



## The Corporation of the Town of Tecumseh

Planning & Building Services

**To:** Mayor and Members of Council

**From:** Brian Hillman, Director Planning & Building Services

**Date to Council:** March 30, 2021

**Report Number:** PBS-2021-12

**Subject:** Official Plan and Zoning By-Law Amendments  
Briday Victoria Development Corporation  
12433 Dillon Drive (Former Victoria Public School)  
Proposed Residential Condominium Development  
Summary of and Response to the Public Consultation Process Issues  
Raised at Public Meeting No. 1  
Our File: D19 BRIDAY

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### Recommendations

It is recommended:

**That** PBS-2021-12 entitled “Official Plan and Zoning By-Law Amendments, Briday Victoria Development Corporation, 12433 Dillon Drive (Former Victoria Public School), Proposed Residential Condominium Development, Summary of and Response to the Public Consultation Process/Issues Raised at Public Meeting No. 1”, **be received**.

### Executive Summary

Official Plan and Zoning By-law amendment applications were submitted by Briday Victoria Development Corp (the Owner) to the Town in 2019 to facilitate the redevelopment of a 2.29 hectare (5.66 acre) parcel of land situated on the south side of Dillon Drive, approximately 40 metres east of its intersection with St. Pierre Street (12433 Dillon Drive). The applicant is proposing a 63-unit residential condominium development consisting of five, two-storey townhouse dwellings totalling 23 units and two, three-storey stacked townhouse dwellings totalling 40 units. At the end of the initial public meeting held September 10, 2019, Council directed Administration to prepare a report summarizing and commenting on input received for consideration at a second Public Meeting. Subsequent to the first public meeting, the applicant submitted a revised proposal along with further supporting documentation.

This Report summarizes the process to date, the revised proposal and supporting documentation and the input received at the first Council public meeting with Administrative comments. The second public meeting will be held on March 30, 2021. It is anticipated that a final recommended course of action with respect to the proposed Official Plan and Zoning By-law amendment applications will be brought forward for Council's consideration following the outcome of the second public meeting.

## **Background**

### **Proposed Applications and Property Location**

Zelinka Priamo Ltd., on behalf of Briday Victoria Development Corporation ("the Owner"), has filed applications with the Town to amend the Tecumseh Official Plan and Tecumseh Zoning By-law 1746 for a 2.29 hectare (5.66 acre) parcel of land situated on the south side of Dillon Drive, approximately 40 metres east of its intersection with St. Pierre Street (12433 Dillon Drive) (see Attachment 1). The proposed development comprises the lands upon which the former Victoria Public Elementary School was situated, along with the former undeveloped McColl Street right-of-way ("the subject land"). This right-of-way is the subject of an Agreement of Purchase and Sale between the Town and the Owner which includes a number of conditions including the successful amendment of the Official Plan and Zoning By-law to permit the development.

The proposed amendments would facilitate the redevelopment of the subject land for a 63-unit residential condominium development consisting of five, two-storey townhouse dwellings totalling 23 units and two, three-storey stacked townhouse dwellings totalling 40 units. The revised proposal described later in this report maintains the total unit count at 63.

### **Surrounding Land Uses**

The subject land is surrounded by residential neighbourhoods with single-unit detached dwellings of various building heights and styles and a few semi-detached dwellings (see Attachment 2). The residential lots to the east of the subject land and fronting on Lacasse Blvd are 76 metres (250 feet) in depth with substantial rear yards that provide for considerable separation from the subject land. A lot containing a duplex dwelling abuts the subject property to the west and a lot containing a semi-detached dwelling exists to the northwest, both of which front on St. Pierre Street.

Exceptions to the residential use of the surrounding lands are: Tecumseh United Church, which is located to the south-east on the south-west corner of the Little River Blvd/Lacasse Blvd intersection; a commercial node to the northwest along Lesperance Road approximately 250 metres (820 feet) from the subject land; and a medical clinic located on the northwest corner of Lesperance Road and Little River Blvd.

