

## Public Council Agenda Agenda

Tuesday, September 11, 2018, 5:00 pm  
Tecumseh Town Hall  
[www.tecumseh.ca](http://www.tecumseh.ca)

### Pages

1. **Call to Order**

2. **Roll Call**

3. **Disclosure of Pecuniary Interest**

4. **Introduction and Purpose of Meeting**

The purpose of this Public Meeting is to consider comments on the applications for Official Plan and Zoning By-law amendments which were filed with the Town of Tecumseh for a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 and 14346 Tecumseh Road) (see Key Map on reverse side). The subject property is the location of the former Pud's Marina, which closed in 2017, and is currently designated "Commercial" in the St. Clair Beach Official Plan. The purpose of the proposed Official Plan amendment is to redesignate the subject property to a "Medium Density Residential" designation with a site-specific policy that would allow for the construction of a five-storey condominium apartment building containing 65 units, an accessory marina and limited ground-floor commercial uses, along with associated on-site surface and underground parking.

The purpose of the associated Zoning By-law amendment is to change the zoning pertaining to the subject property from "General Commercial Zone (C1-5)" to a site-specific "Residential Type Three Zone (R3)". The proposed site-specific R3 zone would permit the proposed condominium apartment building development and establish site-specific zone provisions, such as minimum yard and maximum height requirements.

5. **Delegations**

- a. Davide Petretta, Petretta Construction

3 - 10

Re: Applicant

6. **Communications**

- a. Notice of Second Public Meeting of Council

11 - 12

Re: OPA and ZBA 14328 and  
14346 Tecumseh Road (former Pud's Marina)

- b. Petretta Construction Justification Report dated July 8, 2018

13 - 50

Re: Residential Development 14328 and 14346 Tecumseh Road

- c. Resident Letter from Chris Kassa dated August 31, 2018

51 - 51

Re: 14328 and 14346 Tecumseh Road

- d. Resident Letter from Dave Mastronardi dated September 2, 2018

52 - 52

Re: 1438 and 14346 Tecumseh Road

- e. Resident Email from John Fase dated September 4, 2018 53 - 54  
Re: Zoning By-Law Amendment for 14328 and 14346 Tecumseh Road
- f. Resident Email from Joe Lucente dated September 6, 2018 55 - 55  
Re: Harbour Club Condominiums
- g. Resident Letter from Michael Anobile dated September 4, 2018 56 - 56  
Re: Harbour Club Condominiums
- h. Resident Letter from Kurt Maybee dated August 31, 2018 57 - 58  
Re: Harbour Club Development

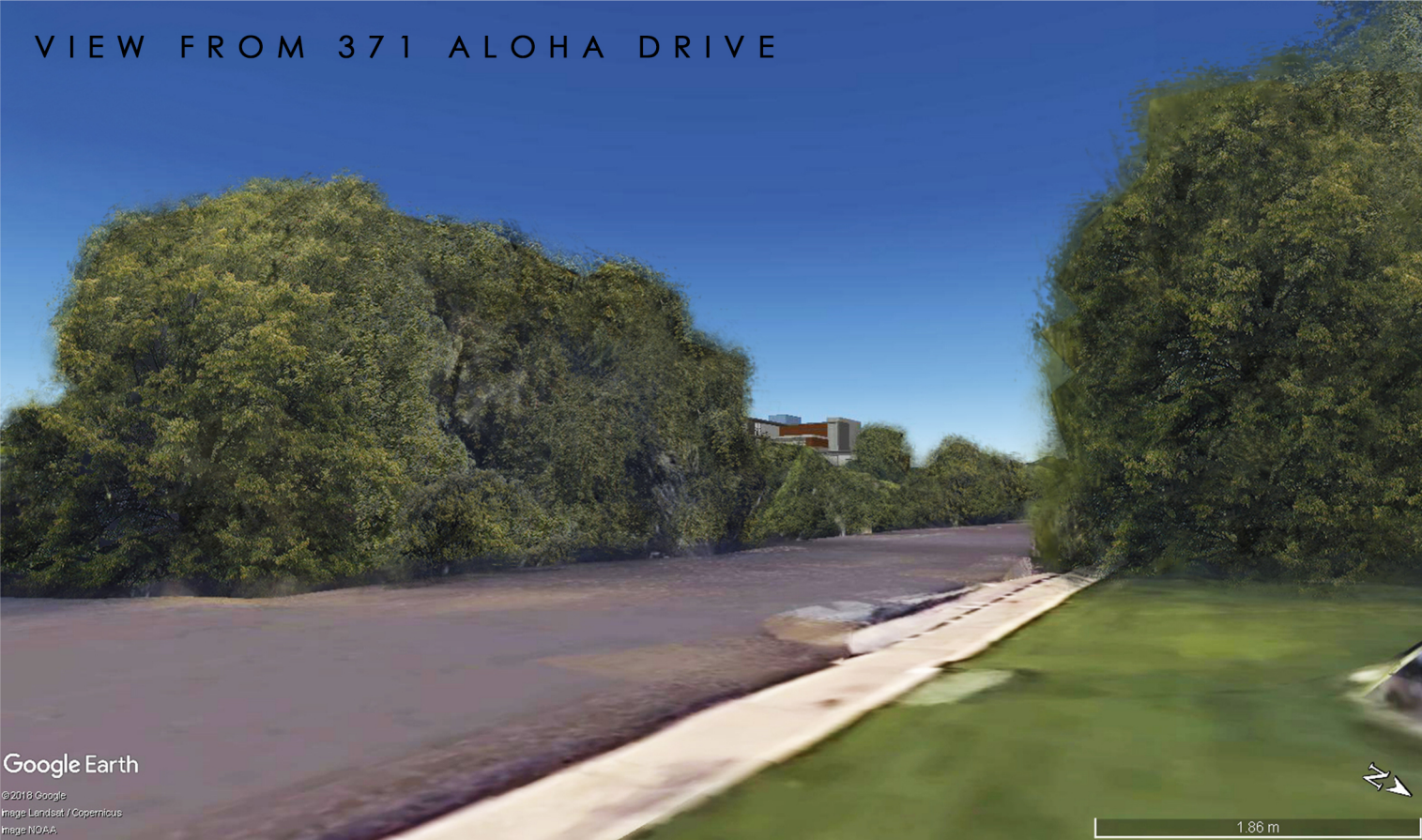
## 7. Reports

- a. PBS-2018-31 D19 PETTEC 14328-14346 Tecumseh Road, Report for 59 - 81  
Public Meeting No. 2
- b. PBS-2018-03 Official Plan Amendment and Zoning By-Law Amendment 82 - 108  
2593430 Ontario Limited (Petretta Construction) 14328 and 14346  
Tecumseh Road (Former Pud's Marina)

## 8. Adjournment



VIEW FROM 371 ALOHA DRIVE



Google Earth  
©2018 Google  
Image Landsat / Copernicus  
Image NOAA



OLD TECUMSEH RD.

5 STOREY  
65 UNIT CONDO

BRIGHTON RD

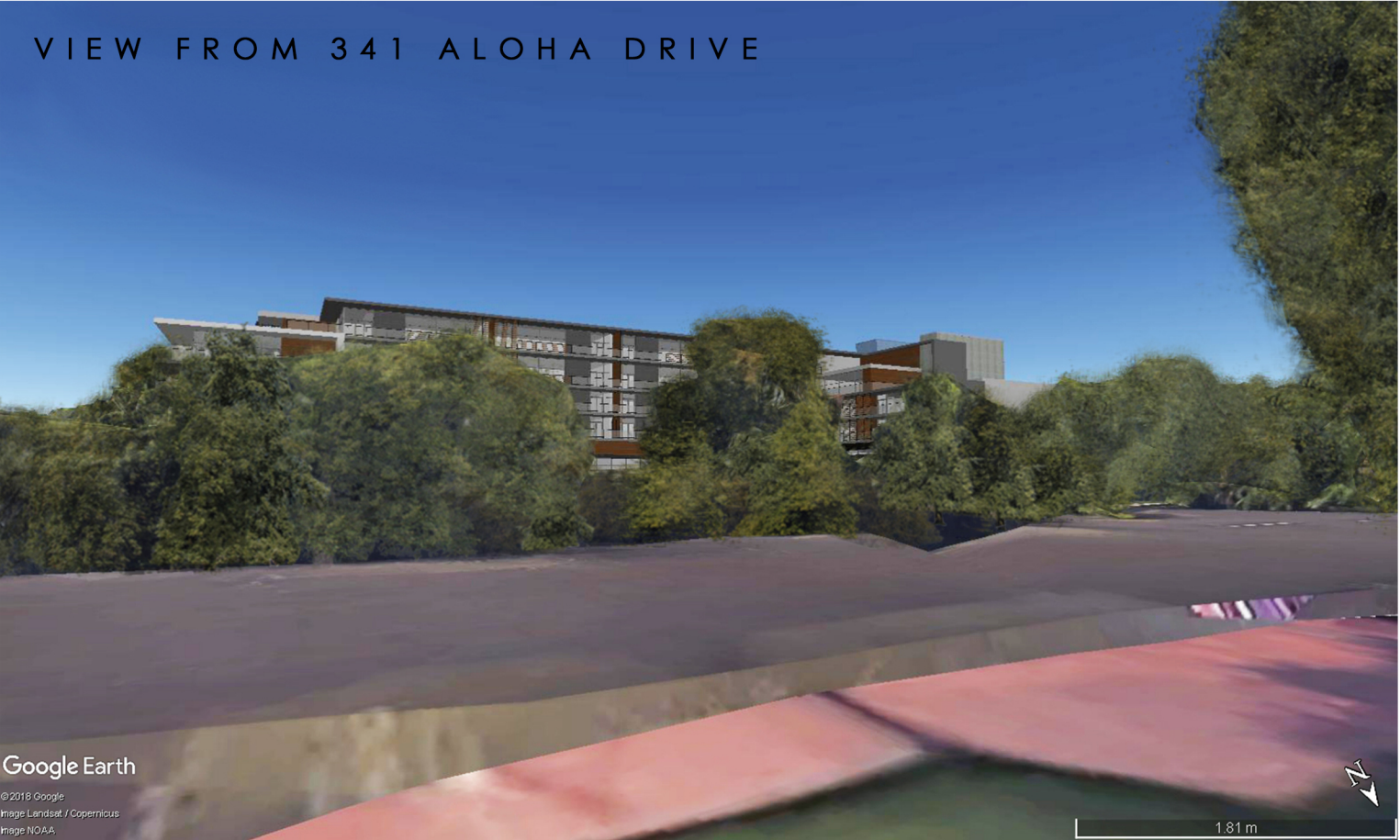
ALOHA DRIVE



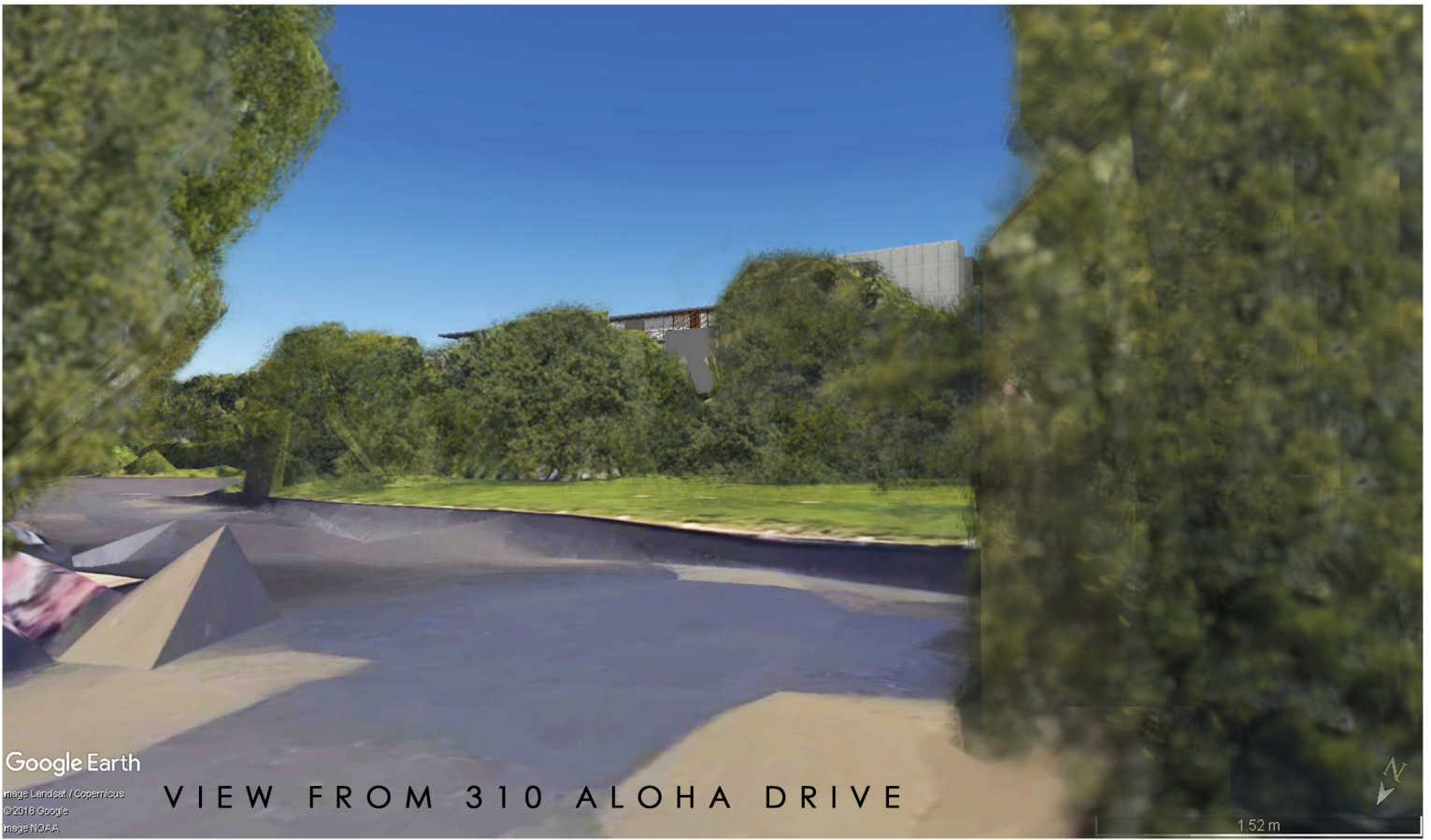




VIEW FROM 341 ALOHA DRIVE





















HARBOUR CLUB - WEST ELEVATION (BEFORE)  
5 STOREY CONDOMINIUM - 71 UNITS



HARBOUR CLUB - WEST ELEVATION (CURRENT DESIGN)  
5 STOREY CONDOMINIUM - 65 UNITS



**TOWN OF TECUMSEH  
NOTICE OF A SECOND PUBLIC MEETING  
PROPOSED OFFICIAL PLAN AMENDMENT AND  
ZONING BY-LAW AMENDMENT  
14328 AND 14346 TECUMSEH ROAD**

**TAKE NOTICE** that the Council of the Corporation of the Town of Tecumseh will hold a second public meeting on **Tuesday, September 11, 2018 at 5:00 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to further consider proposed Official Plan and Zoning By-law amendments pursuant to the provisions of the *Planning Act, R.S.O. 1990*.

Applications for Official Plan and Zoning By-law amendment were filed with the Town of Tecumseh for a 1.3 hectare (3.2 acre) property located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 and 14346 Tecumseh Road) (see Key Map on reverse side). The subject property is the location of the former Pud's Marina, which closed in 2017, and is currently designated "Commercial" in the St. Clair Beach Official Plan. The purpose of the proposed Official Plan amendment is to redesignate the subject property to a "Medium Density Residential" designation with a site-specific policy that would allow for the construction of a five-storey condominium apartment building containing 65 units, an accessory marina and limited ground-floor commercial uses, along with associated on-site surface and underground parking.

The purpose of the associated Zoning By-law amendment is to change the zoning pertaining to the subject property from "General Commercial Zone (C1-5)" to a site-specific "Residential Type Three Zone (R3)". The proposed site-specific R3 zone would permit the proposed condominium apartment building development and establish site-specific zone provisions, such as minimum yard and maximum height requirements.

Council held an initial public meeting on these applications on Tuesday, March 13, 2018, at which a number of issues were raised by those in attendance. Council directed that a second public meeting be held once there was an opportunity to consider whether changes to the proposal were warranted based on issues raised. The applicant has now provided a revised development concept including:

- a reduction in the total number of dwelling units from 71 to 65;
- the "stepping down" of the north-south wing of the apartment building resulting in a portion of it being three stories;
- the removal of the northeast unit on the fifth floor of the east-west wing of the apartment building; and
- architectural changes to the façade of the apartment building.

More details on the revised proposal, including a summary of the issues the public raised to date and comments on those issues, will be contained in an Administrative Planning Report that will be considered at this second public meeting. In addition, the applicant has retained the services of a Registered Professional Planner who has prepared a Planning Justification Report.

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

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Official Plan amendment is adopted, the person or public body is not entitled to appeal the decision of the County of Essex (the Approval Authority) to the Local Planning Appeal Tribunal (LPAT).

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Corporation of the Town of Tecumseh before the Zoning By-law amendment is passed, the person or public body is not entitled to appeal the decision of the Council of the Corporation of the Town of Tecumseh to the Local Planning Appeal Tribunal (LPAT).

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Corporation of the Town of Tecumseh before the Official Plan amendment is adopted or the Zoning By-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the LPAT, there are reasonable grounds to do so.

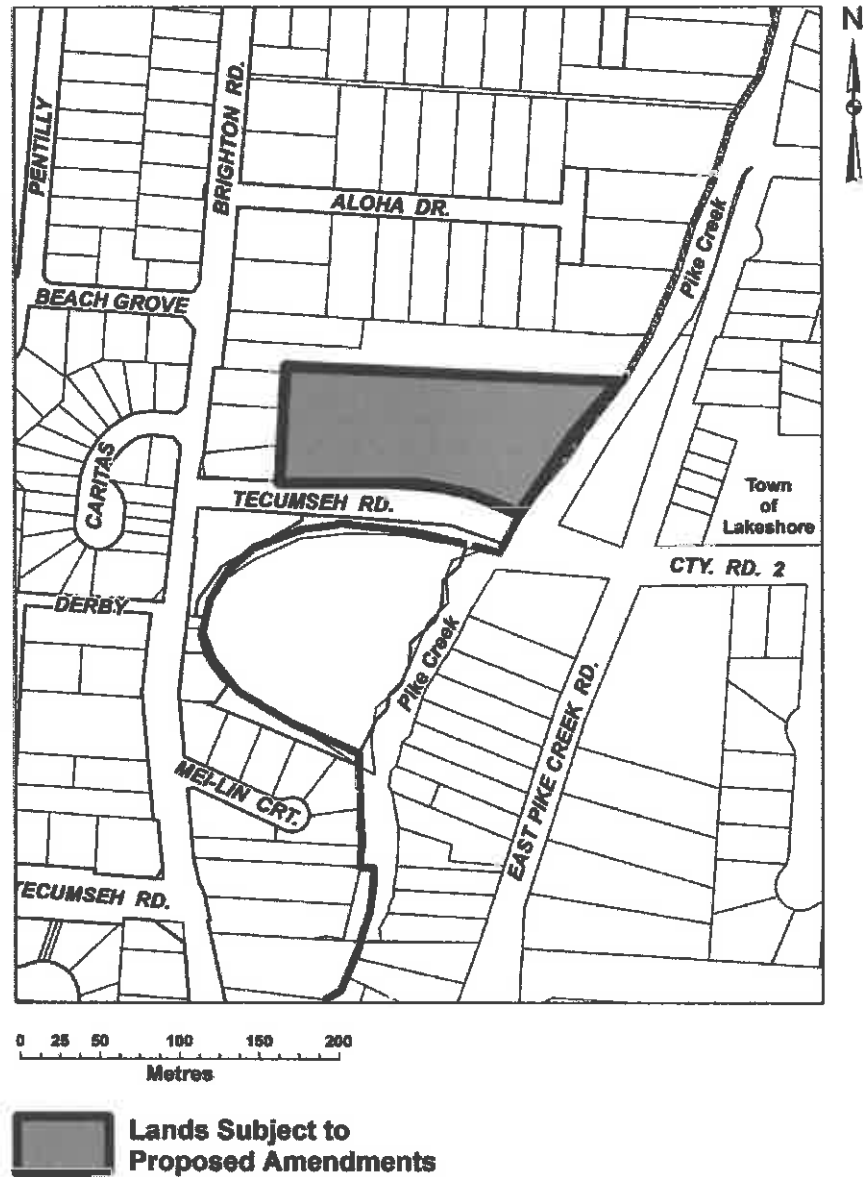
**If you wish to be notified of the decision of the Council** of the Corporation of Town of Tecumseh on the proposed Zoning By-law amendment or on the adoption of the proposed Official Plan amendment, or of the refusal of a request to amend the Official Plan, **you must make a written request**

specifically requesting such notice to the Corporation of the Town of Tecumseh, c/o Laura Moy, Clerk, at the mailing address noted below.

