

Public Council Agenda Agenda

Tuesday, March 13, 2018, 5:30 pm
Tecumseh Town Hall
www.tecumseh.ca

Pages

1. Call to Order

2. Roll Call

3. Introduction and Purpose of Meeting

The purpose of this meeting is to consider the applications for Official Plan and Zoning By-law Amendments for a 1.4 hectare (3.6 acre) parcel of land located on the north side of Tecumseh Road, 14328 & 14346 Tecumseh Road. The subject property 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, 71-unit condominium apartment building, 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 from "General Commercial Zone (C1-5)" to a site-specific "Residential Type Three Zone (R3-13)". The proposed R3-13 zone would permit the proposed condominium apartment building development and establish site-specific zone provisions, such as minimum yard and maximum height requirements.

4. Disclosure of Pecuniary Interest

5. Delegations

- a. Resident, Fiona Bryden

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

6. Communications

- a. Resident Letter dated February 8, 2018 from Fiona Bryden 2 - 3

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

- b. Resident Letter dated March 5, 2018 from Graham T. and Carol A. Reader 4 - 6

Re: Development of Pud's Marina, Old Tecumseh Road

- c. Notice of Public Meeting 7 - 7

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

7. Reports

- a. PBS-2018-03 Official Plan Amendment and Zoning By-Law Amendment 8 - 34
2593430 Ontario Limited (Petretta Construction) 14328 and 14346
Tecumseh Road (Former Pud's Marina)

8. Adjournment

From: Fiona Bryden

March 13th. 2018

Honourable Council Members:

We bought our house in St. Clair Beach solely because of it's proximity to a slip and marina. As well as affording us a home for our power boat, we also gained access to Lake St. Clair and the many recreational opportunities the lake offers.

The slip here was the only one in St. Clair Beach, indeed, it was the only slip in the whole of Tecumseh, offering residents affordable access to Lake St. Clair. The marina is also the only one in the whole of Tecumseh offering docking for it's residents.

Pud's Marina site was not vacant, neither was it underutilized (re para 6.1 (b) of report). The marina was home to over sixty boats and the slip enabled countless others access to the water. It was a bustling, friendly and diverse collection of families and friends.

Had the marina been underutilized I could understand Tecumseh Council thinking a change of use might be appropriate, but Pud's Marina was very well used, both through the winter with boat storage and during the summer. This proposed change of use will not benefit the local community. It will deny the local community freedom to access Lake St. Clair within their residential community.

St. Clair Beach is well served with condo units, all in a location far more convenient for shops, banks, medical/dental services and restaurants than the proposed site at Pud's Marina.

Condo units can be built anywhere in Tecumseh, but a marina and slip can only exist at their current location. There is no other site in Tecumseh where it would be possible, or economically practical, to develop a marina and offer the recreational facility that was afforded from Pud's. The waterfront in Tecumseh is over developed; local people deserve to have access to Lake St. Clair, it is a natural, "free" recreational resource, and the slip and marina at Pud's allows local residents this precious access.

It is undesirable for this proposed condo development to be shoehorned into this creek side location. The sheer size and scale of these sleek, modern, glass condos are unsightly and impractical at this site.

Tecumseh Council alludes to a requirement in the town for medium density "affordable" housing (page 117), this proposed development can hardly be described as providing ***affordable*** housing.

I was advised by Tecumseh Town planners that the recently completed, new commercial build at Brighton and Old Tecumseh Road, was limited to a single story after local resident input.

This proposed condo development is adjacent to the single story commercial building. Why would a multi level residential block be any more appealing than a multi level commercial structure? It isn't.

St. Clair Beach already has a mix of high and low-density housing, yet another medium/high-density, premium cost development is not necessary at Pud's Marina. It would be more practical to build another condo block, if it is required, closer to the commercial areas around Manning Road.

This construction will be aesthetically detrimental to the area, it will significantly increase the danger to pedestrians along the only sidewalk, and increase the hazard to recreational users of the Country Wide Active Transportation System (CWATS), which currently runs through this intersection.

