbot Road and potentially along the northerly limit of the proposed residential lands;
 - c) a drainage feature/swale for the conveyance of stormwater;

Specific details with respect to the preceding would be given further consideration as development details progress, including consideration of the 30-metre strip being finished in a low-maintenance natural state, confirmation of the preferred stormwater management scheme for the subject property, tree planting details etc.;

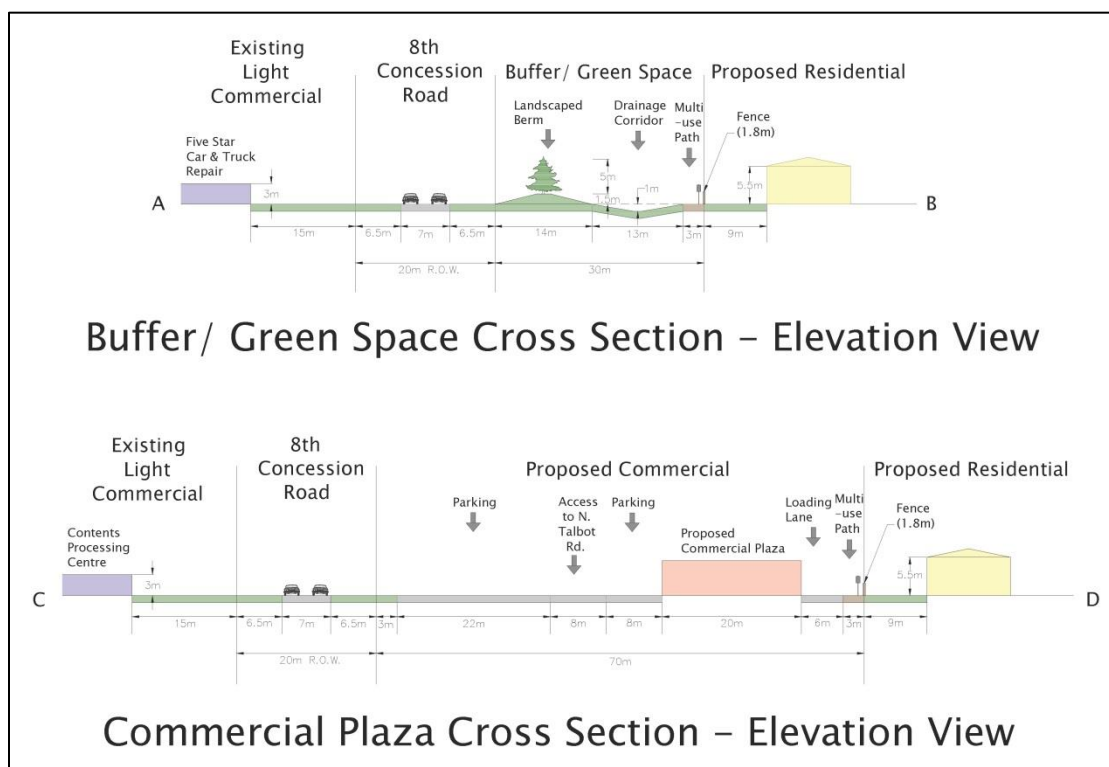
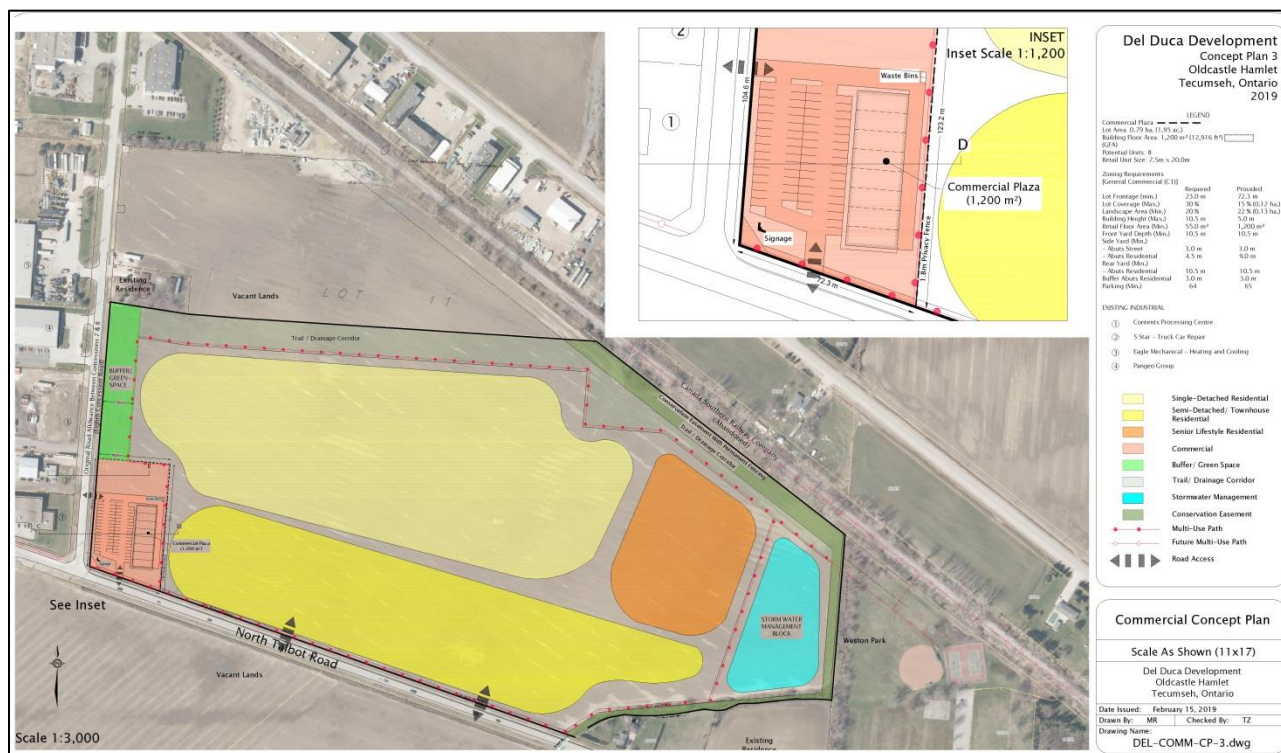
- a stormwater drainage corridor along the northern extent of the property and along the north-eastern portion of the property where it abuts the former railway lands. This stormwater drainage corridor, if deemed acceptable in relation to the stormwater management scheme yet to be approved for the subject property, would also include a multi-use pathway and an area of land identified for a stormwater management pond at the easterly extent of the subject property, where it abuts the existing Weston Park. This stormwater management pond would be designed as an amenity and would incorporate multi-use pathway linkages to adjacent lands (including Weston Park, potential future multi-use pathway on former railway lands, potential multi-use pathways on the subject property and along the north side of North Talbot Road;
- a multi-use pathway along the north side of North Talbot Road that would ultimately provide connectivity to existing homes and Weston Park to the east and other proposed multi-use pathways in the vicinity.