**ADDITIONAL INFORMATION** and any associated reports/documents relating to this matter are available for review during regular office hours at the Town Municipal Office on Lesperance Road.

The Public Meeting Agenda (including the Administrative Planning Report and the applicant's Planning Justification Report) regarding these applications will be available on the Town's website ([www.tecumseh.ca/home/agendas](http://www.tecumseh.ca/home/agendas)) on Friday, September 7, 2018.

**KEY MAP**



DATED AT THE TOWN OF  
TECUMSEH THIS 20<sup>TH</sup> DAY  
OF AUGUST, 2018.

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

# **PLANNING JUSTIFICATION REPORT**

## **APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT**

### **FOR PROPOSED RESIDENTIAL DEVELOPMENT**

**2593430 Ontario Limited (Petretta Construction)**

**14328 & 14346 Tecumseh Road**

**(Former Pud's Marina)**

**Tecumseh, Ontario**

Town of Tecumseh File: D19 PETTEC

**July 8, 2018**

**Prepared by:**

**Tracey Pillon-Abbs, RPP**

**Planning Consultant**

**[tpillonabbs@gmail.com](mailto:tpillonabbs@gmail.com)**

**p. 519-776-9214 c. 226-340-1232**

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## 1.0 INTRODUCTION

I have been retained by the owner/applicant, 2593430 Ontario Limited (Petretta Construction) to provide a land use Planning Justification Report (PJR) in support of a proposed residential development located at 14328 and 14346 Tecumseh Road (herein the “Site”) in Municipality of Tecumseh, Ontario.

The purpose of this report is to review the relevant land use documents including Provincial Plan Statements (PPS), the County of Essex Official Plan (COP), the Town of Tecumseh (St Clair Beach) Official Plan (OP) and the Town of Tecumseh Zoning By-law (St Clair Beach) (ZBL).

The Applicant is requesting permission to construct a five-storey, 65-unit condominium apartment building on the land portion of the Site. There will be a small scale commercial café on the main floor with an outdoor patio. The balance of the property, the water-based portion containing the existing docks, is proposed to be used as a marina, which will be accessory to the condominium apartment building.

In order to accommodate residential development on the Site, applications for amendment of the Town of Tecumseh Official Plan (OPA) and amendment (ZBA) to the Town of Tecumseh Zoning By-law is required. The County of Essex is the approval authority for the Official Plan Amendment and The Town of Tecumseh is the approval authority for the zoning by-law amendment.

A pre-consultation meeting was held by the applicant and Town Staff. Pre-consultation with the Essex Region Conservation Authority (ERCA) confirmed that the proposal will require design solutions that protect against potential flooding in relation to the subject property’s location adjacent to the Pike Creek.

A Public Information Session (PIS) was held by the applicant on November 2, 2017 to answer questions and obtain feedback from abutting land owners. Primary issues that were identified at the PIS centred on building height and related issues such as views and rear yard privacy for abutting residents and those along Aloha Drive.

Town of Tecumseh Staff report PBS-2018-03 was presented to Council. The original proposed plan was to construct a 5 storey, 71-unit condominium apartment building, accessory marina and ground-floor commercial uses.

A statutory Public Meeting was held on March 13, 2018. Issues identified were the same as the PIS regarding building height. Density was also noted to be a concern by the abutting residents and those along Aloha Drive.

Based on the Public Meeting, comments were reviewed and have been incorporated into a revised concept plan, which has been incorporated as part of this PJR.

Additional Addendums have been submitted to the Town of Tecumseh Staff and includes additional information regarding servicing, traffic impact and shadow effects.

The proposed development of the 5-storey condominium apartment building has reduced the number of residential units from 71 to 65 and keeps the commercial use (a small café) on the main floor.

There has also been a reduction in the amount of above ground parking and an increase in the amount of landscaping on the Site.

The design of the building has also been altered with the incorporation of a terraced floor design for each storey which will provide for a softer vista from the ground level, including the view from abutting properties. It will also mitigate the focal point of the structure and decrease the mass and scale of the overall building (see Figure 2b – Renderings - Before and After).

The proposed marina, which will be accessory to the condominium apartment building, remains the same.

Further, the overall density of the Site has been reduced with the decrease in residential units. It should be noted that the total area used in the density calculation is 1.28 ha (3.17 ac) which has been confirmed by a survey dated January 10, 2018 (see Figure 1b – Property Survey) and taken from the former west bank of the Pike Creek, as opposed to the centreline of the Pike Creek which totals 1.4 ha (3.6 ac). The result is a total proposed density of 51 units per hectare, which was the number used in the original submission.

Several negotiation efforts have been made to purchase additional land to the north of the Site in order to increase the area of the development and decrease the overall density. However, the acquisition has been unsuccessful as the land was not offered at a fair market price.

## 2.0 SITE AND SURROUNDING LAND USES

### 2.1 Legal Description and Ownership

The Site is made up of one (1) parcel (see Figure 1a – Air Photo) located on the north side of Tecumseh Road.

The property is legally described as Part of Lot 1, Concession West of Pike Creek in the former Village of St Clair Beach, now a portion of the Town of Tecumseh (see Figure 1b – Property Survey).

The Site is locally known as 14328 Tecumseh Road (Roll Number 37442900000130000000) and 14346 Tecumseh Road (Roll Number 37442900000120000000).

The Site was previously used as Pud's Marina with a total of 75 boat docks and is now currently vacant. The property owner has secured the fence with construction fencing. The boat docks on the east side of the Site remain.

The property has been owned by 2593430 Ontario Limited (Petretta Construction) since September, 2017.



Figure 1a – Air Photo



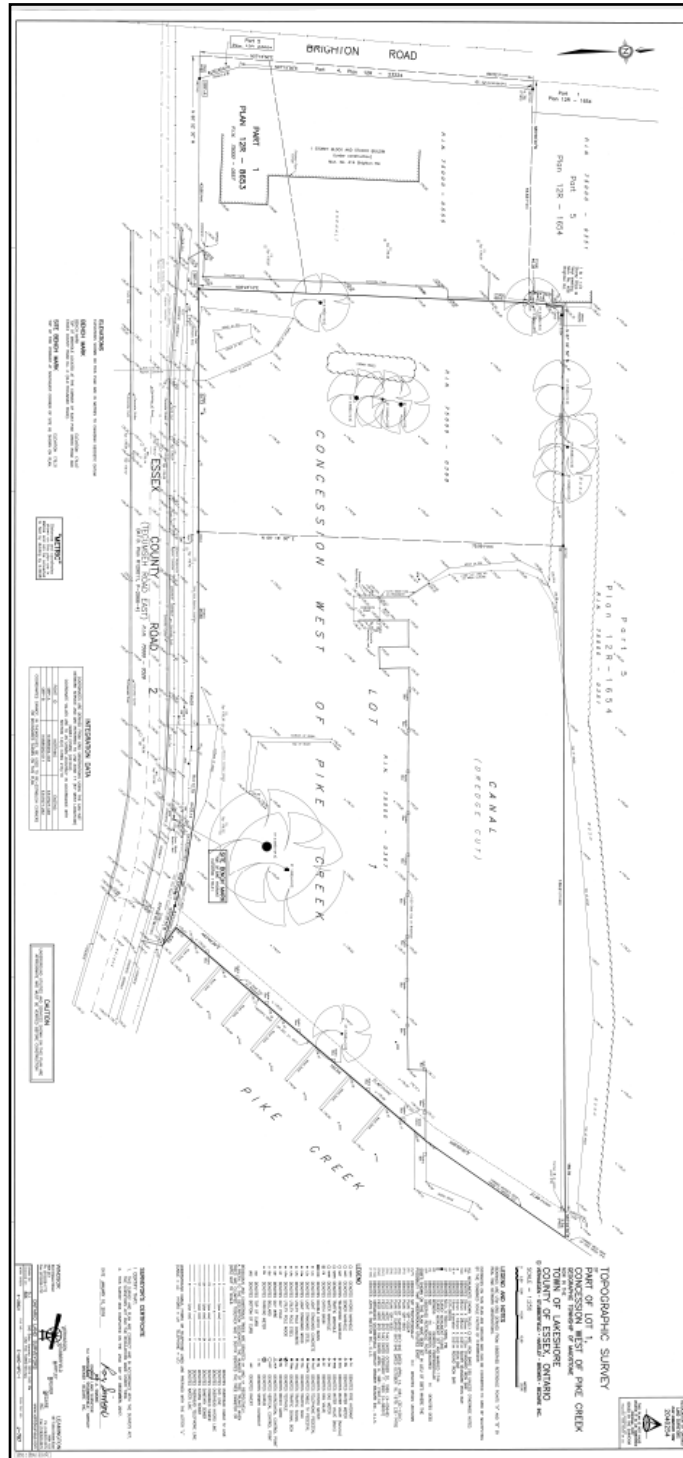


Figure 1b – Property Survey

## **2.2 Physical Features of the Site**

### **2.2.1 Size and Site Dimension**

The Site has a total lot area of approximately 1.38 ha (3.17 ac) with frontage on Tecumseh Road. The area has been confirmed by a survey dated January 10, 2018 (see Figure 1b – Property Survey) and taken from the former west bank of the Pike Creek.

### **2.2.2 Structures**

The Site was a commercial marina until the buildings and structures were demolished and the boats removed.

The Site has been vacant since approximately 2017.

### **2.2.3 Vegetation and Soil**

Currently, the Site is vacant.

The Site is bordered to the north by a naturalized area that forms the rear yard of a long/narrow single-unit residential property that fronts onto Brighton Road.

### **2.2.4 Topography**

Generally, the Site is flat and slopes to the canal to the north and Pike Creek to the East.

### **2.2.5 Other Physical Features**

The eastern limit of the parcel is the Pike Creek, providing water access.

The Tecumseh-Lakeshore municipal boundary runs down the middle of the Pike Creek.

### **2.2.6 Municipal Services**

The property has access to municipal water, sewer and storm.

Sidewalks are located on the north side of Tecumseh Road.

## 2.3 Surrounding Land Uses

**North** – The land north of the Site contains a long/narrow residential property with a single detached residential unit which fronts onto Brighton Road (see Photo 1 - North).



Photo 1 - North

**South** – The lands south of the Site is commercial and the Pike Creek tributary (see Photo 2 - South).



Photo 2 – South

**East** – The lands east of the Site in the Pike Creek (see Photo 3 - East).



Photo 3 - East

**West** – The lands west of the Site is a commercial plaza located at the corner of Tecumseh Road and Brighton Road (see Photo 4 - West).



Photo 4 – West



### 3.0 DEVELOPMENT PROPOSAL

The applicant proposes to develop the Site for residential purposes.

A revised concept plan has been prepared to demonstrate how the property may be developed (see Figure 2a –Concept Plan - Revised).

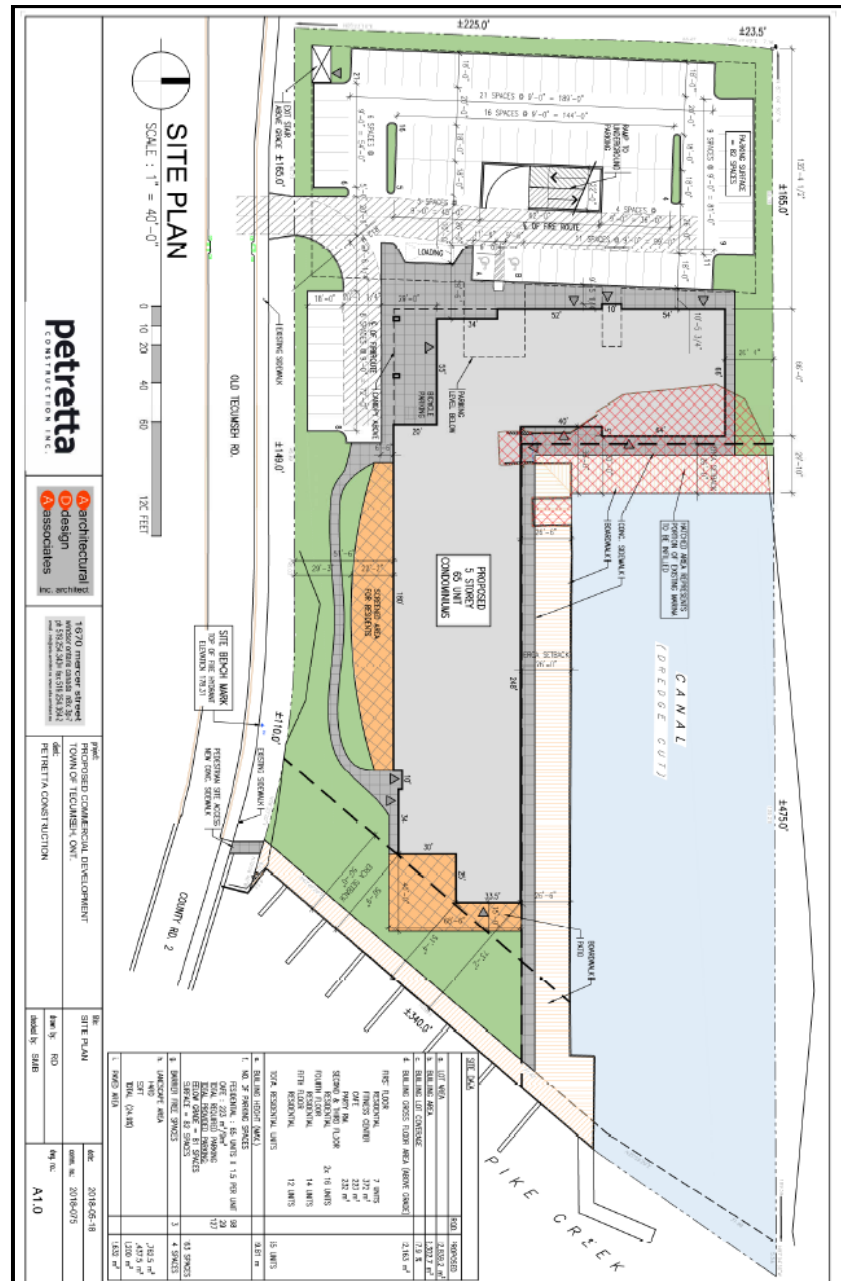


Figure 2a –Concept Plan - Revised

The revised concept plan proposes a five-storey, 65-unit condominium apartment building on the land portion of the Site. The previous concept plan provided for 71 units.

The main access into the apartment will be on the west side of the building. The building will include a fitness centre, main lobby, lounge and party room for the residents.

The apartment building may consist of two or three bedroom units ranging in size from approximately 111.48 m<sup>2</sup> to 139.35 m<sup>2</sup> (1,200 ft<sup>2</sup> to 1,500 ft<sup>2</sup>). The final unit design will be determined at the time of construction.

Accessory first floor amenities associated with the residential development including a small café an area of 223 m<sup>2</sup> (2,400ft<sup>2</sup>) which will be open to the residents and the public. The café will also have an outdoor patio that will be located along the south side of the building.

The balance of the Site, the water-based portion containing the docks, is proposed to be used as a marina, which will be accessory to the condominium apartment building. The private docks will be offered to seasonal boaters associated with the condominium apartment building. Transient boaters would continue to use the Pike Creek docks.

The total height of the apartment building will be 19.81 m (64.99 ft). The previous renderings illustrated a five-storey condominium apartment building with all floors the same total area (see Figure 2b – Rendering – Before and After).

