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Town of Tecumseh
Public Council Meeting
Tuesday, June 12, 2012
6:00 PM
Tecumseh Town Hall

MEETING:

I. CALL TO ORDER

II. ROLL CALL

III. DISCLOSURE OF PECUNIARY INTEREST

IV. INTRODUCTION AND PURPOSE OF MEETING

The purpose of this meeting is to give consideration to a proposed amendment to change the zoning pertaining to a 2.1 hectare (5.2 acre) property located on the south side of County Road 42, immediately south of its intersection with Odessa Drive and known municipally as 11697 County Road 42 from "General Commercial Zone (C1)" and "Agricultural Zone (A)" to "Industrial Zone (M1)", in order to permit the development of a proposed truck transport facility with associated offices and an accessory dwelling unit.

V. DELEGATIONS

VI. COMMUNICATIONS

- A. Town of Tecumseh, Notice of Public Meeting, June 12, 2012, 6:00 p.m. - *Re: Proposed Zoning Bylaw Amendment, 11697 County Road 42*
- B. Essex Region Conservation Authority, May 24, 2012
Re: Notice of Public Meeting to Consider a Proposed Zoning Bylaw Amendment, 11697 County Road 42
- C. County of Essex, June 5, 2012 - *Re: Proposed Zoning Bylaw Amendment, 11697 County Road 42, Truck Transport Facility*
- D. Manager, Planning Services / Senior Planner, April 30, 2012, Report No. 10/12 - *Re: Chase Transportation & Logistics LLC, 11697 County Road 42, Zoning By-law Amendment*

VII. ADJOURNMENT

TOWN OF TECUMSEH
NOTICE OF PUBLIC MEETING

| | |
|-----|---------------------------------|
| 1.6 | PRESENTED TO PUBLIC COUNCIL: |
| | JUNE 12, 2012 |

PROPOSED ZONING BY-LAW AMENDMENT

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, June 12th, 2012 at 6:00 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to consider a proposed Zoning By-law amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

The purpose of the proposed amendment is to change the zoning pertaining to a 2.1 hectare (5.2 acre) property located on the south side of County Road 42, immediately south of its intersection with Odessa Drive and known municipally as 11697 County Road 42 (see map below for location) from "General Commercial Zone (C1)" and "Agricultural Zone (A)" to "Industrial Zone (M1)", in order to permit the development of a proposed truck transport facility with associated offices and an accessory dwelling unit.

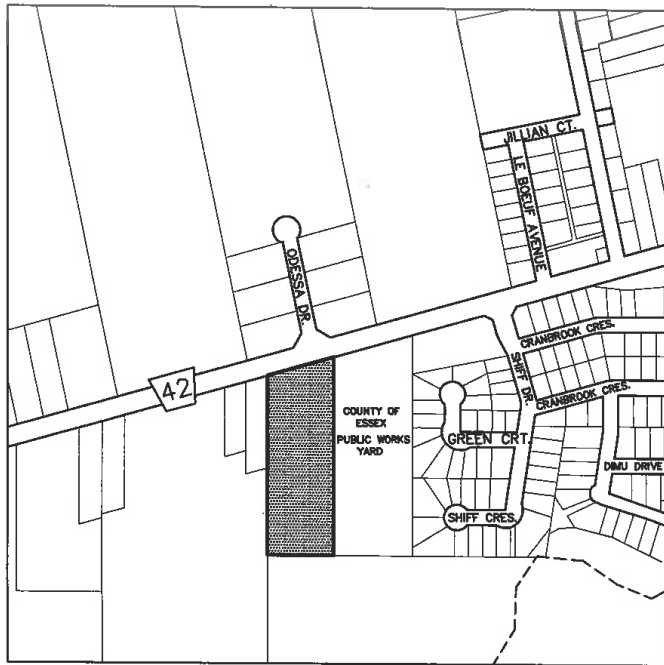
The subject property is designated "Business Park" on Schedule "A-1" of the Sandwich South Official Plan. The Official Plan encourages a variety of light industrial uses and commercial activities that can be appropriately integrated with the existing and proposed development pattern. In addition, transportation depots are specifically identified as a permitted use. The policies permit activities that are space-extensive and require easy access to the arterial road network. County Road 42 is considered an arterial road on Schedule "C" of the Sandwich South Official Plan.