## **Public Consultation Process to Date**

### **Owner-Lead Public Information Centre (PIC) – Pre-Application**

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 Centre (PIC) on November 29, 2018. The intent of the PIC was to introduce the proposed development and receive preliminary comments from neighbouring property owners/residents. The proposal at that time was for a six-storey apartment building in the centre of the former school site surrounded by townhouse units along the entire perimeter (see Attachment 3). That proposal included a total of 94 units. The Owner and its consultants were in attendance to answer questions and gather feedback. Town Administration attended to review what was being proposed and presented to those in attendance. Concerns raised by those attending the PIC centred on character, compatibility and density of the proposal, building height, municipal servicing and site design/buffering.

Subsequent to the PIC, and consultation with Town Administration, the Owner and its consultants prepared a revised development proposal that took into account the feedback received at the PIC. Also during that time, the Owner pursued the potential purchase of the McColl Street right-of-way from the Town so that it could be incorporated into the proposed development.

A revised development proposal evolved to include a 63-unit residential condominium development consisting of five, two-storey townhouse dwellings totalling 23 units and two, three-storey stacked townhouse dwellings totalling 40 units and a small park and storm water management facility in the northeast corner of the property (see Attachment 4). Applications for Official Plan and Zoning By-law Amendments were submitted to the Town of Tecumseh on July 2, 2019 to facilitate this development proposal.

### **First Council Public Meeting**

On September 10, 2019, Council held a public meeting in accordance with *The Planning Act* to hear comments on the Owner's applications. The public meeting was attended by the Owner, its consultants and residents from the surrounding neighbourhood. A number of residents spoke at and/or provided written comments in advance of the public meeting raising concerns over density, compatibility, height, architectural character, traffic and servicing.

In addition, a planning report, titled "Planning Report re Proposed Briday Housing Development 12433 Dillon Drive Prepared for Tamra and Tony Teno 12240 Little River Boulevard", dated August 29, 2019 was submitted by Mr. Tom Storey of Storey Samways Planning Ltd. This report was referenced by Mrs. Teno in her comments at this public meeting. Mr. Storey concluded in his report that the proposed applications are:

- Not consistent with the Provincial Policy Statement (PPS)
- Not in conformity with the County Official Plan

- Not in conformity with the Tecumseh Official Plan

Accordingly, he recommended that the applications should be refused or deferred until such time as the Town has prepared residential intensification development standards. The report is attached to the March 30, 2021 Council public meeting agenda under Communications.

The Essex Region Conservation Authority (ERCA) also submitted comments dated September 6, 2019 noting the following:

- The subject lands are located within the flood prone area of Lake St. Clair. The 1:100 year flood level elevation at this location and along the municipal roads surrounding the proposed development is significant. Accordingly, ERCA raised the issue of wanting to ensure that applicable flood proofing standards would be met and that safe access would be available to the subject property under a flood event in accordance with Section 3.1 of the PPS;
- The need to address storm water quality and quantity and for the subject site to conform to the Windsor-Essex Region Stormwater Management Standards Manual; and
- A permit from ERCA will be required prior to any development taking place.

At the end of the first public meeting, Council directed Administration to prepare a report based on the comments provided for consideration at a second Public Meeting. The Owner had an opportunity to review the comments and consider a response during the intervening time between meetings.

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

## **Revised Development Proposal**

Subsequent to the public comments received through the foregoing public consultation process (summarized in the "Comments" section below), the Owner submitted a revised development proposal on October 9, 2020. While the revised proposal maintains 63 dwelling units, the Owner has proposed the following changes (see Attachments 5A to 5F):

- the rear yard depth of the townhouses proposed along the southerly property line has been increased from 10 metres (32.8 feet) to 14.1 metres (46.3 feet) providing additional area and retention of a number of existing mature trees;
- the previously proposed six-unit townhouse building located along the southerly property line has been separated into two, three-unit townhouse buildings, one of which has been relocated along the westerly property line. Therefore, where the prior

proposal envisioned 23 townhouse dwellings units within five, two-storey dwellings, the current proposal envisions the same number of units within six, two-storey dwellings;

- the northern-most proposed three-storey stacked townhouse has been shifted 1.65 metres (5.4 feet) to the north as a result of the increased rear yard depth noted above;
- the easterly row of parking which serves the stacked townhouses will now be enclosed within a one-storey parking garage finished in an architectural style to match the proposed buildings;
- the total number of parking spaces has decreased from 152 to 144. It should be noted that this total includes spaces within the garages attached to the townhouse units; and
- the existing trees to be preserved and those to be removed have been identified in accordance with a Tree Preservation Report that will be implemented as part of future development approvals (i.e. Site Plan Control) if the development is to proceed.