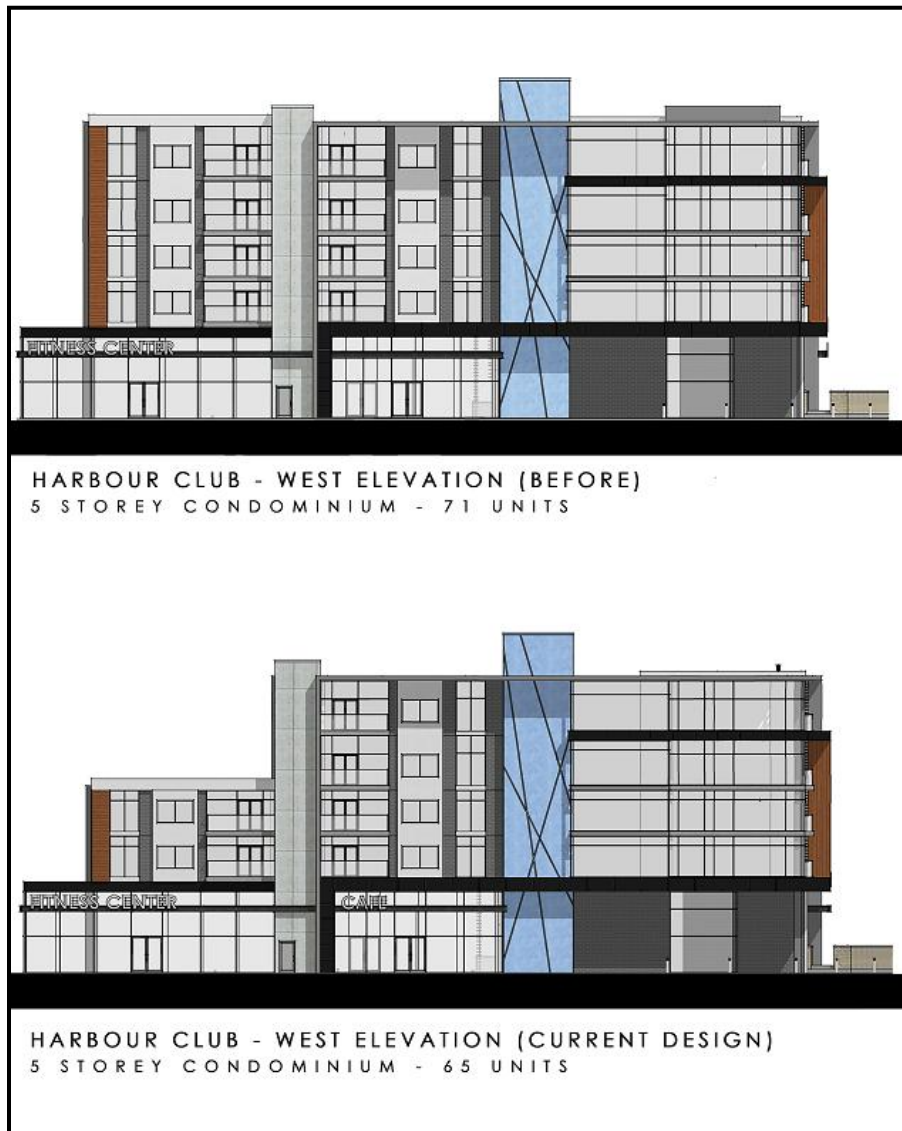
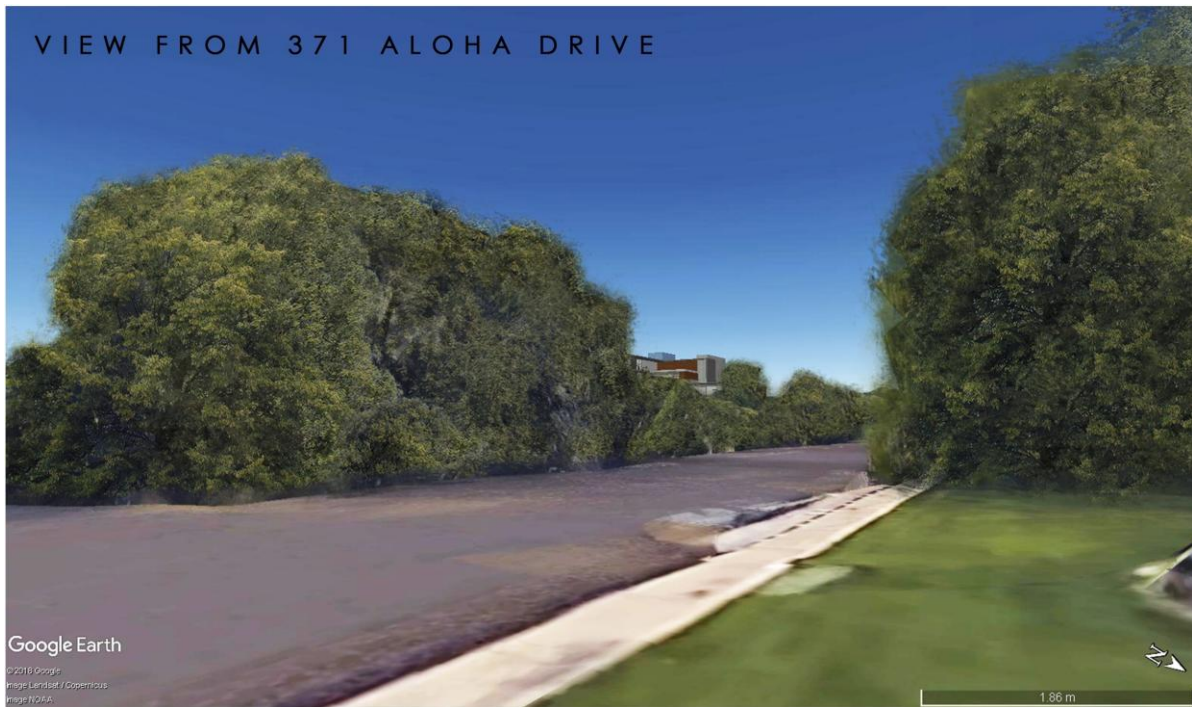


Figure 2b – Rendering – Before and After

The revised renderings now illustrate the design of the building with the incorporation of a terraced floor design for each storey (see Figure 2b – Rendering – Revised Concept Plan).











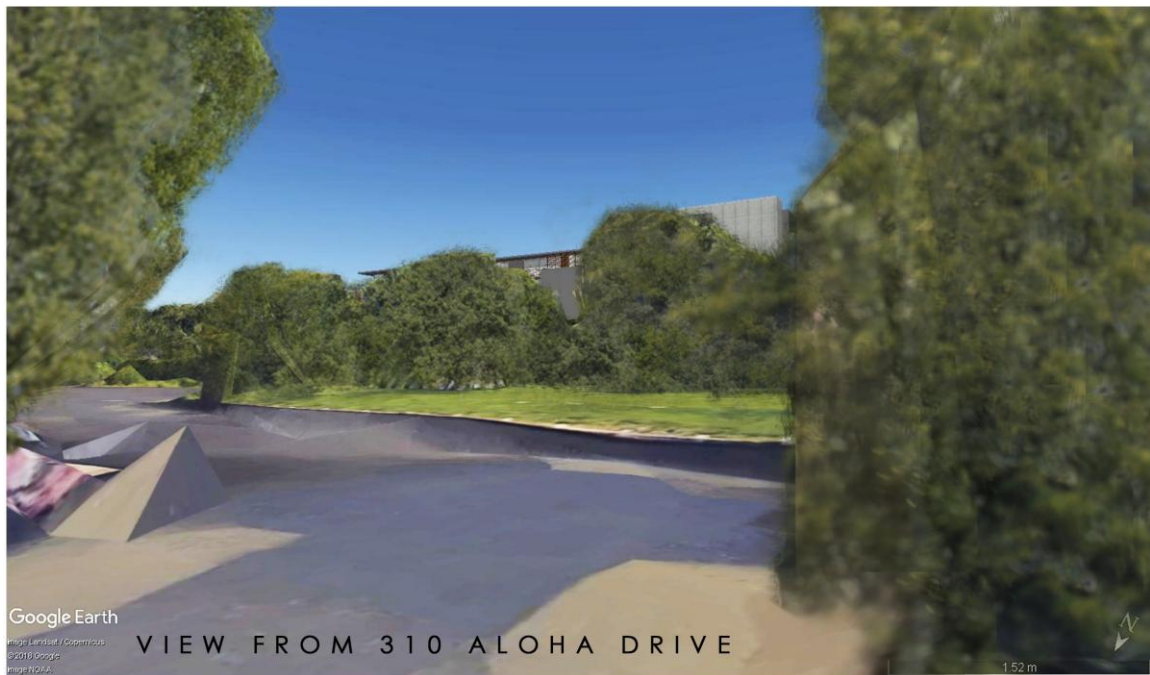


Figure 2b –Rendering – Revised Concept Plan

Open space will be located on the south and east of the Site and will include a large landscaped area.

A boardwalk is proposed which will run along the northerly and easterly perimeter of the building, connecting to the existing sidewalk on the north side of Tecumseh Road.

Access to the Site will be via one (1) driveway from Tecumseh Road on the west side of the proposed building.

Parking will be located on the west side of the apartment building, as well as underground. A total of 163 parking spaces are proposed, four (4) of which are barrier free. Parking will consist of 81 spaces underground and 82 spaces at grade.

Boat docks will be located in the dredged cut of the canal. A total of 35 large format marina boat docks will be constructed.

Sidewalks from the boat docks, roadway and parking area will be construction to allow for pedestrian access into the apartment.

Proposed development will be subject to site plan control approval before building permits are issued. The proponent indicates that an application for a Plan of Condominium will follow, at the appropriate time.

## 4.0 POLICY AND REGULATORY FRAMEWORK

### 4.1 Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development providing for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environments.

The PPS is issued under Section 3 of the Planning Act and came into effect on April 30, 2014. It applies to all land use planning matters considered after this date.

The PPS supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The following provides a summary of the relevant policy considerations of the PPS as it relates to the proposed development.

Policy 1.0 of the PPS states that Ontario's long-term prosperity, environmental health and social well being depend on wisely managing change and promoting efficient land use and development patterns.

Policy 1.1.1 of the PPS states that healthy, livable communities are sustained by an "appropriate range and mix" of residential, employment, institutional and recreational uses through the promotion of "cost-effective land use patterns" that minimize land consumption and servicing costs.

The following policies should be considered in the evaluation of the Site:

*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 range and mix of residential (including second units, affordable housing and housing for older persons);*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*

*f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*

*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 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.*

*Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*

*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:*

*a) densities and a mix of land use which:*

- 1. efficiently use land and resources;*
- 2. 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;*
- 4. support active transportation;*
- 5. are transit-supportive, where transit is planned, exists or may be developed;*  
*and*

*1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for 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.*

*1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*

*1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

*1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

a) *permitting and facilitating:*

1. *all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements; and*

2. *all forms of residential intensification.*

1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

1.8.1 *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*

a) *promote compact form and a structure of nodes and corridors;*

b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas.*

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.*

Justification for the proposed development in terms of the PPS is provided in Section 6.1.1 of this report.

## 4.2 County of Essex Official Plan

The County of Essex is the upper tier municipality to the Town of Tecumseh. The County's Official Plan (COP) is dated February 19, 2014 as modified by the Ministry of Municipal Affairs and Housing (MMAH) April 28, 2014.

The purpose of the COP is to implement the PPS. The COP provides a cross-boundary policy framework from which more detailed land use planning can be continued by the local municipalities.

Local OPs will implement and be in conformity with the COP by providing more detailed strategies, policies, and land use designations for planning and development at the local level.

The following provides a summary of the relevant COP policy considerations as it relates to the proposed development.

Policy 1.5 sets out goals for a healthy County and states that:

*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.*

Within the land use policies, the Site is within the “Settlement Areas” designation according to Schedule “A1” Land Use Plan attached to the COP (see Figure 3 - COP Schedule “A1”).

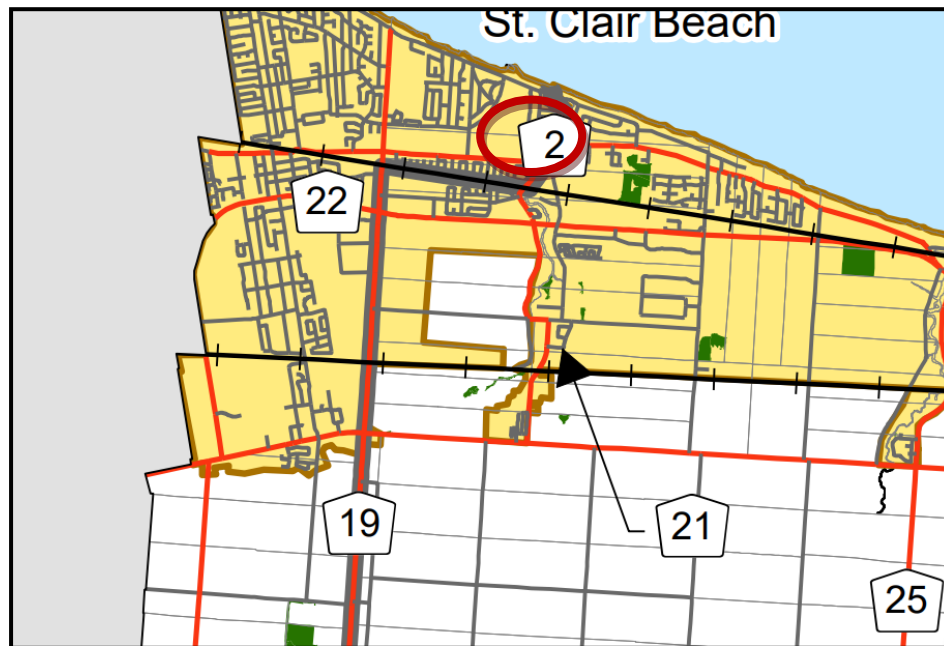


Figure 3 - COP Schedule “A1”

The Site is within the “Primary Settlement Areas” designation as shown on Schedule “A2” Settlement Structure Plan attached to the COP (see Figure 4 - COP Schedule “A2”).



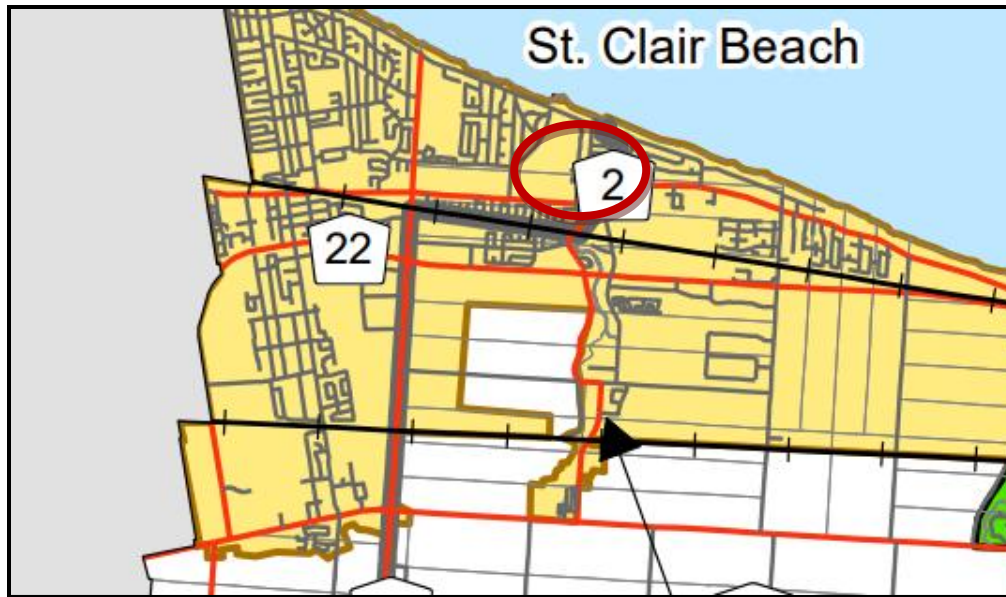


Figure 4 - COP Schedule "A2"

Policy 2.10 Sewage and Water Systems notes that the County promotes efficient and environmentally responsible development which is supportable on the basis of appropriate types and levels of water supply and sewage disposal consistent with the PPS.

*The County encourages new development to proceed on the basis of full municipal sewage services and municipal water services and local municipalities are encouraged to co-ordinate their approach to, and timing of, the provision of municipal water and municipal sewage through the preparation of an overall servicing strategy.*

Policy 3.2.2 sets out the goals for land designated as "Settlement Areas" and include the following:

- b) To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities.*
- 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.*
- e) To require the efficient use of land, resources, water and sanitary sewage treatment facilities, other infrastructure and public service facilities including schools as provided for in the growth management policies contained within this Plan.*
- k) Encourage each local municipality to undertake a Local Comprehensive Review of their "Settlement Areas" with the goal of re-allocating growth to the most appropriate locations that*

*meet the intent of this Plan. The County encourages the Local Comprehensive Review to be undertaken at the time of the five-year review of the local Official Plan; however, local municipalities may initiate a Local Comprehensive Review at any time.*

*l) Encourage employment opportunities on lands within “Settlement Areas” that are in proximity to rail corridors.*

Policy 3.2.4.1 of the COP sets out, in Primary Settlement Area, the following policies shall apply:

*a) Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality.*

*b) Primary Settlement Areas shall have full municipal sewage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options (or long-term plans for same).*

*c) Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan.*

*d) All new development within Primary Settlement Areas shall only occur on full municipal water services and municipal sewage services, unless there are interim servicing policies in the local Official Plan that are in effect at the time of approval of this Plan.*

*e) Expansions of the boundaries of a Primary Settlement Area shall only occur in accordance with the Local Comprehensive Review policies in Section 3.2.3.1 of this Plan. An amendment to this Plan and the local Plan shall be required to alter the boundary of any “Settlement Area”.*

*h) All types of land use are permitted within the “Settlement Areas” designation subject to the specific land use policies of the local Official Plans.*

*i) Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided.*

There is no Natural Heritage System or Natural Environment Designation that affected the Site, as set out in Schedules “B1”, “B2” or “B3” of the OP for the County of Essex.

The Site is within the “Areas Susceptible to Flooding”, according to Schedule “C1”, “Regulated Areas”, according to Scheduled “C2” and “Intake Protection Zones” as shown on Schedule “C3”.

Tecumseh Road (also referred to as Essex County Road No. 2) is designated as a “County Road” according to Schedule “D1” Road System Plan and is part of the Active Transportation System according to Schedule “D2” attached to the COP. It should be noted however that the function of Tecumseh Road at the location of the Site is a ‘Connecting Link’ as it transitions into the settlement area.

Justification for the proposed development in terms of the COP is provided in Section 6.1.2 of this report.

## 4.3 Town of Tecumseh Official Plan (St. Clair Beach)

The Town of Tecumseh is guided by three (3) Official Plans (OP). The OP that guides the Site is the Village of St. Clair Beach OP. The Village of St. Clair Beach existed separately prior to the January 1, 1999 amalgamation. The office consolidated version is dated September 2014.

The OP implements the PPS and the COP. It establishes a policy framework to guide land use planning decisions related to development and the provision of infrastructure and community services throughout the Town.

The following provides a summary of the relevant St. Clair Beach OP policy considerations as related to the proposed development.

Overall, according to Policy 3 new development within the Village is generally encouraged within the urban areas in harmony with existing uses and that they are properly serviced.

Policy 3.1 establishes criteria for site suitability and includes the following:

- a) soil and drainage conditions are suitable to permit the proper siting of buildings;*
- b) the piped municipal services and utilities can adequately accommodate the proposed development;*
- c) the road system is adequate to accommodate projected increases in traffic;*
- d) the land fronts on a public road which is of a reasonable standard of construction;*
- e) adequate measures will be taken to alleviate or prevent any adverse effects that the proposed use may possibly have upon any existing or proposed adjacent use.*

The lands are designated “Commercial” according to Schedule “A” Land Use Plan attached to the OP for the Village of St. Clair Beach (see Figure 5 – St. Clair Beach OP).



Figure 5 – St. Clair Beach OP

Policy 4.2.1 of the OP sets out the goals for the “Medium Density Residential” designations and includes;

- a) *to encourage the development of housing types other than single unit dwellings as a means of increasing the supply of affordable housing that offer a variety of ownership options such as condominium and freehold ownership of attached housing;*
- b) *to ensure that medium density housing is well integrated with existing development through good site design and appropriate landscaping;*
- c) *to ensure that new development occurs in a manner that is in keeping with the capacity of the services available;*

Policy 4.2.2 sets out;

*The following policies shall apply to those lands designated "Medium Density Residential" on the Land Use Schedules of this Plan:*

- a) *residential uses in this designation shall consist primarily of townhouse and apartment style development not exceeding a maximum density of 25 units per hectare of five storeys in height;*
- b) *the following items will be considered when reviewing the appropriateness of applications to amend the zoning by-law to permit medium density residential uses:*

- i. *the general compatibility of the proposed use with existing uses in close or adjacent parcels of land;*
  - ii. *the capacity of the roads affected and their ability to handle the expected increases in traffic;*
  - iii. *the adequacy of municipal services, including water and sewage capacity as confirmed by the Ministry of Environment & Energy, to serve the proposed development;*
  - iv. *the adequacy of off-street parking facilities to serve the proposed development;*
  - v. *the provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties;*
  - vi. *the impact the proposed development may have on the Village's long term goal of maintaining the two existing golf courses for golf course use;*
  - vii. *the proposal's conformity with the Provincial Policy Statement on Housing;*
- c) *all medium density residential development will be subject to site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990.*

Tecumseh Road is designated as an "Arterial Road" according to Schedule "A" attached to the OP. Section 5.1 sets out the requirements of roads, which states:

*a) Arterial Roads - Manning Road (County Road No. 19) and Tecumseh Road (County Road No. 2) within the limits of the Village of St. Clair Beach are designated as arterial roads. These roads carry traffic between the Village and other locations within the metropolitan area and function as the main traffic arteries within the Village. The minimum standard for these roads shall be two unrestricted traffic lanes in 20 metre (66 foot) right-of-way.*

Section 8.13 sets out amendment procedures. *All proposed amendments to the Official Plan shall be processed in accordance with the provisions of Sections 21 of the Planning Act, R.S.O. 1990, and due regard shall be given to the following matters:*

- i) the physical suitability of the land to be used for the proposed use;*
- i) the adequacy of all required services;*
- iii) the adequacy of the road system to accommodate the projected traffic volume increases;*
- iv) the compatibility of the proposed use with existing and potential future uses in the surrounding area.*

Justification for the proposed development in terms of the St. Clair Beach OP is provided in Section 6.1.3 of this report.