The subject property will be subject to site plan control. This will enable the Town to use the site plan control process to adequately address all servicing and site design issues prior to any new development occurring on site. Site plan control approval by the Town will be required prior to the approval of any Zoning By-law amendment.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law amendment.

If a person or public body that files an appeal of a decision of the Town of Tecumseh in respect of the proposed Zoning By-law amendment does not make oral submissions at a public meeting or make written submissions to the Town of Tecumseh before the proposed Zoning By-law amendment is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

ADDITIONAL INFORMATION relating to this matter is available for review during regular office hours at the Town Municipal Office on Lesperance Road.



DATED AT THE TOWN OF
TECUMSEH THIS 10th DAY
OF MAY, 2012.

LAURA MOY
CLERK
TOWN OF TECUMSEH
917 LESPERANCE ROAD
TECUMSEH, ONTARIO
N8N 1W9



 Area Affected by the
Proposed Amendment

2012 Board of Directors May 24, 2012

Town of Amherstburg
Robert Pillon
John Sutton

Town of Essex
Sherry Bondy
John Scott

Town of Kingsville
Gord Queen
Tamara Stomp

Town of Lakeshore
Al Fazio
Len Janisse

Town of Lasalle
Sue Desjarlais
Ray Renaud

**Municipality of
Leamington**
Rick Atkin
Larry Verbeke

Township of Pelee
Rick Masse

Town of Tecumseh
Joe Bachetti - Vice Chair
Cheryl Hardcastle

City of Windsor
Percy Hatfield - Chair
Al Magnhieh
Hilary Payne
Ed Sleiman

**General Manager /
Secretary Treasurer**
Richard Wyma

Ms. Laura Moy, Clerk
Town of Tecumseh
917 Lesperance Road
Tecumseh, ON N8N 1W9

Dear Ms. Moy:

RE: Notice of Public Meeting to Consider Zoning By-Law Amendment (ZBA) - Lot 19, conc 11 Sandwich ; 11697 County Road 42; ARN: 374456000005400; PIN: 752380190; Applicant: Singh Gurmeet; Regulated Area: 11th Concession Drain.

The following is provided for your information and consideration as a result of our review of the above referenced Notice of Public Meeting to Consider a Zoning By-Law Amendment (ZBA).

For the owner's information, we note that the northern portion of the parcel is subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the *Conservation Authorities Act*, (Ontario Regulation No. 158/06). Prior to any construction or site alteration, or other activities affected by the regulations, the property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority.

We note that we are concerned with the potential impact of the quality and quantity of runoff in the downstream watercourse due to future development on this site. We therefore request inclusion of the following conditions as this development proceeds to site plan control:

1. That the developer undertake an engineering analysis to identify stormwater quality and quantity measures as necessary to control any increases in flows in downstream watercourses, up to and including the 1:100 year design storm, to the satisfaction of the Essex Region Conservation Authority and the Municipality.
2. That the developer install stormwater management measures identified above, as part of the development of the site, to the satisfaction of the Essex Region Conservation Authority and the Municipality.
3. That the developer obtain the necessary permit or clearance from the Essex Region Conservation Authority prior to undertaking site alterations and/or construction activities.

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| 1.6 | PRESENTED TO PUBLIC COUNCIL: JUNE 12, 2012 |
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Member of



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Ms. Laura Moy, Clerk

May 24, 2012

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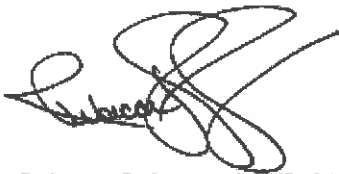
We note that the subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS).

Based on our review, we have no objections to the application.

If you should have any questions or require any additional information, please do not hesitate to contact the ERCA office by phone at (519) 776-5209 or by fax at (519) 776-8688.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Belanger', with a large, stylized flourish extending from the end of the signature.