Elements from the original application submission that remain unchanged include:

- Two, three-storey stacked townhouse dwellings. One stacked townhouse dwelling is proposed to contain 16 units and the other is proposed to contain 24 units, for a total of 40 units. The 24-unit stacked townhouse dwelling is proposed for the central portion of the subject property and the 16-unit stacked townhouse dwelling is proposed for the northeastern portion of the subject property;
- One 8.0-metre (26.2-foot) wide private access drive to/from Dillon Drive;
- Internal sidewalks that provide pedestrian linkages throughout the condominium development and to Dillon Drive to the north and Little River Boulevard to the south (across the McColl Street right-of-way lands);
- A 0.12 hectare (0.29 acre) park along Dillon Drive that is proposed to be conveyed to the Town as municipal parkland; and
- An approximate 0.19-hectare (0.46 acre) stormwater management area that will abut the proposed municipal park. This stormwater management area is proposed to be designed in a manner that is complementary to the abutting parkland amenity. It is currently designed as a dry facility that, following a 1:100 year storm event, will not hold water for more than a 24-hour period.

## **Planning Applications and Revised Supporting Documents**

The Owner's planning applications, as revised, request that the subject property be:

- i. redesignated from "Community Facility" to "Residential"; and
- ii. rezoned from "Community Facility Zone (CF)" and "Residential Zone 1 (R1)" to a site-specific "Residential Zone 3 (R3-16)". The new site-specific zone would permit the proposed residential uses, establish the maximum number of dwelling units and maximum building height, along with other lot/building requirements such as minimum yard depth/widths, maximum lot coverage, minimum landscaping requirements and minimum number of parking spaces and parking space sizes.

As part of the original applications, the Owner submitted the following supporting documents:

1. Planning Justification and Design Report, 12433 Dillon Drive, Briday Victoria Development Corporation – Zelinka Priamo Ltd., June 2019;
2. Traffic Impact Study, 12433 Dillon Drive – RC Spencer and Associates Inc., May 2019; and
3. Design Brief, 12433 Dillon Drive – Odan Detach Consulting Engineers, June 2019.

In support of the revised applications, the Owner submitted the following additional supporting documents:

1. Addendum to Planning Justification Report, Proposed Residential Development, 12433 Dillon Drive, Briday Victoria Development Corporation – Zelinka Priamo Ltd., December 2020 (see Attachment 6);
2. Residential Development 12433 Dillon Drive Tecumseh, ON Traffic Impact Study Prepared by RC Spencer Associates Inc. Consulting Engineers March 2021 and Response Matrix (see Attachment 7);
3. Proposed Victoria on the Lake Development, 12433 Dillon Drive, Tecumseh Design Brief dated January 6, 2020 and Responses to Town of Tecumseh Technical Submission Review (see Attachment 8); and
4. Tree Assessment Report Draft Dependent on Final Site Plan and Grading/Servicing Plan prepared by Michelle Peeters Landscape Architect and Ron Koudys Landscape Architects Inc dated November 2019 and Draft Tree Preservation Plan prepared by Ron Koudys Landscape Architects Inc dated November 22, 2019 (see Attachment 9).

Below is a summary of the finding of the reports/studies submitted in support of the revised applications:

1. Addendum to Planning Justification Report, Proposed Residential Development, 12433 Dillon Drive, Briday Victoria Development Corporation – Zelinka Priamo Ltd., December 2020 contains:
  - background on the applications and proposal to date;
  - a description of the proposed revisions to the development (as noted in “Revised Development Proposal”);
  - an evaluation of the revised proposal against relevant policies of the County of Essex Official Plan and the new Tecumseh Official Plan (since adopted by Council on February 23, 2021);
  - responses to the public comments received at the first Public Meeting; and
  - a planning opinion on the appropriateness of the proposed development.