## 4.4 Town of Tecumseh Zoning By-Law (St. Clair Beach)

The Town of Tecumseh is governed by three (3) Zoning By-Laws (ZBL). The ZBL that regulates the Site is the Village of St. Clair Beach Zoning bylaw, which existed prior to the January 1, 1999 amalgamation and consolidated in January 2018 and is referred to as By-law 2065.

A Zoning By-Law implements the PPS, the COP and the Town OP by regulating the specific use of property and locations of structures.

According to Schedule “A” attached to the St. Clair Beach ZBL 2065 the lands are within the C1-5 – General Commercial Defined Zone category (see Figures 6 - Zoning Schedule “A”).

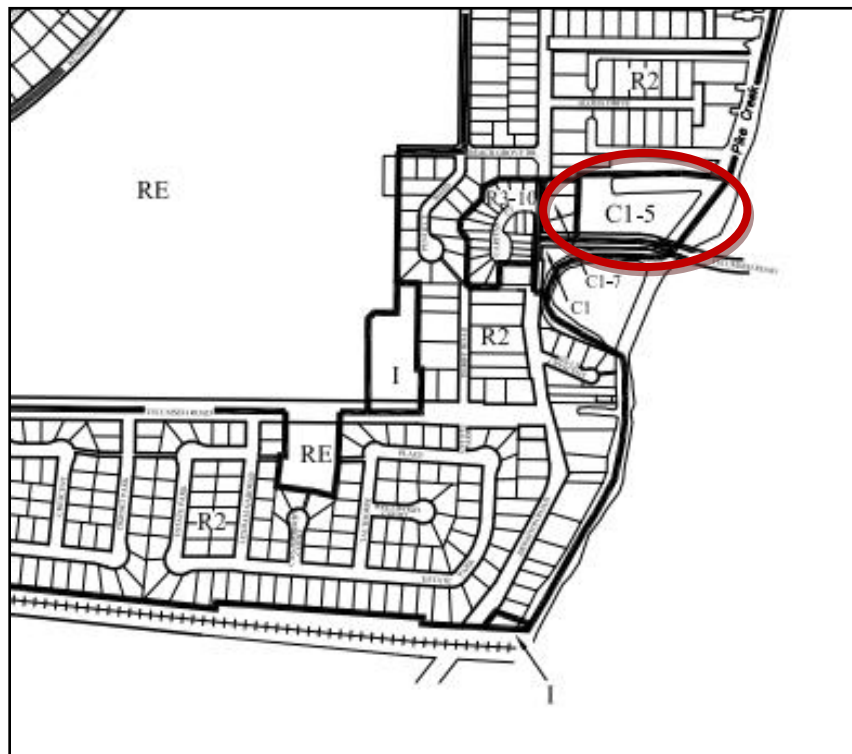


Figure 6 – St. Clair Beach Zoning Schedule “A”

Section 8 sets out the regulations for the General Commercial Zone (C1). The C1-5 zone permits a commercial marina, in addition to a wide range of other commercial uses permitted in the general C1 zone.

The Zoning By-law analysis is detailed in Section 6.1.4 of this report.



## **5.0 PROPOSED APPLICATION**

### **5.1 Official Plan Amendment**

In order to permit residential development on the Site, a site specific Official Plan Amendment (OPA) is required.

It is proposed to re-designate the Site from “Commercial” to “Medium Density Residential” with a site-specific policy establishing a maximum density of 51 units per hectare and permitting a limited range of ground floor commercial uses along with a marina accessory to the residential use.

The change in land use will require a map change to the St Clair Beach OP Schedule “A”.

### **5.2 Zoning By-Law Amendment**

The proposed development requires a site specific Zoning By-Law Amendment (ZBA).

It is proposed to rezone the Site from “General Commercial Zone (C1-5)” to a site-specific “Residential Type Three Zone (R3-13)”.

The R3-13 zone would permit the proposed residential use, accessory marina, a first floor commercial uses (such as a café), along with establishing the maximum number of dwelling units (65) and maximum building height of 5 stories and other lot/building requirements such as yard setbacks, lot coverage, landscaping requirements and minimum number of parking spaces and parking space sizes.

The zoning will also be customized in order to set out the individual setbacks for the terraced floor design for each storey.

The change in land use will require a map change to the St Clair Beach ZBL Schedule “A”.

### **5.3 Other Approvals**

In addition to the above noted planning applications and prior to the proposed development proceeding, Draft Plan of Condominium approval is required by the County of Essex, along with Town of Tecumseh Council approval of a development and/or site plan control agreement.

The proponent indicates that an application for a Plan of Condominium will follow the OPA, ZBA and Site Plan Control applications, at the appropriate time.

## 5.4 Supporting Documents

The following documents have been submitted to the Town in support of the applications:

### 5.4.1 Traffic Impact Study

A Traffic Impact Study (TIS), Residences at Bay Harbour Residential & Commercial Development – RC Spencer Associates Inc., dated December 2017 was completed.

The study examined traffic implications of the proposed development on traffic operations in the area.

The study concluded that:

- *the stop-controlled intersections of Brighton Road and East Pike Creek Road with Old Tecumseh Road will continue to operate at a very good level of service under full site development, even with future traffic growth of 10% above existing; and*
- *with respect to the safety of the site-specific traffic operations, it is noted that the driveway access to the proposed facility is approximately 105m west of the crest of the Pike Creek Bridge. Given the complex nature of the existing geometries at this location, intersection sight distance was considered as part of the TAC's geometric design guidelines to ensure that this driveway access is located at a sufficient sight distance to allow for safe traffic operations into and out of the proposed facility.*

A TIS Addendum was completed by RC Spencer Associates Inc., on March 28, 2018 in response to comments by the Town regarding concerns raised at the March 13, 2018 public meeting. There was concern regarding traffic implications by allowing the proposed condominium development taking into consideration the commercial plaza to the west.

The Addendum concluded that:

- *The overall levels of service for both intersections are satisfactory.*
- *The levels of service for the respective movements do not deteriorate to any ill effect.*
- *In the future, scenario where background traffic is increased by 10%, the critical northbound approach lane at either intersection is projected to operate at a LOS C. For the critical PM peak hour, this translates to an increase in delay of no more than 4 seconds for the most critical northbound approaches.*
- *It can be concluded that no operational issues should be expected as a result of these developments.*

### 5.4.2 Functional Servicing Study

Functional Servicing Study, Residences at Bay Harbour – RC Spencer Associates Inc., dated January 2018 was completed.

The study examined municipal water, sanitary and stormwater management (quantity and quality) services for the proposed development.

The study concluded that:

- *municipal services are available to the subject property on a short term; and*
- *a more detailed review of the development can be conducted as part of the application for condominium.*

Administration requested that Dillon Consulting Limited (Dillon) access the existing sanitary sewer system based on the sewage flows from the proposed development under wet weather conditions. Dillon provided an assessment, dated March 6, 2018 which concluded that:

- *Peak sewage flows resulting from the proposed development can be accommodated within the available dry-weather flow capacity of the sanitary sewer system.*
- *There is no risk of basement flooding due to the surcharge conditions.*

An addendum was completed by RC Spencer Associates Inc., on March 30, 2018 was completed and confirmed that:

- *Based on a population density of 3 people per unit within the proposed development, there is sufficient water pressure.*

### **5.4.3 Shadow Study**

Shadow Study prepared by ADA Architect Inc was completed.

The study examined the effects of shading by the proposed building upon abutting properties.

The study concluded that:

- *for the vast majority of daylight hours throughout the year, the shadows cast by the proposed development will be contained within the extent of the subject property; and*
- *limited shadow casting would affect structures on abutting lands occurring for brief periods of time (approx. 30-45 minutes) during early morning (9:00 am) and late evening (6:00 pm).*

A revised Shadow Study was conducted by ADA Architect Inc, based on the revised concept plan. Nominal improvements will occur due to the change in the building massing and scale.

## 6.0 PLANNING ANALYSIS

### 6.1 Policy and Regulatory Framework

#### 6.1.1 Provincial Policy Statement, 2014 (PPS)

The proposed development is consistent with the PPS and the Province's vision for long-term prosperity and social well-being.

The Town has directed growth where the Site is located. The proposed development provides an opportunity which will contribute positively to promoting efficient land use and development patterns, as the proposed condominium apartment building is considered residential intensification (Policy 1.0).

The proposed development is consistent with the policy to build strong healthy and livable communities. This form of apartment building is not currently found in this area and will provide a unique mix of high end housing choices. There are no environmental or public health and safety concerns. The development pattern does not require expansion of the settlement area. The Site has access to full municipal services and is close to existing local parks, churches, trails and schools (Policy 1.1.1).

The proposed development will help the Town meet the full range of current and future residential needs through housing intensification and redevelopment of land. The proposed use will be built on property which is currently underutilized. The proposed residential units will be available for purchase which creates an opportunity for an alternative to semi detached or townhome dwellings in the area when considering housing options (Policy 1.1.2).

The proposal enhances the vitality of the municipality with its unique location, as the proposal is within the Town's settlement area. Residents will have immediate access to Lake St. Clair, shopping, employment, recreational areas and institutional uses (Policy 1.1.3.1).

The density of the proposed development is appropriate as most of the surrounding area is residential within a limited mix of commercial land uses. The area is pedestrian friendly allowing people to access nearby amenities, such as public spaces, commercial nodes and recreational activities. Higher density offers an opportunity to efficiently use municipal infrastructure. The Site offers an opportunity for high-end residential intensification with water access which will compliment the surrounding area. Residential development can be accommodated on the Site, will co-exist with the abutting properties and may help to reduce residential sprawl (Policy 1.1.3.2).

The intensification can be accommodated for the proposed development as it is a redevelopment opportunity within an existing land use pattern. The parcel has been vacant for over a year offering an opportunity for people to access the nearby marinas and revitalize the surrounding area, which supports the Town's goal (Policy 1.1.3.3).

The proposed development will be built with a high standard of construction, will be in a compact form and will mitigate risks to public health and safety through the use of appropriate

setbacks and density. The design of the building has ensured that it blends well with the surrounding properties (Policy 1.1.3.4).

The County has established targets for intensification and redevelopment. The proposed development will assist in meeting those targets as the Site is located within an existing built-up area and close to amenities (Policy 1.1.3.5).

The proposed development does have a compact form. The density will allow for the efficient use of land, existing infrastructure and public services. The proposed residential will blend well with the area with the proposed design (Policy 1.1.3.6).

This form of residential development is not currently found in this area will assist the Town in providing a mix of housing choices (Policy 1.4.3).

The proposal is consistent with the PPS as it will be serviced by existing municipal sewer, water and storm, which is the preferred form of serving for settlement areas (Policy 1.6.6.2).

Energy conservation and efficiency is supported as the land use and development pattern is compact and is located on a transportation corridor. The Site is located within the Tecumseh Transit system service area (Policy 1.8.1).

The proposed condominium apartment building is considered residential intensification, as set out the PPS definition, is a redevelopment of an underutilized site and is considered infilling (Definition 6.0).

Given that the proposal is in keeping with these aspects of the PPS, municipal approval of the proposal would be consistent with the PPS.

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

The proposed development conforms to the COP and supports the goals as the Site is suited for residential intensification and will help promote community sustainability through the creation of a compact development, efficient use of underutilized land and promoting walkability (Policy 1.5) and promotes efficient and environmentally responsible development by using existing infrastructure (Policy 2.10).

The Site is within the “Primary Settlement Areas” which will support and promote healthy, diverse and vibrant opportunities to live, work and play. The proposed development is compact, pedestrian oriented and in close proximity to amenities such as shopping, recreation and public spaces (Policy 3.2.2).

The Site will offer full municipal services and contribute toward a cost effective development pattern within the Town (Policy 3.2.4.1).

The Site will be developed according to the policies set out in the COP for the “Areas Susceptible to Flooding”, “Regulated Areas” and “Intake Protection Zones”. All required permits will be provided to the ERCA.

The Site has adequate access to the Tecumseh Road and will benefit from being part of the County Active Transportation System.

Therefore, the proposed residential development conforms to the COP.

### **6.1.3 St. Clair Beach Official Plan**

It is the policy of the Town that new development is generally encouraged within the urban areas, which includes this Site. This Site is also designed to blend well with the surrounding area and has access to all municipal services (Policy 3).

Regarding site suitability, the soil offers good drainage conditions to permit the proper siting of buildings. Municipal services are available which will allow the proposed development to be constructed to municipal standards. Tecumseh Road functions as a 'Connecting Link' which is adequate to accommodate increased traffic. Finally, adequate safeguards have been taken into account to ensure the proposed development is in harmony with the existing area with the use of appropriate setbacks and density (Policy 3.1).

Other than the required density, the proposed amendment conforms to the policies set out in the OP for "Medium Density Residential" development. There are no other designations in the OP that offer a higher density, which makes the document outdated. The proposed use will blend well with the scale, massing and size of the existing uses surrounding the Site while offering a unique housing option with the associated marina. The Site has access to adequate servicing. The road system is adequate to accommodate the projected traffic (Policy 4.2.1).

The proposed condominium apartment building is considered medium density forms of housing in the OP. The maximum density is 25 units per hectare and, based on the lot area, a total of approximately 35 units are permitted and 65 units are proposed. In order to mitigate the increase in density, the proposed units have been revised with a decrease in the total number of units from 71 to 65 and designed with terraced floors in order for the building to blend with the surrounding area. Furthermore, there are limited opportunities for residential intensification within the former Village of St. Clair Beach. This development is an opportunity to implement policies that will support intensification and redevelopment within the existing settlement area. The residential trend in the area is that there are fewer persons per household. There have been similar types of successful development with this proposed density in the Town of Tecumseh which has blended well with similar neighbourhoods, such as a recent development located at 250 Manning Road (Policy 4.2.2).

Tecumseh Road is an arterial (County) road, the anticipated traffic from the proposed development will be appropriately accommodated (Policy 5.1a).

As set out in the policies for amendments, the proposed residential uses represent intensification and redevelopment within the built-up area, which will assist the Town of Tecumseh in meeting the County's intensification targets and objectives regarding the creation of complete community that efficiently use land and resources. The site can be adequately serviced. The road system will accommodate the projected traffic. Finally, the proposed development can be appropriately integrated with the existing development pattern as it is close to the roadway, is compact and is pedestrian friendly (Section 8.13).

Therefore, a site-specific amendment to the St. Clair Beach OP is required to facilitate the proposed development. The site-specific policy permits the following:



- a total density of 51 units per hectare (based on the revised concept plan and revised survey) in order to facilitate the residential component of the development,
- a limited range of ground floor commercial uses to facilitate the proposed café and,
- a marina that is proposed in association with the condominium apartment units.

#### **6.1.4 St. Clair Beach Zoning By-law**

The proposed residential development does not comply with the Village of St. Clair Beach Zoning By-law (ZBL).

It is proposed to rezone the Site from “General Commercial Zone (C1-5)” to a site-specific “Residential Type Three Zone (R3-13)”.

The R3-13 zone would permit the proposed residential use, accessory marina, a first floor commercial uses (such as a café), along with establishing the maximum number of dwelling units (65) and maximum building height of 5 stories and other lot/building requirements such as yard setbacks, lot coverage, landscaping requirements and minimum number of parking spaces and parking space sizes.

The zoning will be customized in order to set out the individual setbacks for the terraced floor design for each storey.

The change in land use will require a zoning map change to the St Clair Beach ZBL Schedule “A”.

## **6.2 Context and Site Suitability**

### **6.2.1 Site Suitability**

The Site is ideally suited for residential development for the following reasons:

- The land area is sufficient to accommodate the proposed development.
- The Site is generally level which is conducive to easier vehicular movements.
- The Site will be able to accommodate municipal water, storm and sewer systems.
- The Site provides for drainage.
- There are no anticipated traffic concerns.
- There are no anticipated environmental concerns.
- The location of the proposed development is appropriate in that it is an infilling opportunity, has appropriate density and will blend well with the residential uses in the surrounding area.

### **6.2.2 Compatibility of Design**

The proposed development will be strategically located to provide efficient ease of access to arterial road and will be pedestrian friendly.

The proposed residential development will be limited to an appropriate density development of a maximum of 65 units and will be designed with terraces to blend with the surrounding area, which makes the use compatible with the surrounding neighbourhood.

The layout of the proposed development will be oriented with the facade of the buildings facing Tecumseh Road with pedestrian access to the front and rear of the apartment building. The terraced floors will offer a unique architectural feature appealing to the abutting lands. The majority of the parking will be located underground allowing as much open space and landscaping as possible.

The proposed commercial development will be designed providing streetscape vista, a parking area that is convenient and pedestrian friendly access. The outdoor patio will provide an opportunity for the general public to enjoy the space making it a vibrant and active community space.

### **6.2.3 Good Planning**

The proposal represents good planning and supports the Town of Tecumseh goals and objective in supporting a complete community.

The proposed development addresses the need for the Town to provide compact residential development which contributes toward intensification and the provision of a unique housing choice.

Residential, small scale commercial and marina uses on the Site represent an efficient development pattern that optimizes the use of land. The Site blends well with the fabric of surrounding area.

The proposed development is compatible with the surrounding land uses as the design, massing and density will blend well with the nearby commercial and residential uses, takes advantage of having water access and is pedestrian friendly..

The fact that the proposal is supported by provincial, county and municipal planning policy, and the Site is suitable for the intended use on a number of criteria attests to the fact that the proposal represents good planning.

The design of the building has incorporated the use of a terraced floor design for each storey which will provide for a softer vista from the ground level, including the view from abutting properties. It will also mitigate the focal point of the structure and decrease the mass and scale of the overall building.

#### **6.2.4 Natural Environment Impacts**

The proposal does not anticipate any negative natural environment impacts. There are no constraints regarding the Site as it is flat.

The topography, soil and environmental characteristics of the Site are able to accommodate an appropriate development that will minimize adverse environmental impacts.

#### **6.2.5 Municipal Services Impacts**

There will be minor impacts on the municipal services, however the proposed development is limited to medium density and will not add undue strain to existing municipal systems.

#### **6.2.6 Social and/or Economic Conditions**

It is not anticipated that the proposed development will negatively affect the social environment as the Site is in close proximity to major transportation corridors, open space, community amenities and where many people live, work and play.

The proposed development offers a compact housing option and promotes efficient development and land use pattern which sustains the financial well-being of the municipality.