Rebecca Belanger, MCIP, RPP
Conservation Planner

C: Singh Gurmeet

1.6

PRESENTED TO
PUBLIC COUNCIL:
JUNE 12, 2012



Corporation of the County of Essex Planning Services

William J. King, AMCT, MCIP, RPP
Manager of Planning Services

June 5, 2012

Ms. Laura Moy, Clerk
Committee of Adjustment
Town of Tecumseh
917 Lesperance Road
Tecumseh, Ontario
N8N 1W2

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|---|---------------------------|-----------|------------|
| Feuillets de transmission par télécopieur | | Date | # of pages |
| Post-It™ Fax Note 7671B | | JUNE 7/12 | 2 |
| To / À | From / De | | |
| Laura MOY | Bill King | | |
| Co./Dept. / Cie/Service | Co. / Cie | | |
| Town of Tecumseh | | | |
| Phone # / N° de tél. | Phone # / N° de tél. | | |
| | | | |
| Fax # / N° de télécopieur | Fax # / N° de télécopieur | | |
| 519-735-6712 | | | |

Dear Ms. Moy:

RE: ZBA-2012, Proposed Truck Transport Facility, Part Lots 19 & 20, Concession 11, South Side of County Road No. 42, Across from Odessa Drive

Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. The application has not been reviewed from a planning perspective. The County of Essex is requesting to be involved in the Site Plan Control process to be sure that conditions regarding access, structure setback, signing, and drainage are addressed to the satisfaction of the County of Essex.

The County of Essex is requesting that a Traffic Impact Study to be completed to determine if any upgrades to County Road 42 are required as a result of this proposal. The applicant will incur all costs for any and all upgrades identified in the traffic study. The subject property is in an area of high roadway congestion and has the potential for operational and safety impacts on County Road No. 42. Pre-consultation with the County is suggested to ensure that the scope of the study is appropriate for the proposed development and location.

The Applicant will be required to comply with the following County Road regulations:

County By-Law Number 2481 – A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

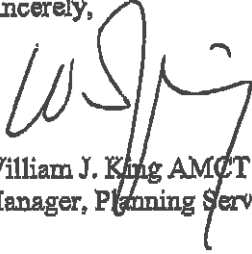
County By-Law Number 2480 – A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 110 feet from the center of the original ROW of County Road No. 42 due to the presence of the 11th Concession Municipal Drain. Applications must be filed with the County to obtain the necessary permits for any changes to existing entrances and structures, or the construction of new entrances or structures.

C. Brian Hillman
June 7/12

We are requesting a copy of the Decision of the aforementioned application. Thank you for your assistance and cooperation in this matter.

Sincerely,



William J. King AMCT MCIP RPP
Manager, Planning Services



**THE CORPORATION OF THE
TOWN OF TECUMSEH**

**Planning and Building Services
Report No. 10/12**

1.6
PRESENTED TO
PUBLIC COUNCIL:
JUNE 12, 2012

8.10
PRESENTED TO
REGULAR COUNCIL:
MAY 8, 2012

TO: Mayor and Members of Council
FROM: Chad Jeffery, MA, MCIP, RPP
Manager, Planning Services / Senior Planner
DATE: April 30, 2012
SUBJECT: Chase Transportation & Logistics LLC
11697 County Road 42
Zoning By-law Amendment
OUR FILE: D19 CHA

RECOMMENDATIONS

It is recommended that Council:

1. Authorize the scheduling of a public meeting for the application submitted by Chase Transportation & Logistics LLC ("the applicant") to amend the Sandwich South Zoning By-law 85-18 for a 2.1 hectare (5.2 acre) parcel of land situated on the south side of County Road 42 (11697 County Road 42), immediately south of its intersection with Odessa Drive, from "General Commercial Zone (C1)" and "Agricultural Zone (A)" to "Industrial Zone (M1)", in order to permit the establishment of a proposed truck transport facility, with offices and an accessory dwelling unit;
2. Authorize the preparation of a by-law that will place the subject property (11697 County Road 42) under site plan control, in accordance with subsection 6.4.3 of the Sandwich South Official Plan; and
3. Consider a draft Zoning By-law Amendment for the lands subject to:
 - i. The resolution of any concerns being identified through the public consultation process and public meeting; and
 - ii. The applicant attaining site plan control approval from the Town.