Site Plan comments.

Looking at the site plan produced by ADA on behalf of Petretta Construction the lot size is given as 1.28 hectares. I understand that the company is seeking permission to build a high density of 51 condos per hectare. As such this site would allow 65 condos at 51 per hectare and not 71.

I would also point out that the maximum height of the construction, as per the plan, is 64.87 feet and not 55 feet as was discussed at the informal meeting with planning officers last month.]

In conclusion, the proposed development will deny the residents of Tecumseh recreational boating access to Lake St. Clair; the proposed development will not address the shortage of affordable housing in St. Clair Beach, and the proposed development will detrimentally affect the character and ambiance that defines this creek side entrance to the picturesque town of Tecumseh.

Graham T. and Carol A. Reader

RECEIVED

March 5, 2018

Mrs. Laura Moy
Town Clerk
Town of Tecumseh Municipal Offices
917 Lesperance Road
TECUMSEH, Ontario
N8N 1W9

MAR 06 2018

Town of Tecumseh

Dear Mrs. Moy,

**COUNCIL MEETING TUESDAY, 13 MARCH 2018
RE-DEVELOPMENT OF PUD'S MARINA, OLD TECUMSEH ROAD**

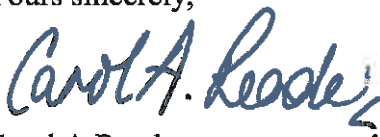
Attached please find a copy of the letter which I delivered to the Council Offices for His Worship Mayor Gary McNamara. As you will see I have sent a copy to Dr. Bill Altenhof the Ward 2 Councillor. I am also attaching five copies of the letter for the Wards 1, 3, 4, 5, and 6 Councillors.

I am requesting that both Town Administration (including, but not limited to, Planning and Building Services as well as Public Works and Environmental Services) and all members of Town Council should receive a copy of my letter as soon as possible, but certainly before the Public Council Meeting (PCM) on Tuesday, March 13th 2018 at 5:30pm.

I am also requesting that my letter be incorporated into the PCM agenda as 'Communications'.

Respectfully submitted.

Yours sincerely,



Carol A Reader

Attachments: Six copies of my letter dated March 5, 2018 to His Worship Mayor Gary McNamara regarding the re-development of Pud's Marina, Old Tecumseh Road

Copy: Dr. Bill Altenhof, Ward 2 Councillor (without attachments)
266 Edgewater Blvd., Tecumseh, ON N8N 2H2

His Worship Mayor Gary McNamara and Council
Mayor's Office Town of Tecumseh
917 Lesperance Road
TECUMSEH, Ontario
N8N 1W9

March 5, 2018

Dear Mr. Mayor McNamara and Council,

RE-DEVELOPMENT OF PUD'S MARINA, OLD TECUMSEH ROAD

Boundary lines delineate townships, which often blur the reality of the lived experience for residents. My partner and I live within 500m of Tecumseh's boundary and our local corner shops, but 10 km from the town centre to which we pay our property taxes. As a result, Tecumseh is more "our community" than Belle River. As such, I respectfully request that you allow a Lakeshore resident to address a development issue in the town of Tecumseh.

It was inevitable that Pud's Marina would be redeveloped at some time; such a prime piece of real estate with water access, but the proposed new condominium development, as well as being a solid, sky-blocking development, not only for the new single story commercial development just completed, but also for existing residents adjacent to it, completely changes local access to Pike Creek. Perhaps arguments from others will result in a reduction from five to four, or even three, stories for any final condominium block. However, I note that in removing the boat ramp for creek access in the new development Tecumseh is relying on other townships to supply that service for all its residents, not just those in this exclusive new condominium block. I am unclear how removing boat access to the lake improves the "health and wellness" or "continuous improvement approach to municipal services", which form two pillars of Tecumseh's strategic priorities.