The Addendum concludes (p. 17):

“The proposed Official Plan and Zoning By-Law Amendments seek to permit a medium density development in the form of 23, 2-storey townhouse units, and 40 stacked townhouse units in the form of two, 3-storey blocks (total of 63 units) on the subject lands, with a new parkland block along a public transit route (Dillon Drive). The proposal to redevelop the underutilized subject lands to appropriately provide efficient and cost effective residential development that provides a built form and residential intensity that is compatible with abutting low density uses, maintains privacy, and fulfills the planned function of the subject lands for residential intensification.

Based on the above, and as detailed throughout this Planning Report Addendum, the proposed Official Plan and Zoning By-Law Amendments are consistent with intent and policies of the 2014 Provincial Policy Statement, The Essex County Official Plan, the Town of Tecumseh Official Plan, and the Draft Town of Tecumseh Official Plan, and comply with the intent of the Town of Tecumseh Zoning By-law. As such, the Official Plan and Zoning By- Law Amendments are appropriate and represent good land use planning practice.”

Town Administration has reviewed this Addendum and agrees with its analysis and findings.

2. Residential Development 12433 Dillon Drive Tecumseh, ON Traffic Impact Study (TIS) Prepared by RC Spencer Associates Inc. Consulting Engineers March 2021 and

Response Matrix – revised TIS prepared in response to Town’s peer review by Dillon Consulting. Findings of the revised TIS include:

- the intersection of Dillon Drive at Lesperance Road will be nominally affected by the distribution of the site generated traffic, and it will continue to operate at a very favourable level of service in all horizon traffic scenarios;
- the intersection of Dillon Drive at St. Pierre Street will be nominally affected by the distribution of the site generated traffic, and it will continue to operate at a very favourable level of service in all horizon traffic scenarios;
- the intersection of Dillon Drive at the Site Access is proposed to operate as a single ingress lane and a single egress lane, and it has been determined that this intersection will operate at a very favourable level of service in all horizon traffic scenarios;
- the intersection of Dillon Drive at Lacasse Boulevard will be nominally affected by the distribution of the site generated traffic, and it will continue to operate at a very favourable level of service in all horizon traffic scenarios;
- existing and projected traffic volumes at non-signalized intersections within the study area do not satisfy the provincial warrants for traffic signalization;
- a northbound passenger vehicle stopped at the proposed Dillon Drive site access should have adequate sight lines to safely egress from the site.

In consideration of the above findings, RC Spencer Associates concluded that:

- the development will not have an adverse effect on area traffic operations;
- Dillon Drive has the capacity to accept the added site generated trips, both now and in the horizon years; and
- that levels of service at the peripheral intersections are expected to be largely unaffected by the proposed development.

The Town’s peer reviewer, Dillon Consulting, is satisfied with the revised TIS. Based on the foregoing, Town Administration is satisfied that the proposed development will not have an adverse effect on area traffic operations.

3. Proposed Victoria on the Lake Development, 12433 Dillon Drive, Tecumseh Design Brief dated January 6, 2020 and Responses to Town of Tecumseh Technical Submission Review – revised Design Brief in response to Town’s peer review by Dillon Consulting concluded the following:



- the site is serviceable utilizing proposed sanitary and existing water main infrastructure adjacent to the site;
- stormwater management for the site will be accommodated by a proposed SWM facility located as shown on the plans. The pond has been sized for quantity control to meet pre-development peak flow targets; and
- the site is favourable for the proposed residential use as shown on the Site Plan for the site and as detailed in the Design Brief.

Based on the revised Design Brief and the analysis completed by the Town's Engineer and consulting engineers, Administration is satisfied that the municipal infrastructure (water, wastewater and stormwater) can accommodate the proposed development. Should the applications be approved, detailed servicing design will be finalized at the time of site plan approval.

4. Tree Assessment Report Draft Dependent on Final Site Plan and Grading/Service Plan prepared by Michelle Peeters Landscape Architect and Ron Koudys Landscape Architects Inc dated November 2019 and Draft Tree Preservation Plan prepared by Ron Koudys Landscape Architects Inc dated November 22, 2019.