BACKGROUND

Proposal

An application has been filed with the Town to amend the Sandwich South Zoning By-law 85-18 for a 2.1 hectare (5.2 acre) parcel of land situated on the south side of County Road 42, immediately south of its intersection with Odessa Drive and known municipally as 11697 County Road 42 (see Attachment 1).

The applicant is proposing to rezone the subject property from "General Commercial Zone (C1)" and "Agricultural Zone (A)" to "Industrial Zone (M1)", in order to permit the establishment of a proposed truck transport facility. The development involves the construction of a 557 square metre (6,000 square foot) industrial storage building and truck parking/staging area to the rear

of the existing dwelling on the subject property. The existing residential dwelling will be used for an accessory office and one accessory dwelling unit. It should be noted that both of these accessory uses are permitted within the current M1 Zone. All development will be on full municipal services and site plan control approval will be required prior to development proceeding.

COMMENTS

Official Plan

The subject property is designated "Business Park" on Schedule "A-1" of the Sandwich South Official Plan (see Attachment 2). The Plan encourages a variety of light industrial uses and commercial activities that can be appropriately integrated with the existing and proposed development pattern. In addition, transportation depots are specifically identified as a permitted use. The policies permit activities that are space-extensive and require easy access to the arterial road network. County Road 42 is considered an arterial road on Schedule "C" of the Sandwich South Official Plan. Accordingly, it is the opinion of the writer that the proposed development is in keeping with the intent of the Business Park designation of the Sandwich South Official Plan.

Zoning

The northern half of the subject property is currently zoned "General Commercial Zone (C1)" while the southern half is zoned "Agricultural Zone (A)" on Map 5 of the Sandwich South Zoning By-law 85-18 (see Attachment 3). As noted, the applicant is proposing to rezone the entire land holding to the "Industrial Zone (M1)", which specifically permits the proposed uses, including the accessory residential dwelling unit.

Due to the nature of the trucking operation, the owner/operator has advised that he intends to live in the accessory dwelling unit, in order to properly direct and manage the business. Given the current Business Park designation of the site, the proposed rezoning would, in the opinion of the writer, be in conformity with the Sandwich South Official Plan.

Surrounding Land Uses

The surrounding area is primarily a mix of light-industrial and commercial uses, reflecting the commercial/industrial nature of the County Road 42 corridor. The subject property is abutted by the County of Essex public works yard to the immediate east, commercial offices to the immediate west, commercial/industrial uses to the north (on north side of County Road 42 and along Odessa Drive) and agricultural land to the immediate south. Other industrial trucking uses are located farther to the west, along the south side of County Road 42. A residential subdivision is located approximately 110 metres to the east, beyond the aforementioned County of Essex public works yard. It is the opinion of the writer that the proposed use is compatible with the immediate surrounding area and the majority of the uses along the County Road 42 corridor. Careful consideration, however, will need to be given to the proper integration and compatibility of the new industrial use with the aforementioned residential subdivision to the east.

Site Plan Control

The subject property is currently not subject to site plan control. However, subsection 6.4.3 of the Sandwich South Official Plan establishes that new industrial developments shall be subject to site plan control. Accordingly, imposing site plan control on the subject property is recommended. This will enable the Town to use the site plan control process to adequately address all servicing and site design issues prior to any new development occurring on site.

In addition, the site plan control process will allow for a proper site design that will appropriately integrate the proposed truck transport facility and the accessory residential unit. The applicant has been advised of this requirement and is in the process of finalizing a final site plan drawing. A draft site plan has been provided to assist in the consideration of the zoning by-law amendment process (see attachment 4). It is recommended that Council, by way of by-law, designate the subject property as an area subject to site plan control and that the applicant attain site plan control approval with the Town prior to the approval of any zoning by-law amendment.