However, aside from the aesthetics of a five story block completely changing the natural look of Pike Creek at Old Tecumseh Road I am primarily concerned with safety. Safety during the construction phase, and safety post-construction for pedestrians, cyclists, and motor vehicles.

Many of the pedestrians and cyclists who use the sidewalk are unaccompanied children during school holidays, and sunny spring and summer afternoons and weekends, who cycle to Mac's for a slushy or bag of candy. Often in groups, frequently returning with drinks balanced on wobbly handlebars, these children have to negotiate a precarious dash from the parking lot at Mac's across three lanes of traffic to the only sidewalk, which they use to return over the bridge to their homes in Lakeshore. Adults, like my partner and I, and many others, also use the sidewalk to walk or cycle to Mac's, the waterfront park adjacent to Pilots Cove, and further afield. For those who say that cycles should be off sidewalks, the bridge over Pike Creek has no cycle lane and the road is hazardous even without the proposed new development traffic.

Cycle and pedestrian safety goes hand in hand with vehicular traffic. I am very concerned about safety on Old Tecumseh Road as it approaches Brighton. We now have access points to Mac's and the new commercial development opposite each other, and within about 30m of the three-way stop intersection. It is proposed that access to the new condominiums be sited only about 15m back from the new

commercial development entrance. It begs the question why these sites were not built to use the same access point across the sidewalk, rather than having two so close together? However, in combination with line of sight issues to and from the Pike Creek bridge, coupled with vehicles entering and exiting the new commercial unit and the condominium development – sometimes simultaneously - and visibility for traffic will be poor. Additionally, new residential construction in Lakeshore, along the length of Old Tecumseh Road, is increasing traffic use at the intersection. Now, add in children on bicycles and pedestrians, with no established pedestrian road crossing, at what will be a very busy, multi-lane, multi-access, intersection. It is a recipe for disaster.

This is a poorly conceived plan and the people who will be paying the price are the local residents and children who access that Brighton/Old Tecumseh Road intersection multiple times per day. During the recent construction of the single story commercial development sidewalk clean-up was poor and my partner had a bad fall from his bicycle on loose gravel resulting in injury. The new development is so much larger, the hazard from construction traffic and debris greater, and longer term residential traffic access will increase at an already access-congested intersection.

Advance planning for these commercial/residential developments should have included replacement of the three-way intersection with a roundabout, similar to those on Brighton/Tecumseh Road, with black/white hashed pedestrian crossing points.

The two separate access points across the sidewalk on Old Tecumseh Road should be combined as a single access point into both the new commercial and residential developments. It is not too late to accommodate the single access point if rational minds can prevail, and I ask the Council to pursue this alternative.

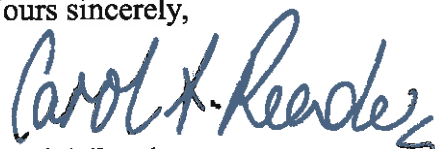
I ask that any developer and construction crews be required to keep the sidewalks clear of debris at all times.

I ask that pedestrian and cycle traffic on the sidewalk be given priority when marking vehicular exit points at the new developments, i.e. drivers are told to “Give Way” to sidewalk users. Make sure that visibility is clear for motor vehicle drivers to see along both sides of the sidewalk before they enter it.

I ask that Tecumseh Town Administration take into consideration the traffic issues presented within this letter and implement appropriate road, sidewalk, and any other traffic related designs to mitigate (or eliminate) the possibility of the traffic safety issues that I have identified.

Respectfully submitted.

Yours sincerely,



Carol A Reader

Copy: Dr. Bill Altenhof, Ward 2 Councillor
266 Edgewater Blvd., Tecumseh, ON N8N 2H2

**TOWN OF TECUMSEH
NOTICE OF PUBLIC MEETING
PROPOSED OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT**

TAKE NOTICE that the Council of the Corporation of the Town of Tecumseh will hold a public meeting **Tuesday, March 13th, 2018 at 5:30 p.m.** in the Town Municipal Office Council Chambers at 917 Lesperance Road to 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 have been filed with the Town of Tecumseh 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 Key Map below). The subject property is the location of the former Pud's Marina, which closed in 2017. The subject property 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, 71-unit condominium apartment building, 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 (R3-13)". The proposed R3-13 zone would permit the proposed condominium apartment building development and establish site-specific zone provisions, such as minimum yard and maximum height requirements.

