

File No.: 37-OP-2019-005
Municipality: Town of Tecumseh
Subject Lands: 11870 Tecumseh Rd

Date of Decision: November 8, 2019
Date of Notice: November 8, 2019
Last Date of Appeal: November 28, 2019

NOTICE OF DECISION

With respect to an Official Plan Amendment
Subsection 17(35) and 21 of the Planning Act

A decision was made on the date noted above to approve, as modified, Amendment No. 40 to the Official Plan for the Town of Tecumseh, as adopted by By-law 2019-57.

Purpose and Effect of the Official Plan Amendment

The purpose of Official Plan Amendment No. 40 is to introduce a site specific policy pertaining to the General Commercial land-use designation on a 1.08 ha property situated at the northeast corner of the Tecumseh Road/Southfield Dr. intersection. The site-specific policy will establish a permitted use of a six storey apartment building containing no greater than 97 residential dwelling units for the subject property. In addition, the site specific policy will establish a maximum height of three storeys for that portion of the building fronting/overlooking Tecumseh Road. A copy of the decision is attached.

When and How to File An Appeal

Notice to appeal the decision to the Local Planning Appeal Tribunal (LPAT) must be filed with the County of Essex no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Manager, Planning Services at the address shown below and it must,

- (1) include a completed **Appellant Form (A1) Planning Act** available from the LPAT website www.elto.gov.on.ca, and
- (2) be accompanied by the prescribed filing fee in the amount of \$300.00 payable by certified cheque or money order to the Minister of Finance.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the LPAT. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the amendment was adopted, the person or public body

made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the LPAT, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the County of Essex is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Getting Additional Information

Additional information about the amendment, including a complete version of the amendment, is available for public inspection during regular office hours at the County of Essex at the address noted below or from the Town of Tecumseh.

Mailing Address for Filing a Notice of Appeal:

County of Essex
360 Fairview Avenue West
Essex, ON N8M 1Y6

Submit notice of appeal to the attention of:

Rebecca Belanger, Manager – Planning Services
Tel: (519) 776-6441, Ext. 1325
Fax: (519) 776-4455

DECISION

**With respect to Official Plan Amendment No. 40
Official Plan of the Town of Tecumseh
Subsection 17(34) of the Planning Act**

I hereby modify and approve as modified, Amendment No. 40 to the Official Plan for the Town of Tecumseh, as adopted by By-Law 2019-57.

Modification #1

Part “B” – THE AMENDMENT, is amended, and approved as amended by adding the following Special Policy 5:

5. A Noise and Vibration Study will be required prior to and as part of any application for site plan control or condominium on the subject property. Any required mitigation will be included as a condition of draft condominium approval and will be included as a specific requirement in a site plan control agreement.

Dated at Essex, Ontario this 8th day of November, 2019

ORIGINAL SIGNED

Rebecca Belanger, MCIP, RPP
Manager, Planning Services
County of Essex