The proposal will not cause any public health and safety concerns. The proposal represents a cost effective development pattern that minimizes land consumption and servicing costs.

There will be no sprawl as the proposed development is inside the existing settlement area and is an ideal location for a redevelopment opportunity.

## 7.0 SUMMARY AND CONCLUSION

The PJR has outlined support of an Official Plan amendment and Zoning By-law amendment for the proposed development.

The proposal to use the Site for a condominium apartment building with small scale commercial and a marina is appropriate and should be approved by the Town of Tecumseh as it:

- is consistent with the PPS 2014;
- conforms with the intent and purpose of the COP;
- conforms with the intent and purpose of the Town OP;
- complies with the regulations of the Town ZBLA;
- is a site that is physically suitable;
- does not negatively impact the private use and enjoyment of area land uses;
- will not have any negative natural environmental impacts;
- will not create any traffic issues;
- will not have any negative impacts on municipal services;
- will not have any negative social or economic impacts; and
- will have a favourable positive impact on the Town of Tecumseh.

In summary, for the above reasons, it would be appropriate for the County of Essex to approve the application for Official Plan amendment and the Town of Tecumseh to adopt the application for Official Plan amendment and approve the application for Zoning By-law amendment to permit the proposed development on the Site as it is appropriate for the density of the area and will compliment the surrounding area within a compact redevelopment opportunity.

This PJR has shown that the proposed development is suitable intensification of residential, small scale commercial and marina, is consistent with the PPS, conforms with the intent and purpose of the COP, conforms with the intent and purpose of the Town of Tecumseh OP and represents good planning.

### Planner's Certificate:

This Planning Justification Report was written by Tracey Pillon-Abbs a Registered Professional Planner (RPP) within the meaning of the *Ontario Professional Planners Institute Act 1993*.

  
**Tracey Pillon-Abbs, RPP**  
Planning Consultant



8-31-2018

Corporation of the Town of Tecumseh

Attn: Laura Moy Town Clerk

Regarding: Harbor Club Proposal  
14328 – 14346 Tecumseh Rd E

I am writing in support of the development as a long time supporter of Development in Tecumseh.

My father John Kassa brought our family into Tecumseh starting with the ownership of Kastec Insurance LTD and was a proud member of the Tecumseh BIA.

In his spirit and honor I purchased Riverside Dr. E where my mother Pat has resided for the last 10+ years. Pat just hit the 80 year milestone and I would really like the opportunity to keep her on the water at Harbor Club which offers an attractive option to seniors in Tecumseh.

I have worked with Davide Petretta as a Realtor and believe he will do a wonderful job with the development.

Please accept this as my notice of support for the requested amendments and overall support of the project. We had hoped there would be Condo options at the former Lakewood Golf course site, this is the next best option for continued residency in Tecumseh.

Sincerely,



Chris Kassa

**Date:** September 2, 2018 at 12:26:58 PM EDT

**To:** <[lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)>

**Subject:** Harbour View (14328 AND 14346 TECUMSEH ROAD)

Hello Ms. Moy,

Please accept this email in support of the proposed plan and zoning by-law amendments for this development project.

As a resident of Lakeshore / Tecumseh, this project is a welcomed addition to the area for many reasons:

- Significantly improves the look of the area and associated valuations of surrounding properties as compared to the prior use of the property;
- Will attract other businesses / services to the area;
- Provides a waterfront condo complex in the heart of Tecumseh for residents who wish to downsize from a single family residence to a condo;

Overall, a very welcome addition to the town. Please add my comments to the record for presentation during the public meeting.

Please let me know if any questions.

Thanks in advance for your help.

Dave Mastronardi

[REDACTED]

[REDACTED]

Thanks,

**David Mastronardi**

Chief Operating Officer

**Phone:** 519-972-9032 x1116

**Cell:** 519-817-3539

**Address:** 4035 Malden Road, Windsor, ON N9C 2G4

[www.windsormoldgroup.com](http://www.windsormoldgroup.com)



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**From:** Town of Tecumseh <[info@tecumseh.ca](mailto:info@tecumseh.ca)>  
**Date:** September 4, 2018 at 9:59:05 PM EDT  
**To:** [lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)  
**Subject:** [Laura Moy] Zoning Law Amendment 14328 & 14346 Tecumseh Road  
[REDACTED]

John Fase [REDACTED] sent a message using the contact form at <http://www.tecumseh.ca/>.

Laura

I wish to request notification of the decision of council of the corporation of Town of Tecumseh, on the proposed Zoning By Law amendment or on the adoption of the proposed Official Plan amendment or of the refusal of a request to amend the official plan.

I will not be in the country on the date of the upcoming Town Council Meeting scheduled for the 11th of September, 2018.

I wish to have my opposition to the proposed changes be expressed at the meeting in my absence with the letter below.

I reside at [REDACTED], and the rear of my property faces the proposed 5 storey building/ property located on the former Puds Place Marina Property. The community and area around my property is all zoned single family, and I feel strongly that the 5 storey building is not a good fit, and will adversely affect the privacy of and the homes located on the west side of Aloha Drive.

The street/ road designation for Tecumseh road and Brighton road does not support the traffic that will be generated by the number of residences proposed (65 residences) on the Puds Place property. The five storey buildings on Manning are supported by the Manning road designation, and cannot be compared with the proposed build on Old Tecumseh Road. There is already issues with the three way stop at Brighton and Old Tecumseh road, that see's regular back ups. This causes many issues with the residences on the east side of Brighton, North of Old Tecumseh. There also exists safety concerns at the street crossing, which seeing many children seeking candy at the corner store.

As well the sanitation and sewage capacity , as proven several times in the last few years ( with back ups and flooding) will not support the additional volume that will result in the build.

As recent as two weeks ago we were experiencing brown outs, with voltage drops as low as 96 volt AC. A five story building with an additional 65 residences will only add to the issue with our power supply. Please do not dismantle the small town feel of my neighbourhood, and

completely eliminate the privacy, and natural view of my home, and that of my neighbors.

A three storey building should be a consideration for our neighbourhood, and would still generate a significant tax boost for the town, with out destroying the look and feel of "Old St Clair Beach / Tecumseh.

With Consideration

John Fase



**From:** Joe Lucente

**Sent:** September-06-18 10:16 AM

**To:** Laura Moy <[lmoy@tecumseh.ca](mailto:lmoy@tecumseh.ca)>

**Subject:** Harbour Club Condominiums

Dear Ms. Moy,

I am writing this letter to you in support of the Harbour Club Condominiums. I believe this exciting new development will add to the value of neighbourhood, especially considering the current condition of the land being rezoned. I currently live in LaSalle, however, I am very interested in purchasing a condominium in this new complex, and becoming a future Tecumseh resident. I am hoping this amendment is approved, and the project can commence asap.

Please put this letter on record for the presentation and public meeting on September 11th.

Best Regards,

Joe Lucente

September 4, 2018

Town of Tecumseh  
Town Clerk, Laura Moy

Subject: Harbour Club Condominiums

Dear Ms. Moy:

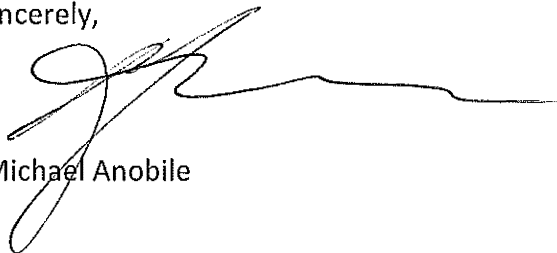
My name is Michael Anobile. I reside at [REDACTED] and have been a resident of the Town of Tecumseh for over 30 years. I am writing you this letter to express my support for the Harbour Club Condominiums.

I drive by the Harbour Club site almost daily and believe the project will be a much welcome attraction to the area, which will bring some much needed vibrancy to the property. I think it will be a very classy addition to the neighborhood.

I would like to request that my comments be put on record for presentation and record during the public meeting.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael Anobile', with a long horizontal flourish extending to the right.

Michael Anobile


Kurt Maybee



August 31, 2018

Laura Moy - Tecumseh Town Clerk  
Town of Tecumseh  
917 Lesperance Road  
Tecumseh, Ontario  
N8N 1W9

Dear Ms. Moy,

I am writing regarding the proposed Harbour Club development and my support for this project. In December 2015, I purchased a proposed condo at  when there was little more than a foundation underway. The purchase was in part based on feedback from friends in the building community, assuring me that Petretta Construction was a reputable company and had many successful projects in there portfolio. What Petretta promised was delivered in every way.

The experience from start to finish was seamless. The building exceeded my expectations, I have often described the building as being "overbuilt". Materials used are second to none, and all promises and requirements were met and many times exceeded.

Based on my experience, I am confident that the proposed building will not only meet, but exceed expectations of the Town and the neighbourhood effected. I am an advocate of an active, social community, and the utilization of this property for an affluent boating complex will no doubt benefit the community. Additionally, as you know, the benefit to the tax base is obvious, and efficient use of this prime property for higher density housing fits with Provincial land use policies.

Please note that I have no financial interest in this project, I only write this note because of the excellent experience I have had with the builder, and hope to put some of the reservations that surrounding neighbours may have to rest. As a resident of the St.Clair Beach/Russel Woods area for 50 years, I have no doubts that the Harbour Club will be a positive development for the town of Tecumseh.

Thank you ,

Kurt Maybee







## **The Corporation of the Town of Tecumseh**

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Chad Jeffery, Manager Planning Services

**Date to Council:** September 11, 2018

**Report Number:** PBS-2018-31

**Subject:** Official Plan Amendment and Zoning By-Law Amendment  
2593430 Ontario Limited (Petretta Construction)  
14328 & 14346 Tecumseh Road (Former Pud's Marina)  
Summary of and Response to the Public Consultation Process / Issues  
Raised at Public Meeting No. 1  
Our File: D19 PETTEC

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### **Recommendations**

It is recommended:

**That PBS-2018-31, be received.**

### **Background**

#### **Property Location and Surrounding Land Uses**

2593430 Ontario Limited (Petretta Construction), "the Applicant", has filed applications with the Town to amend the St. Clair Beach Official Plan and Zoning By-law 2065 for a 1.3 hectare (3.2 acre) parcel of land located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 & 14346 Tecumseh Road) (see Attachment 1). The proposed amendments would facilitate the construction of a five-storey, 65-unit condominium apartment building with limited ground-floor commercial uses. The subject property is the location of the former Pud's Marina – a privately owned marina that closed in 2017.

## Public Consultation Process to Date

Prior to the formal submission of the proposed Official Plan and Zoning By-law amendment applications to the Town, the applicant organized and held a Public Information Session (PIS) on November 2, 2017. The intent of the PIS was to introduce the proposed development and receive preliminary comments from neighbouring property owners/residents. The applicant and his architects were in attendance to answer questions and gather feedback. Town Administration also attended to review what was being proposed and presented to those in attendance. Primary issues that were identified at the PIS centred around building height and related issues such as obstructed views and rear yard privacy for abutting residents and those along Aloha Drive.

On March 13, 2018, Council held a public meeting in accordance with *The Planning Act* to hear comments on the aforementioned applications. The public meeting was attended by the applicant, its consultants and residents from the surrounding neighbourhood. A number of residents spoke at the public meeting raising concerns over density, height, architectural character, traffic and servicing. Council ultimately directed that a second public meeting be held in order to provide an opportunity to consider the various comments and for Town Administration to formally prepare a report summarizing the issues and commenting on same.

Accordingly, this Report has been prepared in accordance with Council's direction. It is proposed that a final recommended course of action with respect to the proposed Official Plan and Zoning By-law amendment applications be brought forward for Council's consideration following the outcome of the second public meeting.

## Revised Development Proposal

The Applicant had originally filed for Official Plan and Zoning By-law amendment applications that would facilitate the construction of a residential development consisting a five-storey, 71-unit condominium apartment. Subsequent to the public comments received through the public consultation process noted above (which are summarized in the "Comments" section below), the Applicant submitted a revised development proposal with the following changes (see Attachments 2A and 2B):

- a five-storey, 65-unit apartment building consisting of two- and three-bedroom units ranging in size from 1,200 to 1,500 square feet;
- the north-south wing of the proposed apartment building has been "stepped down", resulting in a portion of it being three stories, and the northeast unit on the fifth floor of the east-west wing has been removed; and
- architectural changes have been made to the façade of the apartment building.

The revised development proposal continues to contain the following elements that were included in the original proposal:

- 163 on-site parking spaces comprising 81 underground spaces and an 82-space at-grade parking lot to be located along the western side of the subject property abutting the parking lot associated with the existing commercial plaza located at the north-east corner of the Brighton Road/Tecumseh Road intersection;
- one driveway access from Tecumseh Road, located at the westerly end of the property;
- accessory first floor amenities associated with the residential development including a fitness centre, main lobby, lounge and party room;
- a first floor café totalling approximately 2,400 square feet with an associated outdoor patio, to be located along the eastern end of the property, abutting Pike Creek;
- a new boardwalk that will run along the northerly and easterly perimeter of the building, connecting to the existing sidewalk on the north side of Tecumseh Road;
- the creation of 35 new large-format marina boat docks (down from the 72 docks that were once part of the former marina); and
- a significant landscaped area along Tecumseh Road in front of the proposed condominium apartment building.

## **The Revised Planning Applications and the Applicant's Planning Justification Report**

In order to permit the proposed revised development, the applicant is requesting that the subject property be:

- i. redesignated from "Commercial" to "Medium Density Residential" with a site-specific policy establishing a maximum density of 51 units per hectare and permitting the aforementioned commercial and marina uses; and
- ii. rezoned from "General Commercial Zone (C1-5)" to a site-specific "Residential Type Three Zone (R3-13)". The new site-specific zone would permit the proposed residential uses, establish the maximum number of apartment-style (65) dwelling units, a limited ground floor commercial area, and the accessory marina, as well as establish other lot/building requirements such as yard setbacks, lot coverage, landscaping requirements and minimum number of parking spaces and parking space sizes.

In support of the foregoing planning applications, the Applicant submitted a Planning Justification Report (PJR) prepared by Tracey Pillon-Abbs, RPP, Planning Consultant dated July 8, 2018. The PJR evaluated the proposed development and land uses against the Provincial Policy Statement (PPS), the County of Essex Official Plan and the Town's Official Plan and concluded that the proposal to use the subject property for a condominium apartment building with small scale commercial and an accessory marina is appropriate and should be approved by the Town of Tecumseh as it:

- is consistent with the PPS 2014;
- conforms with the intent and purpose of the COP;
- conforms with the intent and purpose of the Town OP;
- complies with the regulations of the Town ZBLA;
- is a site that is physically suitable;
- does not negatively impact the private use and enjoyment of area land uses;
- will not have any negative natural environmental impacts;
- will not create any traffic issues;
- will not have any negative impacts on municipal services;
- will not have any negative social or economic impacts; and
- will have a favourable positive impact on the Town of Tecumseh.

## **Comments**

The concerns/issues that were raised at the March 13, 2018 Public Meeting are summarized below and are followed by the Applicant's and Town Administration's response.

### **Issue No. 1 – Loss of Pubic Access to Water/Shoreline**

This location was the only area that provided water access to boaters in Tecumseh. Removing the marina is not good for the community.

#### **Applicant's Response**

The applicant has no intention of reopening the site as a marina.

#### **Administration's Response**

The former marina was privately owned. The decision to close the former private marina was made by the landowner and was one over which the Town had no control. The current C1-5 zoning permits a range of commercial uses that allow the marina to be closed and the land used for other commercial purposes (e.g. retail stores, financial institutions, eating establishments, etc.).

## **Issue No. 2 – Density**

The proposed number of units and density is not in keeping with the surrounding area or the current Official Plan policy. The lot area should not include the canal. Residential intensification should be directed to mainstreet or mixed-use areas.

### **Applicant's Response**

The applicant has reduced the number of units in the building from 71 to 65.

### **Administration's Response**

It is acknowledged that the "Medium Density Residential" designation currently does not permit the 51 units per hectare density resulting from the proposed 65-unit condominium apartment building. Under subsection 4.2.2 a), it is established that residential uses in this designation shall consist primarily of townhouse and apartment style development not exceeding a maximum density of 25 units per hectare or five storeys in height. The applicant is requesting that the maximum density for this site be amended to permit 51 units per hectare.

Density is often a means to control the population generated by a particular development. It should also be noted, however, that higher residential density does not always equate to a proportionately higher population density. For example, the units within the proposed condominium are anticipated to have a much lower persons-per-household (pph) yield than that which the Official Plan density limits were based on. This anticipated smaller yield is due to the small unit sizes and the targeted household demographic. Accordingly, although there are more units proposed than what the medium density designation contemplates, the increase in the number of total residents will not be as significant. As such, the proposed 65-unit dwelling will have a reduced impact on servicing demands and result in lower traffic generation than it would if it consisted of units designed to accommodate a higher pph.

Density can at times be seen as a blunt regulatory tool as it doesn't capture "feel" of area. It is only one measure and should not be used as the singular means for good community making. Regard should be given to the need to distinguish between overall planning average on the large scale versus a property-specific indicator. Caution should be used in applying density as a blanket control on individual sites within a broader area as this can result in monoculture and a flat and featureless urban form. The key consideration is to ensure the proposed development can be properly integrated into the surrounding area.

The suggestion that the canal should not be used in the calculation of density would have more merit if the term was "net density". The Plan does not use net density but simply density, which is in reference to the entire landholding. Accordingly, the canal should be viewed similarly to any other private open space feature and incorporated into the area of the site in order to determine its density.

The suggestion that intensification should be restricted to only mainstreets and mixed-use areas is not grounded in any of the relevant policy documents (i.e. PPS, County Official Plan, St. Clair Beach Official Plan). Appropriately integrated intensification is encouraged in all areas where it can be adequately serviced, projected traffic generation can be accommodated by the existing transportation network (or through improvements to the network) and compatibility between uses can be achieved. Servicing, transportation and compatibility issues are addressed later in this Report. It should also be noted that the Tecumseh Transit Service route includes a stop within 50 metres of the subject property – another commonly accepted locational consideration for intensification. Further, the surrounding area has a small-scale commercial node that will be strengthened by the addition of new residents in such close proximity.

It is noted that the proposed revised building is consistent with the five-storey maximum building height established for apartment style buildings in the Medium Density designation.

In summary, it is the opinion of the writer that the density proposed is appropriate at this location and will result in a suitable form of intensification and appropriate form of development.

### **Issue No. 3 – Compatibility**

The proposed five-storey height is not compatible with abutting lands. Community feel will be impacted. The modern glass design of the proposed development is not in keeping with the architectural character of the area.

### **Applicant's Response**

The applicant has stepped down the building in areas that have a greater impact on views (i.e. the north-south wing and the easterly end of the building). In addition, the applicant's architect has added features, materials and colours to "soften" the architectural impact. The architectural renderings and revised sight lines are depicted on Attachments 3 and 4A to 4D. The applicant also had ADA Architect Inc. revise the Shadow Study in accordance with the revised concept plan. It concluded that nominal improvements will occur due to the change in the building height and massing and that there will be no significant shadow impacts on the abutting lands.