Conclusion

Industrial uses for the subject property are contemplated by the Official Plan and the proposed trucking operation is consistent with the character of the existing land uses situated along the County Road 42 corridor. The subject property has good access from County Road 42 and its substantial size makes it suitable for the proposed trucking use.

In summary, it is the opinion of the writer, along with Town Administration, that the proposal warrants further consideration. A public meeting to consider the proposed Zoning By-law Amendment in accordance with the requirements of the *Planning Act* will provide an opportunity to hear concerns and comments, if any, of neighbouring owners and other interested stakeholders, including the County of Essex. It is important that the concerns and comments of these stakeholders be taken into consideration as part of the full evaluation of the applications.

CONSULTATIONS

The application was reviewed at recent Planning Staff Review meeting(s) by:

Planning and Building Services
Public Works and Environmental Services
Fire and Emergency Services

FINANCIAL IMPLICATIONS

There are no financial implications.

LINK TO STRATEGIC PRIORITIES

The subject property is located within an identified urban area. Encouraging the orderly and proper development in the noted area for the Town has been identified as a key strategic priority.

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Enrico De Cecco, BA (Hons.), MCIP, RPP
Junior Planner

Reviewed by:



Chad Jeffery, MA, MCIP, RPP
Manager, Planning Services/Senior Planner

Reviewed by:



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

Recommended by:



Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

ED

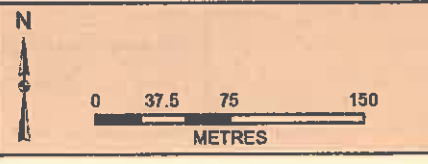
Attachment(s):