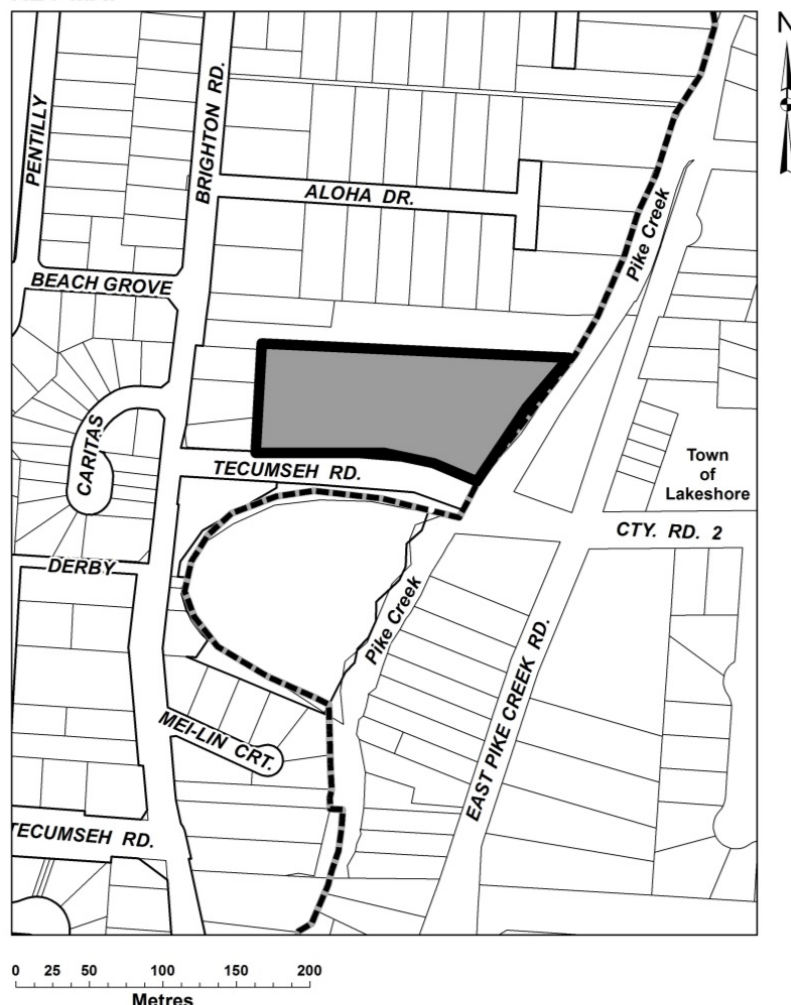
ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of or in opposition to the proposed Official Plan amendment and/or Zoning By-law amendment.


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 Ontario Municipal Board.

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 Ontario Municipal Board.

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 Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

KEY MAP



 **Lands Subject to
Proposed Amendments**

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 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 regarding these applications will be available on the Town's website (www.tecumseh.ca/home/agendas) on Friday, March 9, 2018.

DATED AT THE TOWN OF TECUMSEH
THIS 14TH DAY OF FEBRUARY, 2018.