### **Administration's Response**

The surrounding area is a mix of various forms of residential and commercial uses (see Attachment 5), more specifically described as follows:

- the subject property is bordered to the immediate north by a naturalized area that forms the rear yard of a long/narrow single-unit residential property that fronts on Brighton Road. Beyond this property to the north is a canal that provides water access to single-unit residential lots that front on Aloha Drive;



- Pike Creek forms the easterly boundary of the subject property. The Tecumseh-Lakeshore municipal boundary runs down the middle of this creek. On the east side of Pike Creek, in the Town of Lakeshore, is situated a commercial establishment with associated boat docks, beyond which are multi-unit residential uses (ground-oriented townhomes);
- Tecumseh Road forms the southerly boundary of the subject property with a tributary of Pike Creek located on the south side of Tecumseh Road. Farther to the west, on the south-east corner of the Tecumseh Road/Brighton Road intersection, exists a commercial plaza; and
- abutting the subject property to the west is a newly constructed commercial plaza at the north-east corner of the aforementioned intersection, north of which are single unit residential properties fronting Brighton Road. On the west side of Brighton Road, across from this commercial plaza, are semi-detached and townhouse dwellings fronting on Caritas Court.

As a general tenet of planning, residential uses by their very nature are compatible with other residential uses. Multi-unit/multi-storey residential development adjacent to single unit detached dwellings, such as the subject proposal, is a built form and land use mix that currently exists within the Town and is a common land use pattern in urban areas. It is acknowledged that issues may arise when due regard is not given to differences in scale and massing of abutting residential properties. Mitigation of these potential problems commonly occurs in the form of building orientation, building design, site design, buffering and appropriate setbacks.

It is a commonly held planning principle that being “compatible with” is not the same thing as being the same as or even being similar to. Being similar to implies having a resemblance to another thing; they are like one another, but not completely identical. Being “compatible with” fundamentally implies nothing more than being capable of existing together in harmony.

Compatibility can be measured from two perspectives: land use and design. The evaluation of land use compatibility, in the context of a residential proposal, includes criteria such as noise, traffic, safety, wind, sun shadowing and the potential for serious adverse health impacts on humans and animals. Design compatibility includes criteria such as scale, height, massing and articulation, architectural elements, landscaping, fencing and context.

From a land use compatibility standpoint, the applicant has submitted various technical studies related to traffic, sun shadowing, servicing and environmental impact, all of which have been reviewed by Administration and deemed acceptable. In terms of design compatibility, the applicant has revised the proposal by reducing portions of the building height and the number of units and adding colour and elements to the façade to soften its impact. These changes have had the effect of reducing the visual impact of the proposed apartment building.

These changes, when combined with the significant separation distance from neighbouring residential uses and the mixed use context of the surrounding area, lead us to the opinion that the proposal is compatible – it is capable of existing harmoniously with existing land uses in the surrounding area.

## **Issue No. 4 – Traffic**

The proposed development will generate additional traffic that will exacerbate the traffic congestion in the area and the applicant's traffic impact statement did not clearly take into account traffic that will be generated from the new commercial development which abuts to the west. Pedestrian and cyclist safety both during construction and post-construction must be taken into consideration.

### **Applicant's Response**

The initial Traffic Impact Study (TIS), Residences at Bay Harbour Residential & Commercial Development – RC Spencer Associates Inc., dated December 2017 concluded that:

- the stop-controlled intersections of Brighton Road and East Pike Creek Road with Old Tecumseh Road will continue to operate at a very good level of service under full site development, even with future traffic growth of 10% above existing; and
- with respect to the safety of the site-specific traffic operations, it is noted that the driveway access to the proposed facility is approximately 105 metres west of the crest of the Pike Creek Bridge. Given the complex nature of the existing geometries at this location, intersection sight distance was considered as part of the TAC's geometric design guidelines to ensure that this driveway access is located at a sufficient sight distance to allow for safe traffic operations into and out of the proposed facility.

In response to the comment that the TIS did not clearly have regard for traffic anticipated to be generated by the new commercial development abutting to the west, a TIS Addendum was completed by RC Spencer Associates Inc., on March 28, 2018. The Addendum concluded that:

- the overall levels of service for both intersections are satisfactory.
- the levels of service for the respective movements do not deteriorate to any ill effect.
- in the future scenario where background traffic is increased by 10%, the critical northbound approach lane at either intersection is projected to operate at a LOS C. For the critical PM peak hour, this translates to an increase in delay of no more than four seconds for the most critical northbound approaches.

- it can be concluded that no operational issues should be expected as a result of these developments.

### **Administration's Response**

The Town's Public Works and Engineering Department have reviewed the Addendum and find it satisfactory. As for pedestrian and cyclist safety during construction, standard protocols ensuring safety will be employed. Post construction, there will continue to be a sidewalk that extends across the front of the subject property and ultimately connects to the multi-purpose pathway on Brighton Road.

### **Issue No. 5 – Municipal Servicing Constraints**

The proposed development will tax existing municipal services where flooding has already occurred.

### **Applicant's Response**

A Functional Servicing Study (FSS) prepared by RC Spencer Associates Inc., dated January 2018, examined municipal water, sanitary and stormwater management (quantity and quality) services for the proposed development. It concluded that municipal services are available to the subject property on a short term and that a more detailed review of the development can be conducted as part of the application for condominium.

An addendum was completed by RC Spencer Associates Inc., on March 30, 2018 confirming that, based on a population density of 3.0 people per unit within the proposed development, there is sufficient water pressure.

### **Administration's Response**

#### **Storm Sewer Infrastructure**

The FSS had identified the proposed development draining its stormwater directly into Pike Creek, the result being that there is no impact on the existing municipal storm infrastructure.

#### **Sanitary Sewer Infrastructure**

The Town requested its engineering consultant, Dillon Consulting Limited (Dillon), to assess the existing sanitary sewer system and the sanitary sewer hydraulic model based on the sewage flows from the proposed development under wet weather conditions. Dillon provided an assessment, dated March 6, 2018 that concluded:

- peak sewage flows resulting from the proposed development can be accommodated within the available dry-weather flow capacity of the sanitary sewer system;

- there is no notable increased risk of basement flooding under wet weather conditions with the addition of the Bay Harbour sanitary flows due to the surcharge conditions that already exist;
- the Town's recent investment of \$3.6 million to remove sources of extraneous inflow and infiltration throughout the sanitary sewer system is expected to offset the net increase of sewage flow from the Bay Harbour development; and
- the completion of the Increased Sanitary Sewer Storage Capacity along Riverside Drive (as outlined within the 2013 Municipal Class EA) will further improve the wet weather HGL conditions within the upstream portion of the Town's sanitary sewer system.

In summary, the Town continues to take measures to mitigate the risk of street and basement flooding, as evidenced by the Flood Mitigation Strategy recently adopted by Council. With the information provided by the applicant's consulting engineer and the analysis completed by the Town's Engineer and consulting engineers, Administration is satisfied that the municipal infrastructure can accommodate the proposed development.

## **Issue No. 6 – Environmental Concerns**

There will be an adverse impact on the waterway due to the proposed development. The high water table in the area will be affected by the proposed development. In addition, traffic from the development will worsen air quality and sound pollution.

### **Applicant's Response**

The applicant's engineering consultant with respect to these issues, Richard Patterson, P. Eng. of Chall.Eng. Corporation Consulting Engineers, has noted the following:

Essex Region Conservation Authority – Building setbacks and floodproofing elevations have been established with the proposed marina and shoreline works being suitable subject to satisfying the Department of Fisheries and Oceans (DFO) and the Ministry of Natural Resources and Forestry (MNRF).

DFO – a fish and aquatic species study, being carried out by Todd Leadley of Leadley Environmental and associated with the University of Windsor, is in progress. The key for DFO is that no in-water works can be carried out from March 15 to July 15 due to fish spawning.

MNRF - an Environmental Impact Study and a Species at Risk Study, being carried out by Dan Barcza of Sage Earth, are in progress. These studies will address terrestrial (land) animals and vegetation.

Mr. Patterson also noted that no issues were identified from the results of the sampling and testing of bottom soils taken from the marina harbour and that dredged soils will be able to be

deposited on land. He further asserted that with this site being developed and occupied for many years, it is anticipated that no significant issues will arise. It is the infilling of a portion of the marina that typically results in a concern, however this is typically addressed through off-site fish habitat compensation.

### **Administration's Response**

With respect to concerns with impacts on a high water table, there is no evidence provided that any adverse impacts will be realized. All development will be required to proceed in accordance with all appropriate legislation and there is currently no known concern regarding the water table.

With respect to an anticipated worsening in air quality and increase in sound pollution, there is no known evidence that demonstrates that this will in fact occur. The development proposed is of a nature one would expect in an urban area and is not one that would typically create concerns relative to air quality and sound pollution.

### **Summary**

The foregoing information is provided for Council's consideration and for further public comment and input. The second public meeting will provide an opportunity to present the revised proposal to and receive feedback/comments from interested stakeholders. It is proposed that a final report summarizing the second public meeting and a recommended course of action on these applications be provided at a subsequent Council meeting.

### **Consultations**

Planning & Building Services  
Public Works & Environmental Services

### **Financial Implications**

None.

## 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:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

Phil Bartnik, P.Eng.  
Director Public Works & Environmental Services

Reviewed by:

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

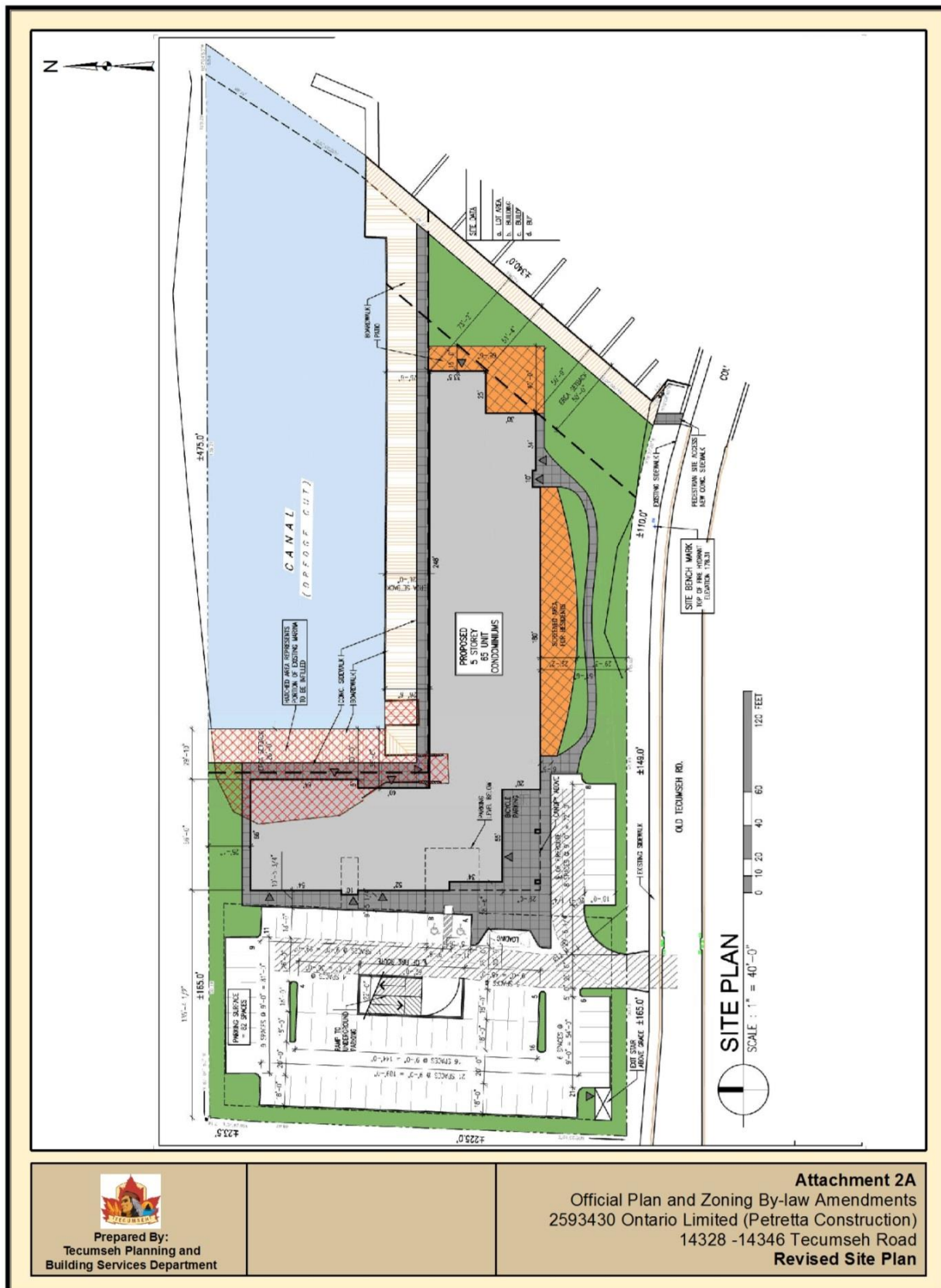
Recommended by:

Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer



<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2A	Revised Site Plan
2B	Revised Elevation, West View
3	Revised Architectural Renderings
4A	Revised Site Lines from Aloha Drive 1
4B	Revised Site Lines from Aloha Drive 2
4C	Revised Site Lines from Aloha Drive 3
4D	Revised Site Lines from Aloha Drive 4
5	Subject Property and Surrounding Land Uses Map









**HARBOUR CLUB - WEST ELEVATION (BEFORE)**  
 5 STOREY CONDOMINIUM - 71 UNITS



**HARBOUR CLUB - WEST ELEVATION (CURRENT DESIGN)**  
 5 STOREY CONDOMINIUM - 65 UNITS



Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 2B**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Elevation, West View**



Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 3**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Architectural Renderings**





Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 4A**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Sight Lines from Aloha Drive 1**



Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 4B**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Sight Lines from Aloha Drive 2**

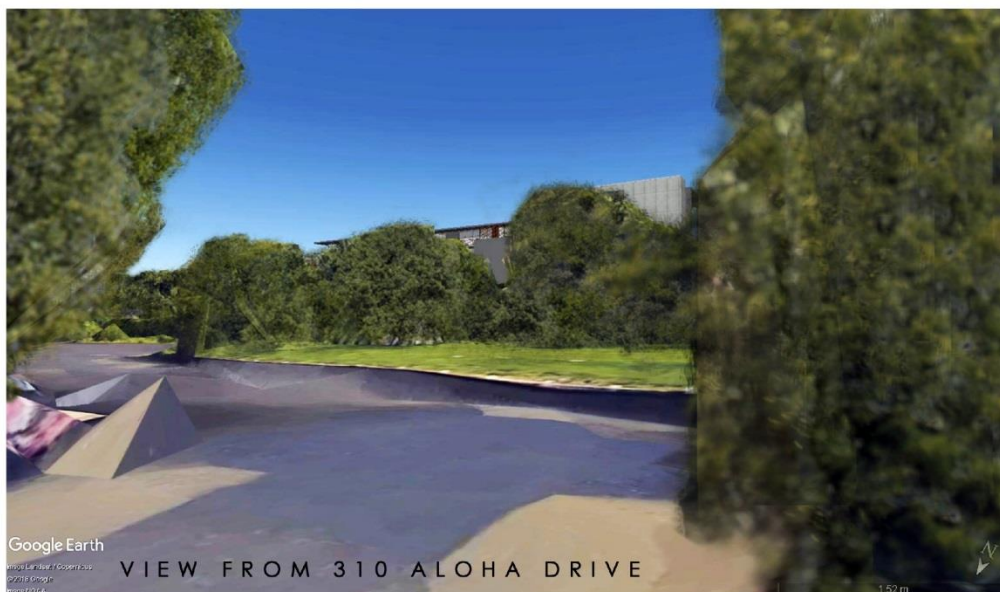




Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 4C**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Sight Lines from Aloha Drive 3**

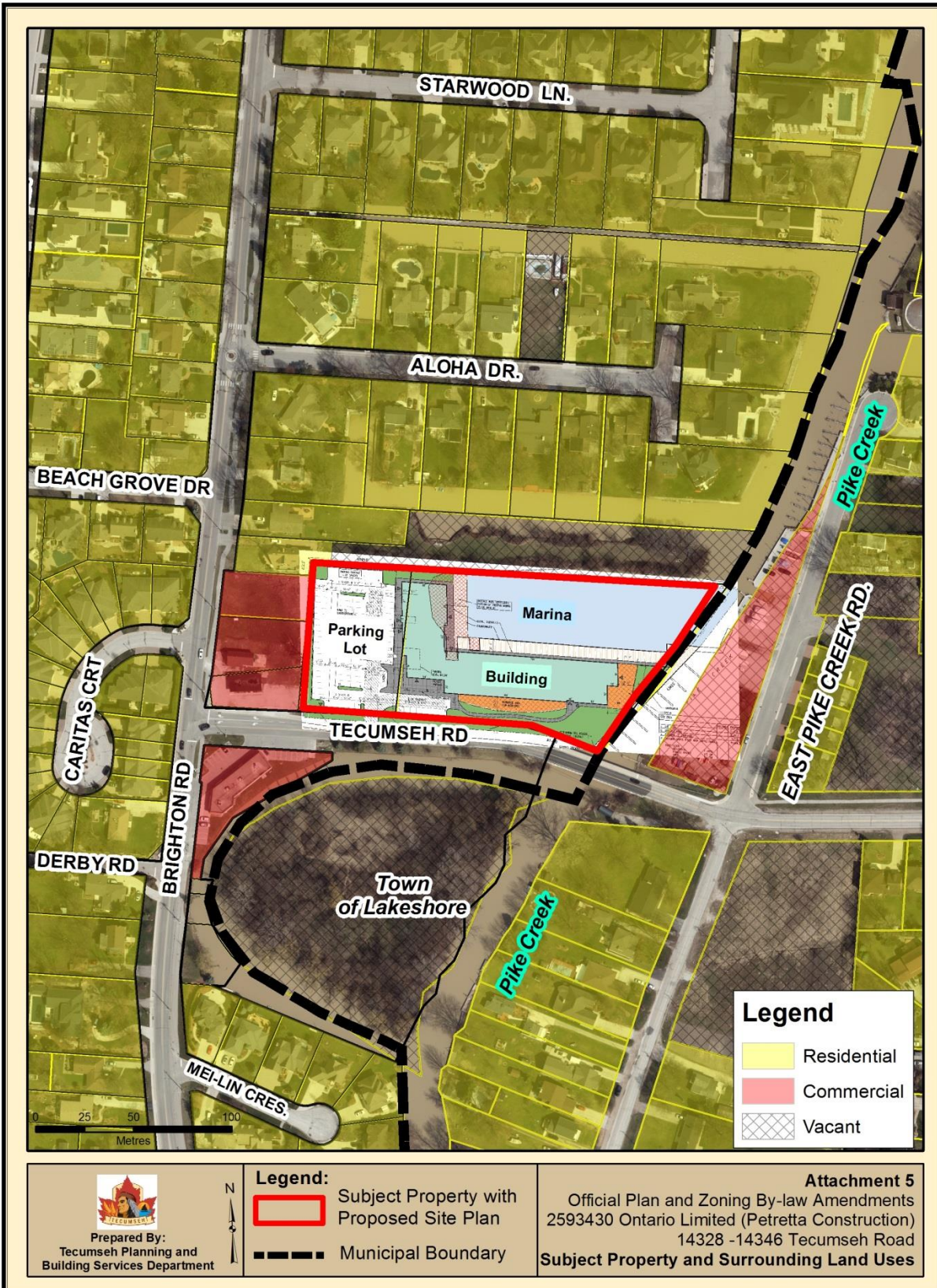




Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 4D**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Revised Sight Lines from Aloha Drive 4**







## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Chad Jeffery, Manager Planning Services

**Date to Council:** February 13, 2018

**Report Number:** PBS-2018-03

**Subject:** Official Plan Amendment and Zoning By-Law Amendment  
2593430 Ontario Limited (Petretta Construction)  
14328 & 14346 Tecumseh Road (Former Pud's Marina)  
Our File: D19 PETTEC

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### Recommendations

It is recommended:

That the scheduling of a public meeting to be held on Tuesday, March 13, 2018 at 5:30 p.m., for the applications submitted by 2593430 Ontario Limited (Petretta Construction) to amend the St. Clair Beach Official Plan and Zoning By-law 2065 for a 1.4 hectare (3.6 acre) parcel of land located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 & 14346 Tecumseh Road), from:

i) the current Official Plan designation of "Commercial" to a "Medium Density Residential" designation with a site-specific policy that will establish a maximum density of 51 units per hectare, permit an accessory marina and a limited range of ground floor commercial uses; and

ii) the current "General Commercial Zone (C1-5)" to a site-specific "Residential Type Three Zone (R3-13)"

in order to permit the construction of a five-storey, 71-unit condominium apartment building, accessory marina and limited ground-floor commercial uses, **be authorized.**



## **Background**

### **Property Location and Surrounding Land Uses**

2593430 Ontario Limited (Petretta Construction), "the Applicant", has filed applications with the Town to amend the St. Clair Beach Official Plan and Zoning By-law 2065 for a 1.4 hectare (3.6 acre) parcel of land located on the north side of Tecumseh Road, approximately 45 metres east of its intersection with Brighton Road (14328 & 14346 Tecumseh Road) (see Attachment 1).