The Tree Assessment Draft Report concluded the following:

- no rare, endangered, or unusual species were observed on site. All observed trees are common to the geographic area and are typical of the current and neighbouring land uses;
- there are six (6) immature Kentucky Coffee Trees on the property, which are listed as 'threatened' under the Endangered Species Act (2007) that conflict with the proposed development. These trees are to be transplanted within the site OR to a suitable nearby site following regulations as set out by Species at Risk Ontario and any specific conditions prescribed within the Permit for Species Protection or Recovery that is being obtained in relation to this project;
- there is a row of seven (7) mature Silver Maples within the subject site near the southern edge of the property that provide ecological and aesthetic benefits to the community. Construction setbacks from these trees were established and recommended by the project consulting arborist to ensure that structural stability and tree vitality are not compromised; and
- there are eight (8) boundary trees that are recommended for removal. Written consent from the adjoining land owners is required to remove these trees prior to removal.

The following recommendations were provided:

1. Acquire written confirmation from applicable neighbouring land owners for consent to remove noted boundary trees.
2. Root pruning for trees 25 and 30 to 36 to be executed prior to construction.
3. Tree preservation fencing is to be installed prior to any grading or site work as per the details and layout on the tree preservation drawing.
4. Tree preservation fencing is to be maintained in good condition and effective for the duration of construction until all construction activity is complete or as per the project arborist or landscape architect.
5. Removal of interior trees where there is conflict with construction or individuals are in poor health/condition.
6. Preservation of all trees on private property beyond the subject site.
7. Transplanting of six Kentucky Coffee Trees as per the conditions of a permit issued by the Ministry of the Environment, Conservation and Parks (MECP). Note that an application for permit will be submitted by Ron Koudys Landscape Architects Inc to the MECP and is expected within 90 days of submission.

The Town's Arborist has reviewed the draft Tree Assessment Report and Preservation Plan and agrees with its findings and recommendations.

## Comments

Concerns raised at the September 10, 2019 Public Meeting are summarized by theme in this section of the report. Town Administration's response follows. As noted above, the Owner's planning consultant submitted an Addendum to the Planning Justification Report that also provides responses to the concerns raised.

## Need for this Type of Development

### Comments Provided

- The Town already has enough condo developments
- Don't need this type of housing
- Style of development will not suit seniors because it does not have elevators
- If approved, it will establish a precedent for other areas of the Town for this type of development
- Council should make decisions based on the wishes/needs of current residents

## **Administration's Response**

The PPS, the County of Essex Official Plan and the Tecumseh Official Plan (in effect at the time of submission of the applications) all establish a strong case for residential infill and intensification and providing for a mix and range of housing types and tenures. The Town's current housing mix is dominated by low density, single unit detached dwellings. More recently, there have been a number of proposals for higher density development – mostly within the Tecumseh Road Mainstreet CIP area. Despite this recent surge in higher density development, the proportion of single unit detached dwellings Town-wide is approximately 80 percent of all housing stock.

This lack of housing diversity is magnified when one considers the neighbourhood context in which the subject property is located. This area of the Town, with the exception of a very few two-unit dwellings, has no other type of housing than single unit detached for over a kilometer radius and no apartment style units for over a two-kilometre radius. Accordingly, for someone looking to divest him or herself of the upkeep and maintenance of a single detached home and associated yard, there are no options but to move from this general area. The subject development proposal would provide alternatives in the neighbourhood.

A diverse housing stock is essential to meeting the varied needs of all citizens within a community. For instance, the aging population (which is a current significant demographic trend) will not be entirely well served by the existing predominately single unit detached housing supply. A greater diversity of smaller units requiring less maintenance and located shorter, walkable distances from other key destinations and transit will be necessary.

In summary, it is the opinion of the writer that there is a need for this type of housing at this location.

## **Density of Proposed Development**

### **Comments Provided**

- Too dense of a development
- The proposed number of units and density is not in keeping with the surrounding area or the current Official Plan policy

## **Administration's Response**

The "Medium Density Residential" designation in the Tecumseh Official Plan in effect at the time of submission of the applications permits a maximum of 30 units per net hectare. The density resulting from the proposed 63-unit condominium development is 28 units per gross hectare or 29 units per net hectare once the area for the public park, to be conveyed to the Town, is netted out. The dwelling types proposed by the development are permitted by the "Medium Density Residential" designation.