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



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

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:

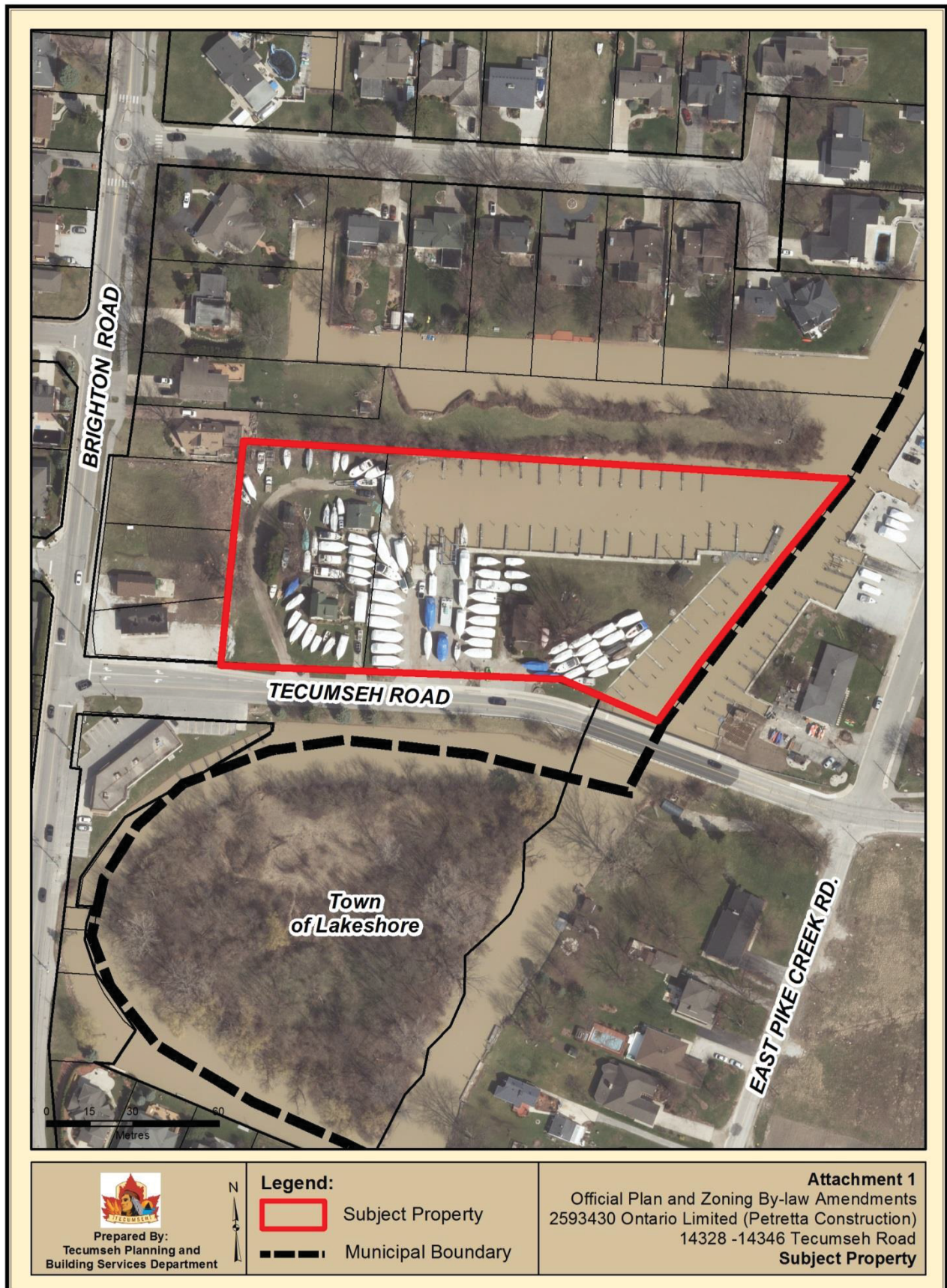
Dan Piescic, P.Eng.
Director Public Works & Environmental Services