The proposed amendments would facilitate the construction of a five-storey, 71-unit condominium apartment building with limited ground-floor commercial uses on the land portion of the subject property. The balance of the property, which is the water-based portion containing the docks associated with the former Pud's Marina, is proposed to be used as a marina accessory to the condominium apartment building. The entire subject property was the location of the former Pud's Marina, which closed in 2017.

The subject property is bordered to the immediate north by a naturalized area that forms the rear yard of a long/narrow single-unit residential property that fronts on Brighton Road. Beyond this property to the north is a canal that provides water access to single-unit residential lots that front on Aloha Drive. Pike Creek forms the easterly boundary of the subject property. The Tecumseh-Lakeshore municipal boundary runs down the middle of this creek. On the east side of Pike Creek, in the Town of Lakeshore, is situated a commercial establishment with associated boat docks, beyond which are multi-unit residential uses. Tecumseh Road forms the southerly boundary of the subject property with a tributary of Pike Creek located on the south side of Tecumseh Road. Farther to the west, on the south-east corner of the Tecumseh Road/Brighton Road intersection, exists a commercial plaza. Abutting the subject property to the west is a newly constructed commercial plaza at the north-east corner of the aforementioned intersection. On the west side of Brighton Road, across from this commercial plaza, are semi-detached and townhouse dwellings fronting on Caritas Court (see Attachment 2).

### **Public Information Session Held by Applicant**

Prior to the formal submission of the proposed Official Plan and Zoning By-law amendment applications to the Town, the applicant organized and held a Public Information Session (PIS) on November 2, 2017. The intent of the PIS was to introduce the proposed development and receive preliminary comments from neighbouring property owners/residents. The applicant and his architects were in attendance to answer questions and gather feedback. Town Administration also attended to review what was being proposed and presented to those in attendance. Primary issues that were identified at the PIS centred on building height and related issues such as obstructed views and rear yard privacy for abutting residents and those along Aloha Drive.

## **Proposed Development**

After the PIS, the applicant made some revisions to the development proposal and formally submitted Official Plan and Zoning By-law amendment applications along with a proposed site plan and architectural renderings (see Attachments 3 and 4) depicting:

- a 71-unit condominium apartment building consisting of two- and three-bedroom units ranging in size from 1,200 to 1,500 square feet;
- 163 on-site parking spaces comprising 81 underground spaces and an 82-space at-grade parking lot to be located along the western side of the subject property abutting the parking lot associated with the existing commercial plaza located at the north-east corner of the Brighton Road/Tecumseh Road intersection;
- one driveway access from Tecumseh Road, located at the westerly end of the property;
- accessory first floor amenities associated with the residential development including a fitness centre, main lobby, lounge and party room;
- a first floor café totalling approximately 2,400 square feet with an associated outdoor patio, to be located along the eastern end of the property, abutting Pike Creek;
- a new boardwalk that will run along the northerly and easterly perimeter of the building, connecting to the existing sidewalk on the north side of Tecumseh Road;
- the creation of 35 new large-format marina boat docks (down from the 72 docks that were once part of the former marina); and
- a large landscaped area along Tecumseh Road in front of the proposed condominium apartment building.

## **Proposed Planning Applications**

In order to permit the proposed development, the applicant is requesting that the subject property be:

- i. redesignated from “Commercial” to “Medium Density Residential” with a site-specific policy establishing a maximum density of 51 units per hectare and permitting a limited range of ground floor commercial uses along with a marina accessory to the residential use; and
- ii. rezoned from “General Commercial Zone (C1-5)” to a site-specific “Residential Type Three Zone (R3-13)”. The R3-13 zone would permit the proposed residential use, accessory marina, a first floor commercial uses (such as a café), along with establishing the maximum number of dwelling units (71) and maximum building height of 5 stories and other lot/building requirements such as yard setbacks, lot coverage, landscaping requirements and minimum number of parking spaces and parking space sizes.

## Additional Planning Approvals

In addition to the aforementioned planning applications, it should be noted that the approval of a Draft Plan of Condominium by the County of Essex, along with Council approval of a development and/or site plan control agreement, will be required prior to the proposed development proceeding. The Draft Plan of Condominium approval process will also require a public review process and a statutory public meeting. This approval process will proceed in the event that the current applications are approved.

The applicant has been advised of these requirements and is in the process of finalizing final site plan and Plan of Condominium drawings.

## Supporting Documents

The following documents have been submitted to the Town in support of the applications:

- i) *Traffic Impact Study, Residences at Bay Harbour Residential & Commercial Development – RC Spencer Associates Inc., December 2017.*

During early discussions regarding potential development of the subject property, Town Administration identified that the preparation of a Traffic Impact Study (TIS) would be required in order to assess the impacts of traffic generated from the site on adjacent roads. Accordingly, the Owner retained the services of RC Spencer Associates Inc. to conduct a TIS.

The study examined the traffic implications of the proposed development on traffic operations in the area, focussing on:

- the portion of Tecumseh Road which abuts the subject property;
- the all-way stop sign-controlled Brighton Road/Tecumseh Road intersection; and
- the north/south stop sign-controlled East Pike Creek Road/Old Tecumseh Road intersection in the Town of Lakeshore.

The study concluded that:

- *the stop-controlled intersections of Brighton Road and East Pike Creek Road with Old Tecumseh Road will continue to operate at a very good level of service under full site development, even with future traffic growth of 10% above existing; and*
- *with respect to the safety of the site-specific traffic operations, it is noted that the driveway access to the proposed facility is approximately 105m west of the crest of the Pike Creek Bridge. Given the complex nature of the existing geometries at this location, intersection sight distance was considered as part of the TAC's geometric design guidelines to ensure that this driveway access is located at a*

*sufficient sight distance to allow for safe traffic operations into and out of the proposed facility.*

Town Administration has reviewed this study and is satisfied that its analysis and recommendations are sufficient to support consideration of the proposed re-designation and rezoning of the subject property from a transportation perspective.

- ii) *Functional Servicing Study, Residences at Bay Harbour – RC Spencer Associates Inc., January 2018.*

Town Administration also identified the need to address municipal water, sanitary and stormwater management (quantity and quality) services for the proposed development. Accordingly, the Owner retained RC Spencer Associates Inc. to prepare a Functional Servicing Study for the proposed development.

Town Administration has reviewed this study and although some of the assumptions and design criteria used in the study will require further discussion and analysis, sufficient information has been provided to demonstrate that municipal services (water, sanitary and stormwater) are available to the subject property in a manner that gives sufficient information to provide preliminary support for the proposed Official Plan and Zoning By-law amendments. Further discussion and analysis will be sought from the Owner's engineering consultant, which could be provided in the short term or at the time the Owner files formal application for the draft plan of condominium and a more detailed review of the development is undertaken. In the interim, it is our opinion that sufficient analysis has been undertaken to provide preliminary support for the Official Plan and Zoning By-law amendment applications.

## Comments

The following planning analysis is provided to assist Council in understanding the scope of the issues and the matters requiring consideration as this proposal advances through the planning process.

### Provincial Policy Statement, 2014

*The Planning Act* establishes that Council, when making decisions that affect a planning matter, "shall be consistent with" the 2014 Provincial Policy Statement ("PPS") issued under *The Planning Act*. The PPS encourages and supports development on lands identified for urban growth in settlement areas. Relevant excerpts include:

*"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:*

- b) accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs;*
- e) promoting cost-effective development patterns and standards to minimize I and consumption and servicing costs;*

### *1.1.3 Settlement Areas*

*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:*

- a) densities and a mix of land uses which:*
  - 1. efficiently use land and resources;*
  - 2. 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;*
  - 4. support active transportation;*
  - 5. are transit-supportive, where transit is planned, exists or may be developed;*
- b) 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 and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas ... 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 maintaining appropriate levels of public health and safety.*

*1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*



#### 1.4 Housing

*1.4.3 Planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents of the regional market area by:*

*b) permitting and facilitating:*

- 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
- 2. All forms of residential intensification 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 alternative transportation modes and public transit in areas where it exists or is to be developed;*

*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.*

#### 1.8 Energy Conservation, Air Quality and Climate Change

*1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:*

- a) promote compact form and a structure of nodes and corridors;*
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*

#### 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"*

The foregoing policies establish that the Town should be supporting and promoting higher density development that results in compact built form and makes more efficient use of existing services while offering a range of housing forms/types to meet expected needs, such as those of the growing senior cohort of the Town's population. The PPS supports the development of a broad range of housing types and tenures. It also encourages residential intensification within identified urban areas and where such areas have appropriate levels of servicing.

In accordance with the foregoing policies, the 71-unit condominium apartment building proposed for the subject lands would be consistent with the PPS. The proposal provides an alternative form of housing type and tenure and at a density that provides for a more compact built form. The proposed development is also a means of achieving intensification in accordance with the definition contained in the PPS. The subject lands are also within the Tecumseh Transit system service area (i.e. within 400 metres or a five-minute walk of a bus stop).

### **County of Essex Official Plan, 2014**

The subject lands are within a Primary Settlement Area of the County Official Plan. Any amendment to a local official plan must be in conformity with the policy direction contained in the County of Essex Official Plan. The goals and policies of the County of Essex Official Plan encourage a range of residential development within identified settlement areas such as the fully serviced urban areas of the Town of Tecumseh. The following goals and policies of the County Official Plan are most relevant in the assessment of the subject proposal:

#### **"3.2.2 Goals**

*The following goals are established for those lands designated as Settlement Areas on Schedule "A":*

- a) *Support and promote public and private re-investment in the Primary Settlement Areas;*
- b) *To support and promote healthy, diverse and vibrant settlement areas within each of the seven Essex County municipalities where all county residents, including special interest and needs groups can live, work and enjoy recreational opportunities;*
- c) *To promoted 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;*

- d) *To promote the creation of public places within all neighbourhoods that foster a sense of community pride and well-being and create a sense of place;*
- i) *Promote residential intensification within Primary Settlement Areas;*

#### 3.2.4.1 Policies

*The following policies apply to Primary Settlement Areas:*

- a) *Primary Settlement Areas shall be the focus of growth and public/private investment in each municipality;*
- b) *Primary Settlement Areas shall have full municipal sewerage services and municipal water services and stormwater management services, a range of land uses and densities, a healthy mixture of housing types including affordable housing options and alternative housing forms for special needs groups, and be designed to be walkable communities with public transit options;*
- c) *Local municipal Official Plans shall establish appropriate land uses in accordance with the policies of this Plan;*
- i) *Cost effective development patterns and those which will minimize land consumption and reduce servicing costs are encouraged. Land use patterns which may cause environmental, heritage preservation or public health and safety concerns shall be avoided;"*

It is noted that the subject property is within a Primary Settlement Area, as designated in the County of Essex Official Plan. In accordance with the aforementioned goals and policies, the proposed applications conform to the County of Essex Official Plan.

#### **St. Clair Beach Official Plan**

As noted previously, the subject lands are designated "Commercial" on Schedule "A" of the St. Clair Beach Official Plan (see Attachment 4). An amendment to the Official Plan will be required to designate the subject property into a "Medium Density Residential" designation and to introduce a site-specific policy to permit a total density of 51 units per hectare in order to facilitate the residential component of the development, along with permitting a limited range of ground floor commercial uses to facilitate the proposed café. The site specific policy will also need to permit the marina that is proposed in association with the condominium apartment units.

The goals and policies of the "Medium Density Residential" designation encourage the development of housing types other than single unit dwellings as a means of increasing the supply of affordable housing and offering a variety of ownership options, such as condominium, that can be appropriately integrated with the existing and proposed development pattern.

However, the "Medium Density Residential" designation currently does not permit the density resulting from the proposed 71-unit condominium apartment building. Under subsection 4.2.2 a), it is established that residential uses in this designation shall consist primarily of townhouse and apartment style development not exceeding a maximum density of 25 units per hectare or five storeys in height. As noted previously, the proposed development would result in a site-specific density of 51 units per hectare.

Although the density proposed exceeds the maximum established in the Official Plan, there are mitigating factors that warrant the consideration of an amendment to the Official Plan. Specifically, these mitigating factors include:

- the units within the proposed condominium apartment building are anticipated to have a lower persons-per-household (pph) yield than that which the Official Plan density limits were based on;
- the St. Clair Beach Official Plan, under Section 2.4, Basis of the Plan - Projected Demand for Housing, states that the amount of land remaining within the Village for residential purposes is quite limited. Consequently, this section establishes that in order to accommodate as much residential development within the existing boundaries as possible, the policies of the Plan will encourage the provision of medium density residential housing on those undeveloped parcels that remain.

Based on the foregoing, an amendment to the Official Plan changing the land use designation and establishing an appropriate site specific policy is required. Subsection 8.13 of the Plan, Amendment Procedures, establishes that, when contemplating an amendment to the Official Plan, due regard shall be had to the following matters:

***i) the physical suitability of the land to be used for the proposed use;***

The land-based portion of the subject property is relatively flat and typical of those found in this area of the municipality, while the balance of the property comprises the area that had been previously dredged and was the water-based portion of the former Pud's Marina. The lands are deemed suitable for the proposed development. Given its location relative to Pike Creek and the available water access combined with its historical use as a commercial marina, the subject property provides a unique opportunity to integrate a housing development with an accessory marina. Initial preconsultation with the Essex Region Conservation Authority has confirmed that the proposal will require design solutions that protect against potential flooding in relation to the subject property's location adjacent to the Pike Creek along with the property's inclusion in the "Lake St. Clair Floodprone Area" on Schedule "B" of the Official Plan. As a point of reference, this Floodprone Area covers almost half of the lands located in the former Village. Permits will ultimately be required from the Conservation Authority prior to any development proceeding.

***ii) the adequacy of municipal and utility services;***

As noted above, the applicant has provided a functional servicing study for the proposed development. Public Works and Environmental Services Department has

reviewed the water, sanitary and storm servicing requirements for the proposed development. Public Works and Environmental Services Department has advised that the increase in the number of units presents no servicing capacity concerns for the subject property or to the municipal system, subject to a review of the final engineering analysis.

**iii) *the adequacy of the road system to accommodate the projected traffic volume increases;***

As noted earlier in the Report, the applicant submitted a TIS that concluded the projected traffic volume from the proposed development will not significantly affect the ability of Tecumseh Road, or its intersections with Brighton Road and East Pike Creek Road, to continue to operate at an acceptable level of service.

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

As noted earlier in this report, the surrounding area is a mix of residential and commercial uses. As a general tenet of planning, residential uses are generally deemed to be compatible with other residential uses in so far as the nature of the use of the buildings and properties have similar components and characteristics. Issues may arise, however, when due regard is not given to differences in scale and massing of abutting residential properties. Mitigation of these potential problems commonly occurs in the form of building orientation, building design, site design, buffering, appropriate setbacks and separation between uses.

To assist with assessing the impact of the proposed five-storey dwelling on existing views and rear yard privacy, the applicant's architects prepared renderings from the perspective of a person standing in the rear yard of a number of lots fronting on Aloha Drive (see Attachments 5A to 5D). These renderings demonstrate that the view of the proposed building is somewhat negated by the existing natural vegetation on the finger of land extending easterly towards the Pike Creek combined with the significant distance (approximately 74.6 metres (245 feet) to 110 metres (360 feet) between the proposed building and the homes fronting the south side of Aloha Drive.

The applicant also prepared a shadow study which confirmed that for the vast majority of daylight hours throughout the year, the shadows cast by the proposed development will be contained within the extent of the subject property. Limited shadow casting that would affect structures on abutting lands would occur for brief periods of time (approx. 30-45 minutes) during early morning (9:00 am) and late evening (6:00 pm).

It is important to note that a commercial marina has historically operated at this location. Through the summer months the property was relatively active, while in the winter months it primarily functioned as a dry-land boat storage area. Although the height and scale of the proposed building will be significantly different from that which currently exists, the proposed use will primarily be of a residential nature, which will generally be compatible with surrounding uses. The accessory marina component of this proposal



will be of a reduced scale and activities related thereto should be more compatible than the current operation.

In conclusion, it is the opinion of the writer that subject to addressing any concerns identified through the public review process, the proposed development, through proper design, can be compatible with existing and potential future uses in the surrounding area.

### **St. Clair Beach Zoning By-law 2065**

The lands are currently zoned "General Commercial Zone (C1-5)" on Schedule "A" of the St. Clair Beach Zoning By-law 2065 (see Attachment 5). As noted previously, the C1-5 zone permits a commercial marina, in addition to a wide range of other commercial uses permitted in the general C1 zone. The proposed rezoning will permit an apartment building with a maximum of 71 units and 5 storeys, limited ground-floor commercial uses and an accessory marina. Specific yard and lot provisions will be established as well. .

Subsection 4.2.2 c) of the Official Plan establishes the following items are to be considered when reviewing the appropriateness of applications to amend the Zoning By-law to permit medium density residential uses:

**i) *The general compatibility of the proposed use with existing uses in close or adjacent parcels of land:***

Refer to planning comments on compatibility in the "Official Plan" Section earlier in this Report.

**ii) *The capacity of the roads affected and their ability to handle the expected increases in traffic;***

Refer to planning comments on traffic impact in the "Supporting Documents" and "Official Plan" Sections earlier in this Report.

**iii) *The adequacy of municipal services, including water and sewage capacity as confirmed by the Ministry of the Environment, to serve the proposed development;***

Refer to planning comments on servicing in the "Supporting Documents" and "Official Plan" Sections earlier in this Report.

**iv) *The adequacy of off-street parking facilities to serve the proposed development;***

The total number of spaces to be provided as part of the proposed development (163 spaces) exceeds the minimum established in the St. Clair Beach Zoning By-law by 44 spaces. It is believed that sufficient off-street parking will be provided.