The key consideration with respect to density is to ensure the proposed development can be properly integrated into the surrounding area. By way of example, the two, six-unit buildings located on the southeast corner of the intersection of Lesperance Road and Lanoue Street equate to 63 units per hectare. Despite its high density, this development has been well integrated into the surrounding neighbourhood, with low-density single unit dwellings to the east and south, and has been well-received by the community in general.

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 and compatibility between uses can be achieved. Servicing and transportation are addressed earlier in this Report and compatibility is addressed below.

It should also be noted that the Tecumseh Transit Service route includes a stop abutting the land property to the north – another commonly accepted locational consideration for intensification. Further, the surrounding area has a small-scale commercial node within walking distance of the subject property that will be strengthened by the addition of new residents in close proximity.

It is also reasonable to have regard to the existing regulatory framework when evaluating the appropriateness of the subject applications. One of the permitted uses under the current Community Facility (CF) Zone that applies to the subject property is a senior citizen housing complex at a density of 37 units per gross hectare, a maximum height of 10.6 metres (34.8 feet), and a minimum yard depth of 7.6 metres (24.9 feet). At 37 units per gross hectare, the 2.29 hectare subject property could accommodate 84 units in a three-storey building situated closer to the lot lines than the subject development proposal. The residential proposal has lower density, lower building heights around the subject lands periphery and less building mass relative to the use which would be permitted as of right under the current planning 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.

## **Compatibility with Surrounding Neighbourhood**

### **Comments Provided**

- The proposed development and housing-type is not compatible with abutting lands
- Two- and three-storey dwellings will reduce privacy of existing homeowners
- Will increase noise and light pollution
- Rear yard setback of 32.8 feet is too little for a 2-storey townhouse

## **Administration's Response**

As a general tenet of planning, residential uses by their very nature are compatible with other residential uses. Multi-unit 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. Compatibility is achieved by addressing differences in scale and massing of abutting residential properties through 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 being capable of existing together in harmony.

Compatibility is generally addressed through land use and design. The evaluation of land use compatibility, in the context of a residential proposal, includes criteria such as noise, traffic, safety, privacy or intrusive overlook and shadowing. Design compatibility includes criteria such as scale, height, massing and articulation, architectural elements, landscaping, fencing and context.

The Owner has addressed compatibility in submitted technical studies and illustrations. The proposed location of the three-storey stacked townhouses – central to the site and adjacent the municipal park – mitigate potential for shadowing and intrusive overlook. The proposed three-storey stacked townhouses transition to two-storey townhouse dwellings along the westerly and southerly property lines thereby providing a visual buffer. The placement of these three-storey buildings with the municipal park to the north, the significant setback from the east, the retention of mature trees and the provision of new fencing and landscaping further address compatibility with surrounding land uses.

The Owner revised the proposal by increasing the setback along the southerly lot line from 10.0 metres (32.8 feet) to 14.1 metres (46.3 feet) thereby allowing for the preservation of additional mature trees. This increased setback and additional landscaped buffering will assist in softening the visual integration of the new development with properties fronting on Little River Blvd. It will also minimize the potential for visual intrusion at this location (see Attachment 10). In addition, the massing of the buildings along the southerly property line has been reduced by breaking up one of the six-unit townhouse blocks into two three-unit blocks.

The positioning and orientation of the proposed buildings on the subject land has considered the position and orientation of the dwellings adjacent to it. The northerly stacked townhouse addresses the street while being sensitive to the existing single unit dwellings on the north side of Dillon Drive through the positioning of the municipal park and stormwater management pond between the building and the street. The centrally located stacked townhouse is setback from all surrounding existing dwellings and buffered by the two-storey townhouses along the southerly and westerly lot lines. In addition, having the rear yards of the two-storey

townhouses adjacent to the rear yards of the abutting single unit dwellings is a normal land use relationship in residential areas.