1. Location Map;
2. Official Plan Map
3. Zoning Map
4. Draft Site Plan

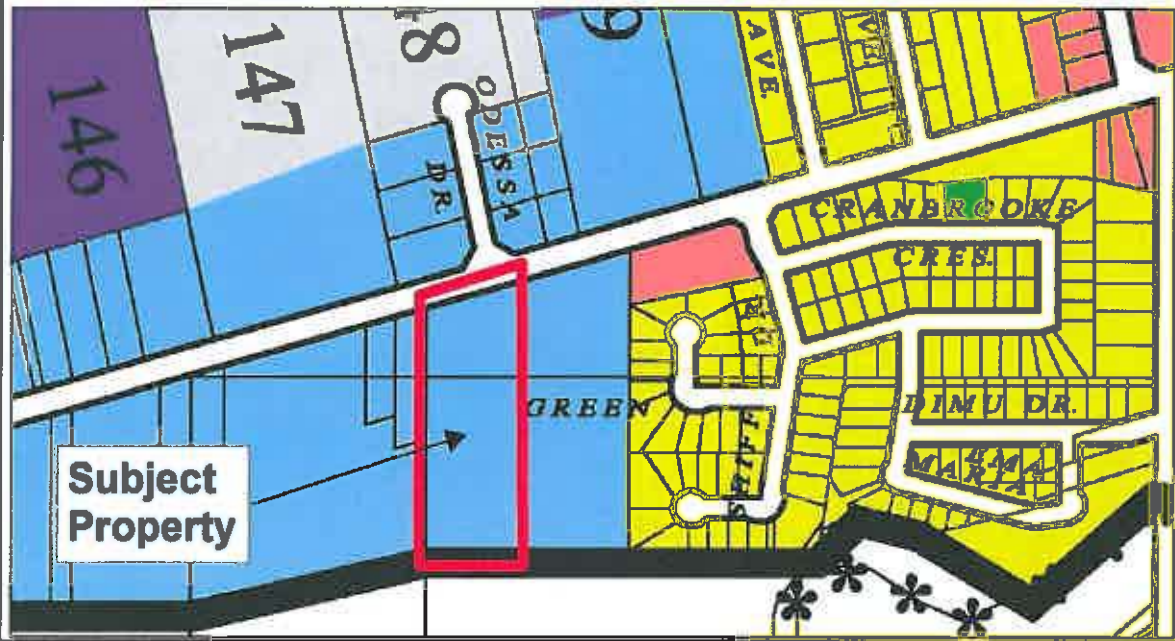
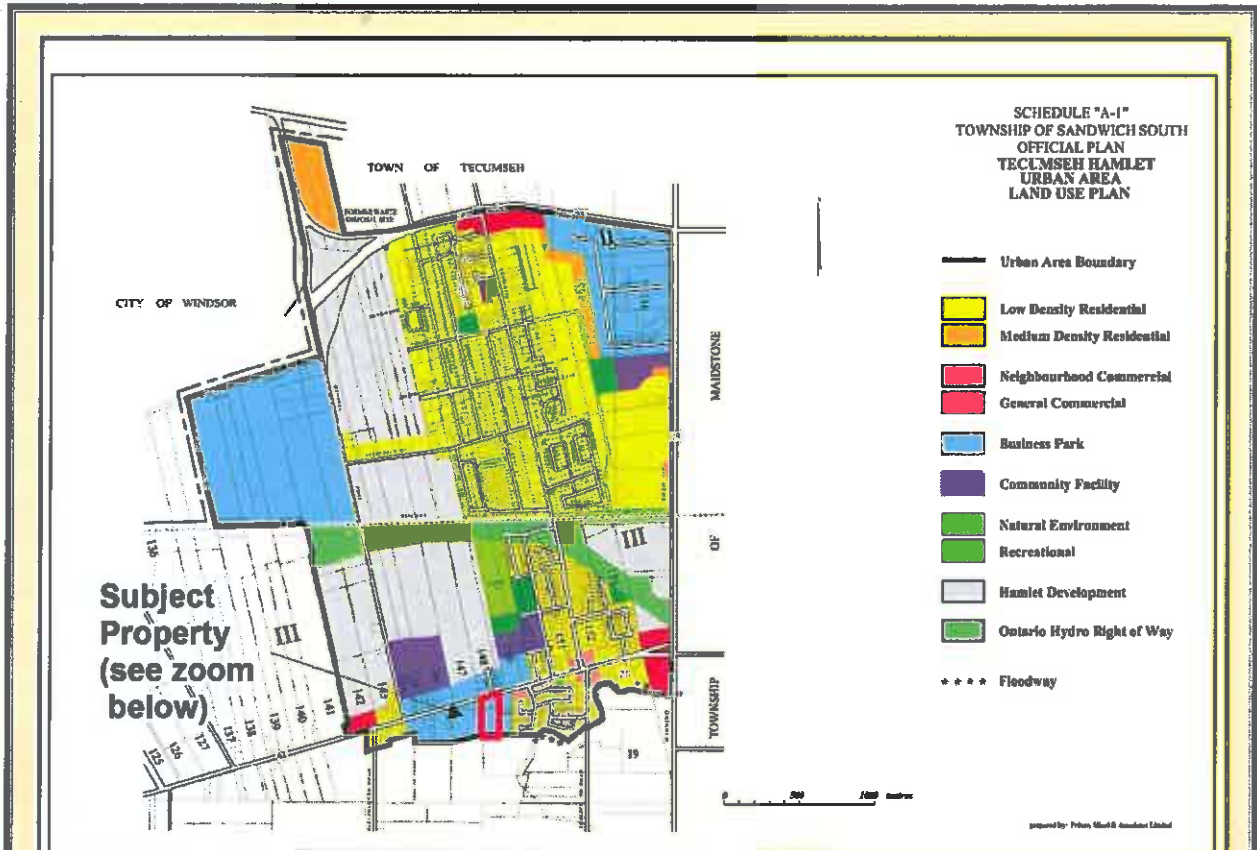
File Name (R:\ZBA & OPA APPLICATIONS\D19 CHA - Chase Transportation\Planning Report 10-12 - Chase Transportation and Logistics - 11697 Cty. Rd. 42 - Zoning By-law Amendment.docx)




Prepared By:
Tecumseh Planning and
Building Services Department



Attachment 1
Chase Transportation and Logistics
Zoning By-law Amendment
Property Location



Prepared By:
 Tecumseh Planning and
 Building Services Department

Attachment 2
 Chase Transportation and Logistics
 Zoning By-law Amendment
 Official Plan