**v) *The provision of landscaping, buffering and building setbacks adequate to protect the privacy of surrounding residential properties;***

Even though the majority of the land uses immediately adjacent to the property are either commercial in nature or naturalized land (island to the south of Tecumseh Road), particular regard should be had to mitigating potential impacts that the proposed five-storey residential building could have on adjacent residential uses.

With respect to the existing residential dwelling that abuts the property to the north-west (fronting onto Brighton Road), the proposed condominium apartment building will be setback approximately 43 metres (142 feet) from the shared lot line with this residential lot.

With respect to the residential dwellings to the north, located on the south side of Aloha Drive, a small portion of the proposed apartment building (the western portion) will be setback a minimum of 7.6 metres (25 feet) from the subject property's northern lot line, with the majority of the building being setback a distance of approximately 40.5 metres (133 feet) from the northern lot line. In addition, as noted previously, the naturalized rear yard of the residential property on Brighton Road and a waterway/canal are located between the subject property and the residential lots on the south side of Aloha Drive. Accordingly, the total distance of the proposed apartment building to these dwellings will be approximately 74.6 metres (245 feet) to 110 metres (360 feet).

The residential dwellings to the southeast, fronting the west side of East Pike Creek Road in the Town of Lakeshore are separated from the proposed condominium apartment building by a minimum of 140 metres (460 feet). In addition, they are physically separated from the subject property by the Pike Creek and Tecumseh Road, which comprises the bridge structure that crosses Pike Creek.

In summary, there is considerable distance separating the proposed condominium apartment building from adjacent residential uses which will significantly mitigate issues of privacy in relation to these properties.

In addition, site plan control can be used to ensure the integration of appropriate buffering and landscaping details to address concerns identified through the public review process and to ensure that the privacy of current residential areas will be adequately protected.

**vi) *The impact the proposed development may have on the Village's long term goal of maintaining the two existing golf courses for golf course use;***

The proposed development will increase the opportunity for residential development intensification in the former Village on other than golf course land.

**vii) *The proposal's conformity with the Provincial Policy Statement on Housing (since replaced by the 2014 Provincial Policy Statement)***

As noted above, the policies of the 2014 Provincial Policy Statement support the development of the subject lands for higher density, more compact multi-unit residential development in a fully serviced area with public facilities, transit and significant commercial nodes in close proximity.

Subject to the adequate resolution of any issues identified through the public review process, and given the current policy direction of the PPS, the County Official Plan and the St. Clair Beach Official Plan, the proposed rezoning has merit and, in the opinion of the writer, is appropriate for further consideration through a process of seeking public input.

**Summary**

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 official plan and zoning by-law amendments, 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/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.

**Consultations**

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

**Financial Implications**

None.



## 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:

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

Prepared by:

Chad Jeffery, MA, MCIP, RPP  
Manager Planning Services

Reviewed by:

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

Reviewed by:

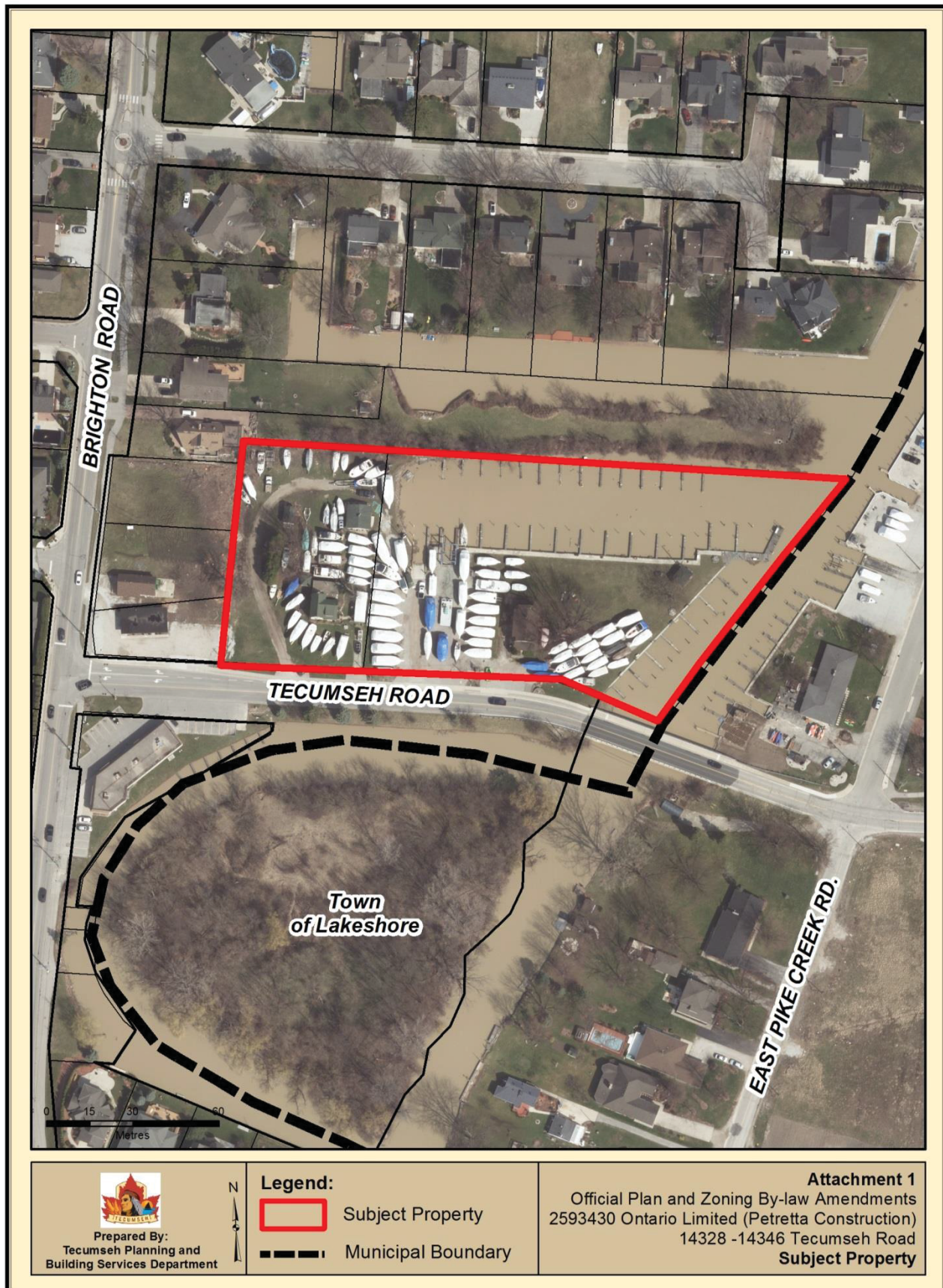
Dan Piescic, P.Eng.  
Director Public Works & Environmental Services

Recommended by:

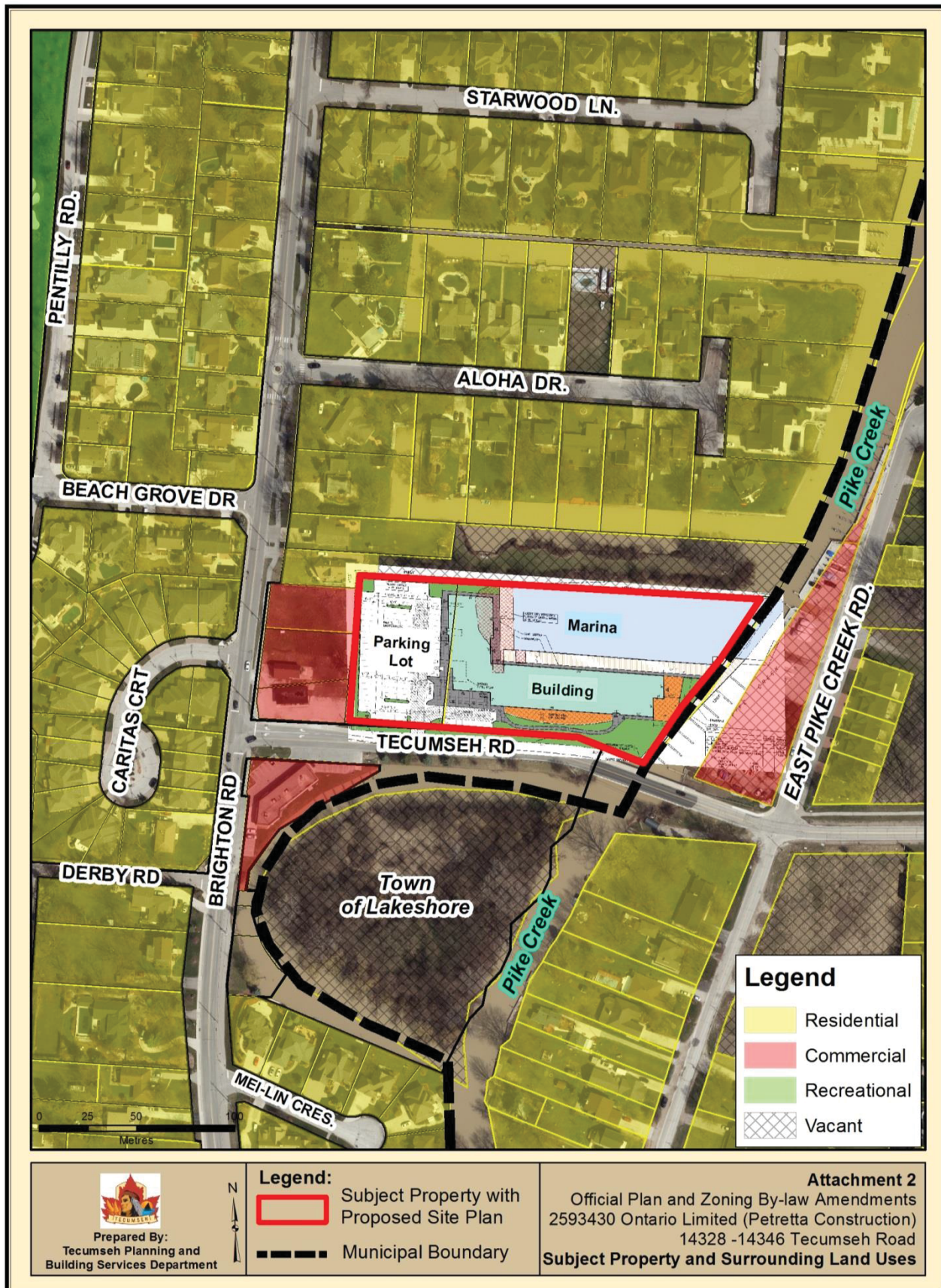
Tony Haddad, MSA, CMO, CPFA  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Subject Property Map
2	Subject Property and Surrounding Land Uses Map
3	Site Plan
4	Architectural Renderings
5A	Sight Lines from Aloha Drive 1
5B	Sight Lines from Aloha Drive 2

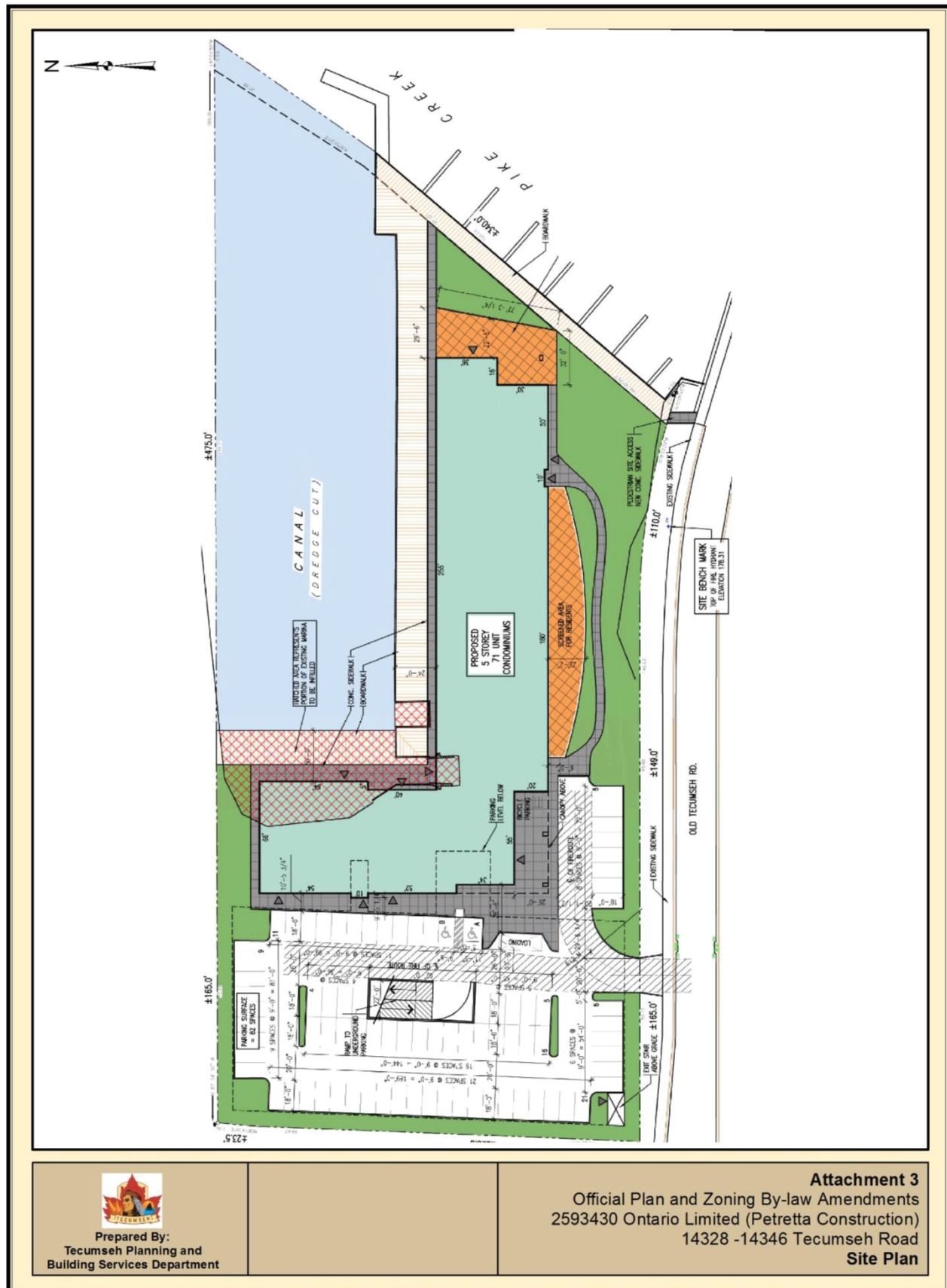
<b>Attachment Number</b>	<b>Attachment Name</b>
5C	Sight Lines from Aloha Drive 3
5D	Sigh Lines from Aloha Drive 4
6	Official Plan Map
7	Zoning Map













***View looking north-east from Tecumseh Road***



***View looking north-west from Tecumseh Road***



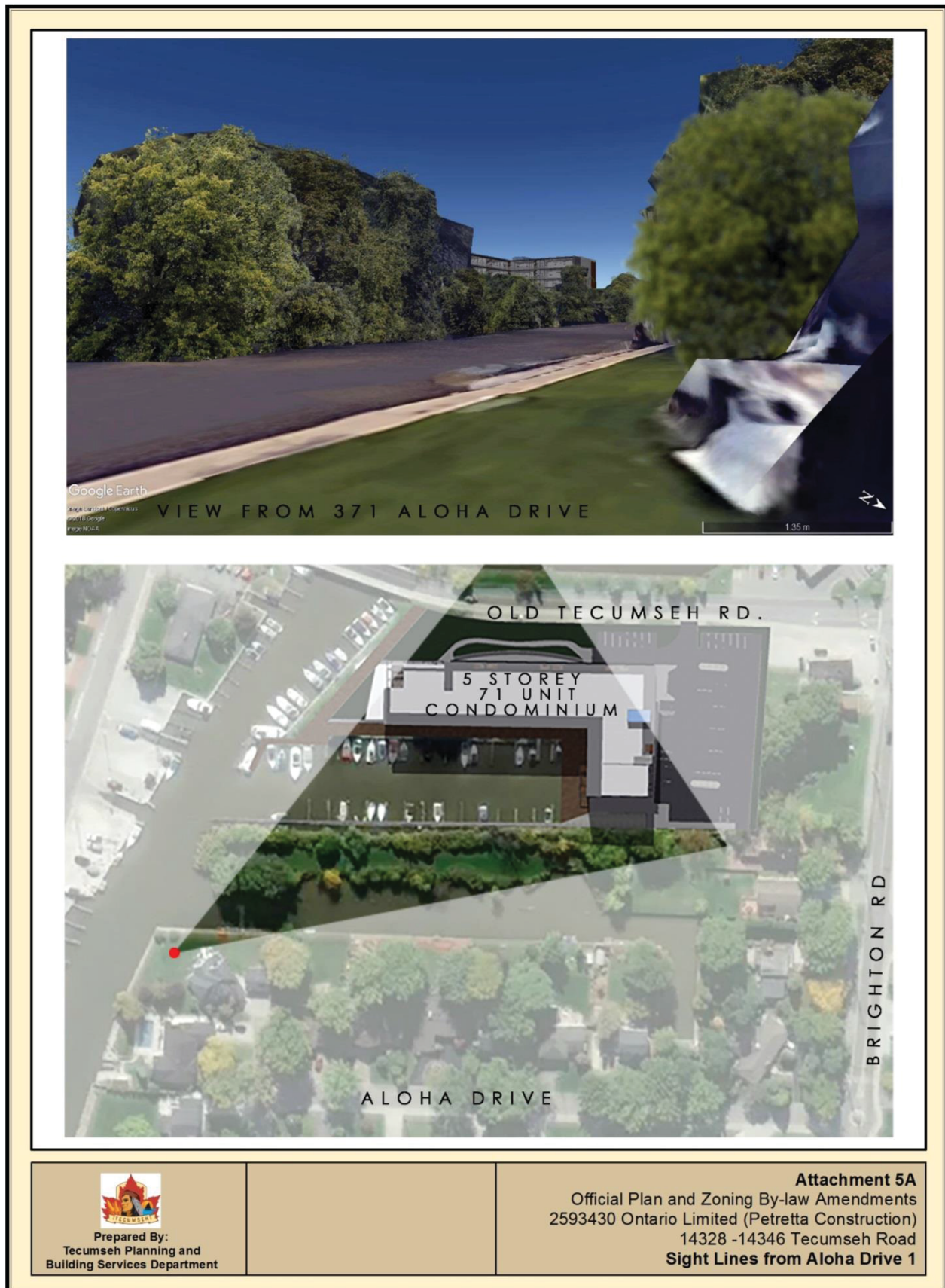
***View looking south-east from East Pike Creek Road***



Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 4**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Architectural Renderings**







Prepared By:  
 Tecumseh Planning and  
 Building Services Department

**Attachment 5B**  
 Official Plan and Zoning By-law Amendments  
 2593430 Ontario Limited (Petretta Construction)  
 14328 -14346 Tecumseh Road  
**Sight Lines from Aloha Drive 2**









Prepared By:  
Tecumseh Planning and  
Building Services Department

**Attachment 5D**  
Official Plan and Zoning By-law Amendments  
2593430 Ontario Limited (Petretta Construction)  
14328 -14346 Tecumseh Road  
**Sight Lines from Aloha Drive 4**