In terms of building design, the height of the proposed townhouses adjacent to westerly and southerly lot lines is well under the maximum height of 10.6 metres (34.8 feet) (which typically equates to three stories) established under the current Community Facility Zone (CF) that applies to the subject land. It is also less than the maximum height of 10.6 metres (34.8 feet) established for the Residential Zones (R1) and (R2) that surround the subject land.

In terms of potential impact from lighting, a photometric plan will be required at the Site Plan Approval stage with measures to mitigate light spillover from the proposed buildings onto adjacent yards. Further, new fencing and landscaping can be used to mitigate vehicular headlights from shining into adjacent spaces.

Finally, in terms of form or style, the design of the proposed residential buildings incorporates different quality materials (brick and stucco) that are present in the surrounding neighbourhood.

This thorough analysis of compatibility leads the writer to the opinion that the residential proposal is compatible – it is capable of existing harmoniously with existing land uses in the surrounding neighbourhood.

## **Traffic Impact of the Proposed Development**

### **Comments Provided**

- The development will increase traffic issues

### **Administration's Response**

As indicated earlier in this Report, the Owner has provided expert traffic analysis that has been peer reviewed by a traffic engineering consultant on behalf of the Town. Administration is satisfied that the existing transportation network is adequate to accommodate the anticipated increase in traffic resulting from the proposed development.

## **Infrastructure to Support the Proposed Development**

### **Comments Provided**

- Inadequate infrastructure (storm, water, sanitary, gas lines, power grid)
- Dillon Drive should be updated with new infrastructure before development occurs
- Will increase flooding

## **Administration's Response**

As indicated previously in this Report, the Owner has provided expert professional engineering analysis that is satisfactory to Town Administration concluding that there is adequate water, wastewater and stormwater infrastructure and design solutions to support the proposed development.

With respect to the reconstruction of Dillon Drive, Administration agrees that the existing cross section warrants improvements and that it will work with the Owner at the site plan control stage to identify specific improvements and to develop appropriate cost sharing.

## **Safe Access/Lake St. Clair Floodprone Area**

### **Comments Provided**

- ERCA raised the issue of safe access during a flood event in accordance with Section 3.1 of the PPS

### **Administration's Response**

The subject land is situated in the Lake St. Clair Floodprone Area and is subject to Section 3.1 of the PPS, establishing that safe access is to be available to the subject property under a flood event. More specifically, subsection 3.1.2 "Natural Hazards" of the Provincial Policy Statement (PPS) states:

*"Development and site alteration shall not be permitted within:*

*...c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard;"*

This matter has been reviewed by the Town's Fire Chief and Community Emergency Management Coordinator and it has been confirmed that the subject land would be accessible for emergency response during a flooding event and, as such, safe access for the subject property can be provided in accordance with the PPS.

## **Summary**

The foregoing information is provided in response to Council's direction to report and comment on concerns raised at the first Council public meeting. The second Council public meeting will provide an opportunity to present how these concerns have been addressed and receive additional feedback/comments from interested stakeholders. A final report summarizing the

second public meeting and providing a comprehensive planning analysis will be provided with recommendations at a subsequent Council meeting.

## Consultations

Fire & Emergency Services  
 Parks & Recreation Services  
 Public Works & Environmental Services

## Financial Implications

None

## Link to Strategic Priorities

Applicable	2019-22 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 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 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:

Wade Bondy  
Director Fire Services & Fire Chief, C.E.M.C.

Reviewed by:

Paul Anthony, RRFA  
Director Parks & Recreation 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:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Property Location Map
2	Surrounding Land Uses with Site Plan Overlay Map
3	Proposal Presented at November 2018 PIC
4	Original Site Plan
5A	Revised Site Plan
5B	Architectural Elevation Renderings 1
5C	Architectural Elevation Renderings 2
5D	Architectural Elevation Renderings 3
5E	Architectural Elevation Renderings 4
5F	Architectural Elevation Renderings 5
6	Applicant's Addendum to Planning Justification Report, December 2020
7	Applicant's Revised TIS, March 2021 and Response Matrix
8	Applicant's Design Brief, January 2020 and Response Matrix
9	Applicant's Tree Assessment Report, November 2019
10	Cross Sections