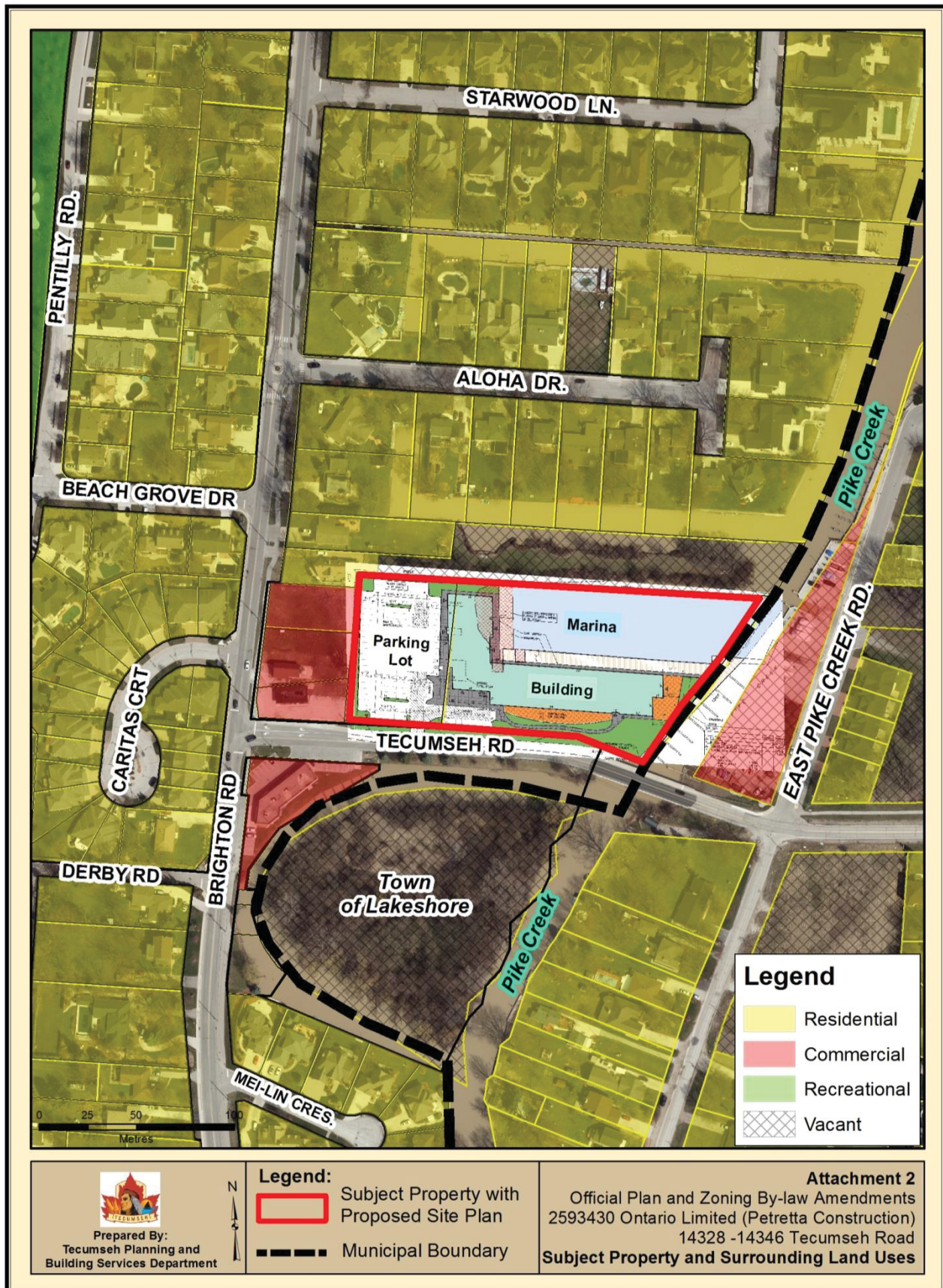
Recommended by:

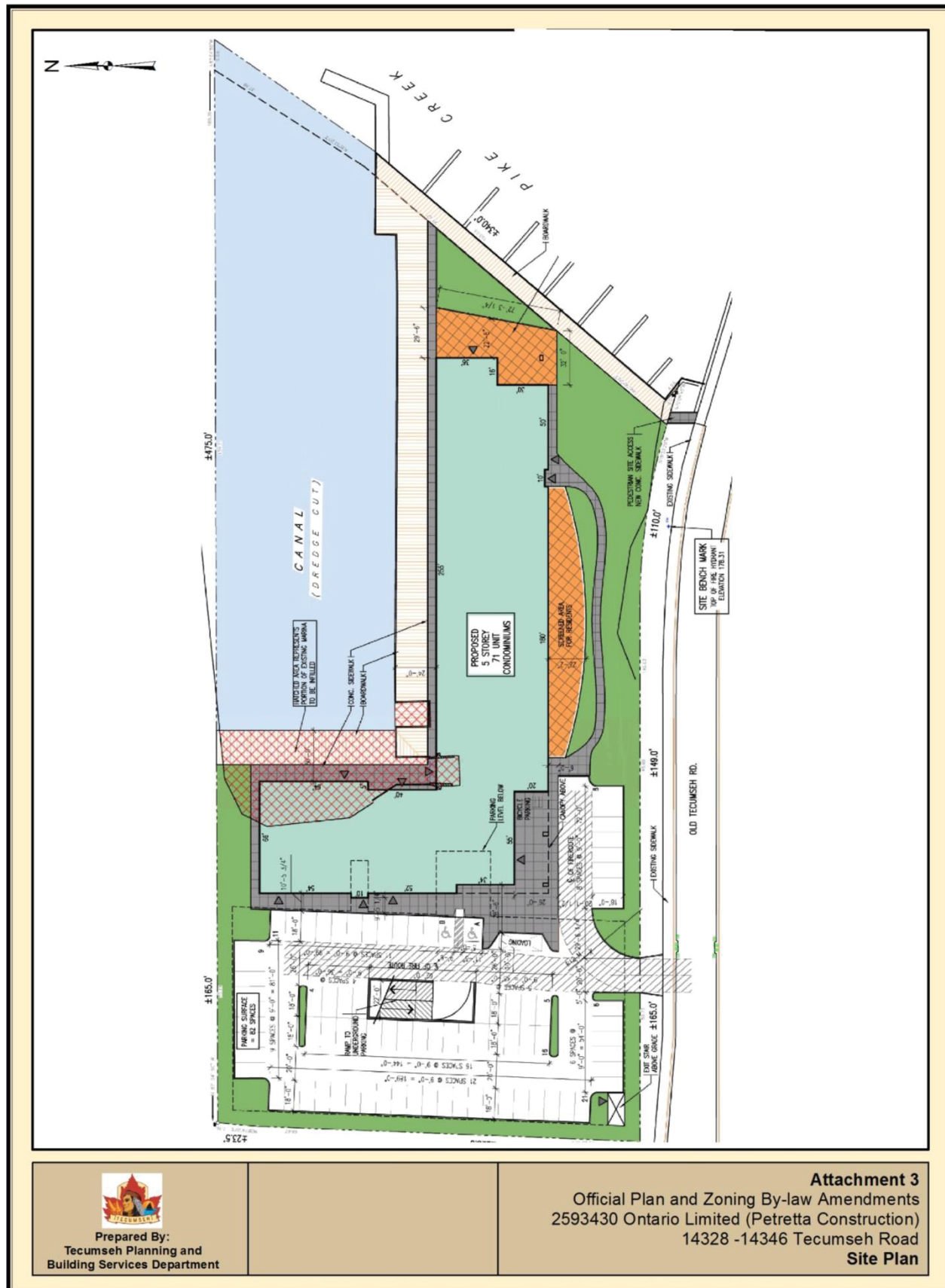
Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
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

Attachment Number	Attachment Name
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 5A
 Official Plan and Zoning By-law Amendments
 2593430 Ontario Limited (Petretta Construction)
 14328 -14346 Tecumseh Road
Sight Lines from Aloha Drive 1



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