April 29, 2019 Open House

A public consultation process with respect to the proposed alternative land use plan was approved by Town Council which included the holding of an Open House at the Ciociaro Club on the afternoon and evening of April 29, 2019.



The Open House offered an informal venue for the public and any other interested parties or agencies to review the proposed alternative land use plan, which included more detailed cross-section drawings regarding the 30-metre (98 foot) strip of land along the 8th Concession Road and a drawing illustrating the conceptual distribution of land uses on the subject property (see images below).



The purpose of this Report is to summarize the nature of the comments received at the April 29, 2019 Open House.

Comments

Comments Received at the Open House

Approximately 83 members of the public attended the Open House, in addition to various members of Town Council, Town Administration, the Owner and FOOD Group. Three written comments were submitted to Town Administration at the Open House. These written comments are summarized below:

1. In favour of a residential development that offers 0.5 acre (0.2 hectare) lots;
2. In favour of the buffer strip along the 8th Concession Road, the introduction of multi-use pathways/associated active transportation linkages and the stormwater drainage corridor proposed in the plan; and
3. Concerns regarding traffic impacts of the proposed alternative development plan on Oldcastle Side Road.

In addition to the three written comments received, there was overwhelming support from members of the public in attendance for the alternative land use plan.

Next Steps

1. May 28, 2019 Public Meeting

This is a formal Public Meeting being held by Council which offers an opportunity for Council to hear public and agency comments regarding the alternative land use plan.

2. Decision of Council

Subsequent to the receipt of public and agency comments, a final Report will be provided to Council summarizing the comments/issues raised through the public consultation process and a recommendation with regard to the proposed alternative land use plan and the implementing Official Plan Amendment and Zoning By-law Amendment.

3. Consideration by OMB

If Council supports an alternative land use plan and associated Official Plan and Zoning By-law Amendments, and with the concurrence of the Parties, the Town's Legal Counsel would reach out to the OMB to provide an update and request its direction on obtaining OMB approval.

Consultations

Planning & Building Services
 Town Solicitor
 Del Duca Industrial Park Ltd. (Owner)
 Friends of Oldcastle Development (FOOD Group)

Financial Implications

There will be ongoing legal costs in relation to advancing this matter.

Link to Strategic Priorities

Applicable	2017-18 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 the Town of 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 the Town 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:

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Junior Planner

Reviewed by:

Chad Jeffery, MA, MCIP, RPP
Manager Planning Services

Reviewed by:

Brian Hillman, MA, MCIP, RPP
Director Planning & Building Services

Recommended by:

Margaret Misek-Evans, MCIP, RPP
Chief Administrative Officer

Attachment Number	Attachment Name
1	Location in Oldcastle Hamlet Map
2	Airphoto of Subject Property
3	Proposed Alternative Land Use Plan

